

City Council Meeting

October 6, 2008

Dinner provided by:



Burritos and Enchiladas

Beans and Rice

Iguana dip,

Chips and sauce

COUNCIL COMMITTEE
October 6, 2008
6:00 p.m.
Council Chamber

AGENDA

DAVID VOYSEY, COUNCIL PRESIDENT

CONSENT AGENDA

AGENDA ITEMS FOR DISCUSSION

- * COU2008-70 Consider Employee Health Insurance Plan for 2009
Dave Johnson, CBIZ**

- *COU2007-27 Consider Project 191022: 2008 Concrete Repair Program
Final Change Order
Bob Pryzby**

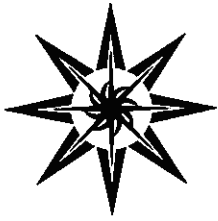
- COU2008-72 Consider adoption of 2008 Standard Traffic Ordinances and Uniform
Public Offense Code
Captain Tim Schwartzkopf**

- COU2008-74 Consider approval to use Lyncole Industries to conduct an evaluation of
the radio system with funding from the general contingency fund
Captain Wes Lovett**

- COU2008-75 Consider approval of a modification to Personnel Policy 910 regarding
"comp time"**

- COU2007-51 Village Vision**

***Council Action Requested the Same Evening**



COUNCIL COMMITTEE

Council Meeting Date: October 6, 2008
Committee Meeting Date: October 6, 2008

COU2008-70: Consider approving Blue Cross Blue Shield of Kansas City as the City's health care provider with the addition of a high deductible health care plan with a Health Savings Account for the 2009 plan year and establishing the HMO option as the City's 'base' insurance plan.

SUGGESTED MOTION

Move that the Governing Body:

- 1) Approve Blue Cross Blue Shield of Kansas City as the City's health care provider for the 2009 plan year.
- 2) Add a high deductible health care plan with a Health Savings Account for the 2009 plan year (in addition to the two current plan options).
- 3) Establish the HMO plan as the City's 'base' health insurance option for purposes of determining employer premium contributions.

BACKGROUND

The City currently contracts with United Healthcare for its health insurance plans. The plan year ends in December and consequently, proposals were sought for renewal or a new provider. The City retained the services of CBIZ, its employee benefits consultant, to assist and advise in the renewal process. Dave Johnson, from CBIZ, is scheduled to attend Monday's meeting.

The City's Employee Benefits Committee received seven (7) responses from health care providers and has determined the offering from Blue Cross Blue Shield of Kansas City (BCBS) to be the best option. This determination was made based on provider availability, specifically St. Luke's Health System, a second year rate cap of 14.9%, and health and wellness offerings.

The proposal from BCBS includes the two current health plans offered to employees (HMO & PPO) or equivalent. The proposal also included the addition of a third plan: a high deductible health plan to be used with a Health Savings Account (HSA). A high deductible plan does not cover first dollar medical expenses, with the exception of preventative care, and typically has a yearly deductible of \$2,000 or more dollars. Because of the higher deductible, the monthly premium is lower than that of a HMO or PPO plan.

The high deductible plan would be associated with the HSA: a special account owned by an individual used to pay for current and future medical expenses. The HSA allows an individual and/or employer to contribute funds to an account on a pre-tax basis. The participating individual can use the funds in the account for qualifying

medical expenses (deductibles, prescriptions, hospital visits, glasses, orthodontics, etc.) on a tax free basis. The funds in the HSA account are the individual's responsibility and are fully-owned by the participant; therefore, if the individual leaves employment or the City stops offering an HSA plan, the individual retains the funds in their HSA account. In concept, the HSA plan encourages the individual to be more accountable and aware of health costs. The Governing Body discussed the HSA plan during the September 15, 2008 Council Committee of the Whole meeting.

BCBS presented a high deductible with HSA option as part of their renewal proposal. The HSA monthly premium is proposed at 28% less than the current cost for the HMO plan. BCBS also presented an option for the HMO and PPO renewal with a decrease of 4.3% and 4.0%, respectively.

CBIZ recommends that the City use the HMO plan as the 'base' plan for determining the employer's premium contributions and pay the same amount per month for premium towards the HSA or the PPO plan. In 2009, the base amount per month is \$340.09 for Employee Only, \$683.21 for Employee +1, and \$909.81 for Family Coverage.

In prior years, the Governing Body determined the cost sharing by the City and the employee to be as follows:

	<u>City</u>	<u>Employee</u>
EE Only	100%	0%
EE+1	83%	17%
Family	75%	25%

Based on this information the monthly cost sharing structure for the BCBS plans are shown below.

<i>Base (HMO)</i>	2008 Plan Year			2009 Plan Year		
	Total	Employee	City	Total	Employee	City
EE Only	355.55	0.00	355.55	340.09	0.00	340.09
EE+1	860.57	146.30	714.27	823.15	139.94	683.21
Family	1,268.21	317.06	951.15	1,213.09	303.28	909.81

<i>Buy-Up (PPO)</i>	2008 Plan Year			2009 Plan Year		
	Total	Employee	City	Total	Employee	City
EE Only	439.97	84.42	355.55	421.86	81.77	340.09
EE+1	1,064.91	350.64	714.27	1,021.09	337.88	683.21
Family	1,569.35	618.20	951.15	1,504.78	594.97	909.81

<i>HSA w/ high deductible</i>	2009 Plan Year			
	Total	Employee	HSA Contribution	City
EE Only	258.16	0.00	81.93	340.09
EE+1	624.75	0.00	58.46	683.21
Family	921.63	11.82	0.00	909.81

The HSA option allows the City to fund a portion of the employee's HSA while still reducing overall total healthcare cost. The employee can also contribute to their HSA in the amount of the difference between the IRS annual contribution limit.

Dental and vision insurance renewals will be brought to Council at a future meeting.

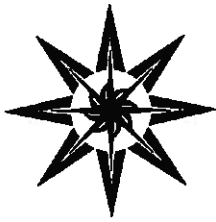
FUNDING SOURCE

Employee health insurance premiums are funded with General Fund. The 2009 budget anticipated a 5% health insurance increase in City premium contributions. With the proposed renewal rates, health care costs will be well below budget.

PUBLIC NOTICE

Not applicable.

Prepared By:
Nicholas Sanders
Human Resources Specialist
Date: September 29, 2008



PUBLIC WORKS DEPARTMENT

Council Committee Meeting Date: October 6, 2008

Council Meeting Date: October 6, 2008

COU2007-27 CONSIDER PROJECT 191022: 2008 CONCRETE REPAIR PROGRAM CONSTRUCTION CHANGE ORDER #2 (FINAL)

RECOMMENDATION

Staff recommends the City Council approves Construction Change Order #2 (FINAL) with McAnany Construction for an increase of \$23,168.82 to project 191022: 2008 Concrete Repair program.

COUNCIL ACTION REQUESTED ON OCTOBER 6, 2008

BACKGROUND

This contract is complete. This change order is for the final as-built quantities and is 3.1% above the original contract amount.

FUNDING SOURCE

Funds are available in the Capital Infrastructure Program under project 191022 - 2008 Concrete Repair Program

RELATED TO VILLAGE VISION

- CC1a. Make streetscape improvements to enhance pedestrian safety and attractiveness of the public realm.*
- CC1b. Evaluate street cleaning and sanitation practices to identify potential gaps in service provision. Offer supplementary services as necessary to keep streets clean.*
- CFS3a. Ensure streets and sidewalks are in good condition by conducting maintenance and repairs as needed.*
- TR3a. Ensure the quality of the transportation network with regular maintenance as well as efficient responses to seasonal issues such as snow removal.*

ATTACHMENTS

1. Construction Change Order #2 (FINAL) with McAnany Construction.

PREPARED BY

Thomas Trienens, Manager of Engineering Services
1, 2008

October



POLICE DEPARTMENT

Council Committee Meeting Date: October 6, 2008
City Council Meeting: October 20, 2008

COU2008-72: Consider adoption of ordinances incorporating the 2008 Uniform Public Offense Code and the Standard Traffic.

RECOMMENDATION

Staff recommends that Council adopt Ordinances 2177 and 2178 incorporating the Uniform Public Offense Code, (UPOC), and the Standard Traffic Ordinance, (STO), 2008 edition, prepared and published by the League of Kansas Municipalities with certain sections deleted and with additional and supplemental sections.

BACKGROUND

On an annual basis, the City receives the latest edition of the UPOC and the STO from the League of Kansas Municipalities. Prior to the request for incorporation, the offense codes and traffic ordinances were reviewed against current City ordinance for any discrepancies. Any deletions or additions were reviewed and approved by the City Attorney.

PREPARED BY

Capt. Tim M. Schwartzkopf
Patrol Commander

Date: September 30, 2008

ORDINANCE NO. 2177

AN ORDINANCE AMENDING CHAPTER XI OF THE CODE OF THE CITY OF PRAIRIE VILLAGE, 2003, ENTITLED "PUBLIC OFFENSES & TRAFFIC" BY INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", EDITION OF 2008, WITH CERTAIN DELETIONS AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; AND REPEALING CHAPTER XI, ARTICLE 1 OF THE PRAIRIE VILLAGE MUNICIPAL CODE

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS:

SECTION ONE

11-101. is hereby adopted to read as follows:

11-101. INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Prairie Village, Kansas, that certain code known as the "Uniform Public Offense Code," edition of 2008, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, with certain sections deleted and with additional and supplemental sections, such incorporations being authorized by K.S.A. §§12-3301 and 12-3302 and K.S.A. §§12-3009 through 12-3012. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped, "Official Copy as Adopted by Ordinance No. _____" with such additional sections clearly marked and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

SECTION TWO

11-102. is hereby adopted to read as follows:

11-102. UNIFORM PUBLIC OFFENSE CODE; ADDITIONS.
Article 5 of the Uniform Public Offense Code is hereby amended by deleting existing Section 5.6 and inserting in place thereof the following:

Section 5.6 Purchase or Possession of Cigarettes or Tobacco Products by a Minor.

It shall be unlawful for any person:

- (a) Who is under 18 years of age to purchase or attempt to purchase cigarettes or tobacco products; or
- (b) Who is under 18 years of age to possess or attempt to possess cigarettes or tobacco products. (K.S.A. 79-3321:3322, as amended)

Violation of this section shall be an ordinance cigarette or tobacco infraction for which the fine shall be a minimum of \$25 and a maximum of \$100. In addition, the judge may require the juvenile to appear in court with a parent or legal guardian.

SECTION THREE

11-103. is hereby adopted to read as follows:

11-103. SAME.
Article 5 of the Uniform Public Offense Code is hereby amended by deleting the existing Section 5.8 and inserting in place thereof the following:

Section 5.8 Unlawful Possession, Consumption, and Acquisition of Alcohol or Cereal Malt Beverages by a Minor.

- (a) No person under 21 years of age shall possess or consume alcoholic liquor or cereal malt beverages except as authorized by law.

Violation of this subsection is a violation punishable:

- (1) By a fine of not less than \$200.00 or by 40 hours of community service or by both, if committed on premises licensed pursuant to Article 26 of Chapter 41 of the Kansas Statutes Annotated; or
 - (2) By a fine of not less than \$200.00 or by 10 hours of community service, or by both, if committed on any other premises.
- (b) No person under 21 years of age shall obtain or purchase, or attempt to obtain or purchase, alcoholic liquor or cereal malt beverages from any person except as authorized by law.

Violation of this subsection is a violation punishable by a fine of not less than \$100.00 and not more than \$250.00 or by 40 hours of community service, or by both.

SECTION FOUR

11-104. is hereby adopted to read as follows:

11-104. SAME.

Article 6 of the Uniform Public Offense Code is hereby supplemented to add the following provisions:

Section 6.24 Unlawful Posting of Pictures and Advertisements.

- (a) Unlawful posting of pictures and advertisements is:
 - (1) The putting up, affixing or fastening of either or both to a traffic control device or traffic control standard or telegraph, telephone, electric light, power or other utility pole, but it is not unlawful to affix official traffic control devices to such poles; or
 - (2) The placement of either or both on public property other than as prescribed in subdivision 3 of this subsection;
 - (3) The placement of either or both on right-of-way without the consent of the landowner or the person in possession whose land lies along the right-of-way where such picture or advertisement is placed; or
 - (4) The placement of either on private property without the consent of the landowner or the person in possession of such property.
- (b) It is unlawful for any person within the city limits to tack, paste, paint, hang or place in any manner whatsoever, or cause to be tacked, posted, hung, or placed in any manner whatsoever, any handbills, dodgers, signs, or advertisements, written or unwritten, or printed matter, to or upon any telephone or telephone pole, sidewalk, or building in the city, or to throw, scatter or cause to be thrown or scattered, any handbills, dodgers or other advertisements or propaganda, or of written or printed matter or paper of any kind upon any street, alley, sidewalk, vacant lot, city property, or yard within the city limits.

Unlawful posting of pictures and advertisements is a Class C violation.

Section 6.25 Opening, Damaging or Removing Coin-Operated Machines.

Opening, damaging or removing coin-operated machines is willfully and knowingly opening, removing or damaging any parking meter, coin telephone, vending machine dispensing goods or services, money changer or any other device designed to receive money in the sale, use or enjoyment of property or services or any part thereof, with intent to commit theft.

Violation of this section is a Class A violation.

Section 6.26 Possession of Tools for Opening, Damaging or Removing Coin-Operated Machines.

Possession of tools for opening, damaging or removing coin-operated machines is the possession of any key, tool, instrument or other device, or any drawing, print or mold of a key or other device or any explosive specifically designed for or suitable for the use in opening or breaking into any parking meter, coin telephone, vending machine dispensing goods or services, money changer or any other device designed to receive money in the sale, use or enjoyment of property or services with intent to commit theft.

Violation of this section is a Class B violation.

SECTION FIVE

11-105. is hereby adopted to read as follows:

11-105. SAME.

Article 9 of the Uniform Public Offense Code is hereby supplemented to add the following provisions:

Section 9.14 Loitering.

(a) Loitering is loafing, wandering, standing or remaining idle, either alone or in concert with others, in a public place in such manner so as to:

(1) Obstruct any public street, public highway, public sidewalk or public building or any other place of public access by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians;

(2) Committing in or upon any public street, public highway, public sidewalk or public building or any other place of public access any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, public sidewalk or public building or any other place of public access, all of which prevents the free and uninterrupted ingress, egress and regress therein, thereon and thereto.

(b) When any person causes or commits any of the conditions enumerated in this section, a law enforcement officer shall order that person to stop causing or committing such conditions and to move on or disperse. Any person who fails or refuses to obey such order is guilty of a violation of this section.

Violation of this section is a Class C violation.

Section 9.15 Unsolicited Publications -- Penalty.

(a) No person shall either directly or indirectly place or deposit or cause to be placed or deposited, upon any building or structures used for human abode, including the lot or lots upon which the structure is located or upon any right-of-way or city property within the city, any newspaper, magazine, publication or any other printed material if the owner or occupant of the structure has previously requested in writing that the publisher or deliverer of the material not place or deposit the material on the structure or lot.

(b) Exceptions. The provisions of this section shall not apply to distributions made through the U.S. Postal Service or any other private postal service.

(c) Penalties. Any person who violates the provisions of this section shall, upon conviction thereof, be punished for each such violation by a fine not exceeding \$100 for each such violation.

Section 9.16 Residential Picketing.

It is unlawful for any person to engage in picketing before or about the residence or dwelling of any individual in the city or before or about any church in the city.

Every person convicted of violating this section shall be imprisoned for not more than one year or fined not more than \$2,500 or by both such fine and imprisonment, provided that any person convicted of a second or subsequent conviction shall be required to be confined to not less than five consecutive days in the county jail in addition to any penalty assessed, which period of imprisonment shall not be suspended nor the defendant placed on probation until the five consecutive days are served.

SECTION SIX

11-106. is hereby adopted to read as follows:

11-106. SAME.

Article 10 of the Uniform Public Offense Code is hereby amended by deleting existing Section 10.1 and inserting in place thereof the following:

Section 10.1. Criminal Use of Weapons.

- (a) Criminal use of weapons is knowingly:
 - (1) selling, manufacturing, purchasing, possessing or carrying any bludgeon, sandclub, metal knuckles or throwing star, or any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement;

- (2) carrying concealed on one's person, or possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, slung shot, dangerous knife, straight-edged razor stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife, with no blade more than four inches in length, shall not be construed to be a dangerous knife or a dangerous or deadly weapon or instrument;
 - (3) carrying on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;
 - (4) carrying any pistol, revolver, shotgun, rifle or other firearm with similar characteristics, concealed or exposed on or about the person, or in or on any part or area of any air, land or water vehicle unless the pistol, revolver or other firearm is unloaded and encased in a container that completely encloses the pistol, revolver or other firearm, except when on the person's land or in the person's abode or fixed place of business;
 - (5) setting a spring gun;
 - (6) possessing any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.
- (b) Subsections (a)(1), (2), (3) and (4) shall not apply to or affect any of the following:
- (1) law enforcement officers, or any person summoned by an officer to assist in making arrests or preserving the peace, while actually engaged in assisting that officer;
 - (2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crimes, while acting within the scope of their authority;
 - (3) members of the armed services or reserve forces of the United States or the Kansas national guard, while in the performance of their official duty; or
 - (4) manufacture of, transportation to or sale of weapons to a person authorized under (b)(1) through (b)(3) of this section to possess those weapons.
- (c) Subsection (a)(4) does not apply to or affect the following:
- (1) watchmen, while actually engaged in the performance of the duties of their employment;
 - (2) licensed hunters or fishermen, while engaged in hunting or fishing;
 - (3) private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;
 - (4) detectives or special agents regularly employed by railroad companies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment; or
 - (5) the state fire marshal, the state fire marshal's deputies or any member of a fire department authorized to carry a firearm pursuant to K.S.A. Supp. 31-157 and amendments thereto, while engaged in an investigation in which the fire marshal, deputy or member is authorized to carry a firearm, pursuant to K.S.A. 31-157 and amendments thereto.
- (d) Subsections (a)(1) and (6) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment that has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and that has been registered in the national firearms registration and

- transfer record in compliance with 26 U.S.C. 5841 *et seq.* in the name of that person and, if that person transfers that firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.
- (e) Subsection (a)(4) shall not apply to any person carrying a concealed weapon as authorized by K.S.A. Supp. 75-7c01 through 75-7c17.
 - (f) It shall be a defense that the defendant is within an exemption. (K.S.A. 21-4201)
 - (g) Violation of this section is a Class A violation.

10.1.1 Concealed Carry; Where Prohibited.

- (a) No license issued pursuant to Chapter 32 of the 2006 Session Laws of Kansas shall authorize the licenses to carry a concealed weapon into:
 - (1) Any place where an activity declared a common nuisance by K.S.A. 22-3901, and amendments thereto, is maintained;
 - (2) Any police, sheriff, or highway patrol station;
 - (3) Any detention facility, prison, or jail;
 - (4) Any courthouse;
 - (5) Any courtroom, except that nothing in this section would preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in the judge's courtroom;
 - (6) Any polling place on the day an election is held;
 - (7) Any meeting of the governing body of a court, city, or other political or taxing subdivision of the state, or any committee or subcommittee thereof;
 - (8) On the state fairgrounds;
 - (9) Any state office building;
 - (10) Any athletic event not related to or involving firearms which is sponsored by a private or public elementary or secondary school or any private or public institute of postsecondary education;
 - (11) Any professional athletic event not related to or involving firearms;
 - (12) Any portion of a drinking establishment as defined by K.S.A. 41-2601, and amendments thereto, except that this provision shall not apply to a restaurant as defined by K.S.A. 41-2601, and amendments thereto;
 - (13) Any elementary or secondary school building or structure used for student instruction or attendance;
 - (14) Any community college, college, or university facility;
 - (15) Any place where the carrying of firearms is prohibited by federal or state law;
 - (16) Any child exchange and visitation center provided for in K.S.A. 75-720 and amendments thereto;
 - (17) Any community mental health center organized pursuant to K.S.A. 19-4001 *et seq.*, and amendments thereto; mental health clinic organized pursuant to K.S.A. 65-211 *et seq.*, and amendments thereto; psychiatric hospital licensed under K.S.A. 75-3307b, and amendments thereto; or state psychiatric hospital, as follows: Larned state hospital, Osawatomie state hospital, or Rainbow mental health facility;
 - (18) Any city hall;
 - (19) Any public library operated by the state or by a political subdivision of the state;
 - (20) Any day care home or group day care home, as defined in Kansas administrative regulation 28-4-113, or any preschool or childcare center, as defined in Kansas administrative regulation 28-4-420; or
 - (21) Any church or temple.

- (b) Violation of section is a class A violation. (2006 Session Laws of Kansas, Chapter 32)

10.1.2 Concealed Carry; Where Prohibited by Employers.

- (a) Nothing in Chapter 32 of the 2006 Session laws of Kansas shall be construed to prevent:
- (1) Any public or private employer from restricting or prohibiting in any manner persons licensed under the act from carrying a concealed weapon while on the premises of the employer's business or while engaged in the duties of the person's employment by the employer; or
 - (2) Any entity owning or operating business premises open to the public from restricting or prohibiting in any manner persons licensed under the act from carrying a concealed weapon while on such premises, provided that the premises are posted in a manner reasonably likely to come to the attention of persons entering the premises, as premises where carrying a concealed weapon is prohibited; or
 - (3) A property owner from restricting or prohibiting to any manner persons licensed under the act from carrying a concealed weapon while on such property provided that the premises are posted, in a manner reasonably likely to come to the attention of persons entering the property where carrying a concealed weapon is prohibited.
- (b) Carrying a concealed weapon on premises in violation of any restriction or prohibition allowed by subsection (a), or in violation of any restriction or prohibition allowed by subsection (b) or (c) if the premises are posted as required by such subsection, is a class B violation. (2006 Session Laws of Kansas, Chapter 32)

10.1.3 Concealed Carry; When Impaired. It is a class A violation for a person licensed pursuant to Chapter 32 of the 2006 Session Laws of Kansas to carry a concealed weapon while under the influence of alcohol or drugs, or both. (2006 Sessions Laws of Kansas, Chapter 32)

SECTION SEVEN

11-107. is hereby adopted to read as follows:

11-107. SAME.

Article 10 of the Uniform Public Offense Code is hereby supplemented to add the following provisions:

Section 10.24 Intoxicating Liquor and Cereal Malt Beverage – Consumption and Possession of Open Containers Prohibited at Certain Places.

It is unlawful for any person to drink, consume, or possess an open container of alcoholic liquor or cereal malt beverage upon the public streets, alleys, roads or highways, or upon property owned by the City.

- (a) The provisions of this section shall not apply to the consumption or possession of alcoholic liquor or cereal malt beverage upon property owned by the city and operated as the Prairie Village Community Center; provided further, that no person shall possess or consume any alcoholic liquor or cereal malt beverage at the Prairie Village Community Center unless:

- (1) That person is in attendance at an event or a function for which permit authorizing the serving and consumption of liquor and beer has been previously issued by the city, and
 - (2) The liquor or beer being consumed has been provided by the individual, person, or organization to which the permit has been issued.
- Violation of this section is a Class C violation.

Section 10.25 Drunkenness.

It is unlawful for any person to be drunk on any highway, street or in any public place or building in the city.

Violation of this section is a Class B violation.

Section 10.26 Impersonating an Officer.

It is unlawful for any person to exercise or to assume to exercise any of the powers conferred upon any police officer, or to represent himself or herself to be any such officer, or to possess the power and authority thereof, unless such person is a duly authorized officer of the law.

Violation of this section is a Class B violation.

Section 10.27 Vehicles in City Parks.

It is unlawful to run, stand or park any motor vehicle or motorized bicycle through or across or over any part of any city park, other than roadways or parking areas so designated.

Violation of this section is a Class C violation.

Section 10.28 Smoking on Common Carrier Buses -- Penalty.

- (a) No person shall smoke or carry in his or her hand a lighted cigar, cigarette or pipe, while in or upon any motorbus operated in common carrier passenger service upon the streets or public ways of the city.
- (b) Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$5 nor more than \$100.

Section 10.29 Public Urination or Defecation.

No person shall urinate or defecate in any place open to the public or while exposed to public view, except while using appropriate fixtures in a restroom or other facility designed for the sanitary disposal of human waste.

Violation of this section is a Class C violation.

Section 10.30 Public Nudity.

No person shall knowingly or intentionally appear in a state of nudity in a public place. Nudity is defined as the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering; the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple; or the depiction of covered male genitals in a discernible state of sexual arousal.

Violation of this section is a Class A violation.

SECTION EIGHT

11-108. is hereby adopted to read as follows:

11-108. SAME.

Article 11 of the Uniform Public Offense Code is hereby supplemented to add the following provisions:

Section 11.13 Window Peeping.

Window peeping is the going upon property owned or occupied by another without such person's consent for the purpose of looking into any window, door, skylight or other opening into a house, room or building.

Violation of this section is a Class A violation.

Section 11.14 Severability.

If any provision of this Article 11 is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby.

SECTION NINE Repeal

Existing Article 1 of Chapter XI of the Prairie Village Municipal Code is hereby repealed.

SECTION TEN Effective Date

This ordinance shall take effect and be enforced from and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED THIS ____ DAY OF OCTOBER, 2008.

RONALD L. SHAFFER, MAYOR

ATTEST:

APPROVED AS TO FORM:

JOYCE HAGEN MUNDY, CITY CLERK

CATHERINE P. LOGAN, CITY ATTORNEY

ORDINANCE NO. 2178

AN ORDINANCE AMENDING CHAPTER XIV OF THE CODE OF THE CITY OF PRAIRIE VILLAGE, 2003, ENTITLED "TRAFFIC" BY REPEALING CHAPTER XIV, ARTICLE 1 ENTITLED "STANDARD TRAFFIC ORDINANCE" AND INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", EDITION OF 2008, WITH CERTAIN DELETIONS AND ADDITIONS; AND PRESCRIBING ADDITIONAL REGULATIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS:

SECTION ONE

14-101. is hereby adopted to read as follows:

14-101. INCORPORATING STANDARD TRAFFIC ORDINANCE

A. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Prairie Village, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2008, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3301 and 12-3302 and K.S.A. 12-3309 through 12-3012. Not less than three copies of said standard ordinance shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Prairie Village, Kansas," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, municipal judges and all administrative departments of the city charged with the enforcement of the ordinances shall be supplied, at the cost of the city, such number of official copies of such "Standard Traffic Ordinance" similarly marked, deleted and changed as may be deemed expedient.

SECTION TWO

Article 13, Section 87 of the Standard Traffic Ordinance is hereby amended as follows:

Article 13, Section 87, subsection (e)(2) is deleted and replaced with the following:

"(2) Violation of subsection (e)(1) is punishable by a mandatory fine of \$100."

SECTION THREE

14-102 is hereby adopted as follows:

14-102. SAME; TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this article that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.

(b) All traffic violations which are included within this article, and which are not ordinance traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses.

SECTION FOUR

14-103 is hereby adopted as follows:

14-103. PENALTY FOR SCHEDULED FINES.

The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judges establish a fine in a fine schedule shall not be more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.

SECTION FIVE

Article 4, Section 13.1 of the Standard Traffic Ordinance is hereby amended as follows:

Article 4, Section 13.1, subsection (c) is deleted and replaced with the following:

“(c) The provisions of this section shall not apply to the operator, passenger, or owner of any of the following authorized emergency or public works vehicles, in the course of such person’s emergency or public safety duties:

- (1) Publicly owned fire department vehicles
- (2) Publicly owned police vehicles
- (3) Motor vehicles operated by ambulance services permitted by the emergency medical services board; or
- (4) Publicly owned public works vehicles during snow removal operations.”

SECTION SIX

Article 13, Section 107 of the Standard Traffic Ordinance is hereby amended by deleting existing Section 107 and inserting in place thereof the following:

“**Sec. 107. Unattended Vehicles.** No person either operating or in charge of a motor vehicle shall leave the vehicle unattended and unlocked on either a public or private area within the City unless the ignition of such vehicle is in the locked position and the keys are removed from the ignition and are not visible from the exterior of the vehicle. These provisions shall not apply if the windows are closed and the doors locked or the vehicle is in a closed and secure building. A vehicle shall be presumed unattended if the owner or person in charge of the vehicle is not in the vehicle or is not in the immediate vicinity so as to have direct control or access to the vehicle.”

SECTION SEVEN

Existing Article 1 of Chapter XIV of the Prairie Village Municipal Code is hereby repealed.

SECTION EIGHT Effective Date

This ordinance shall take effect and be enforced from and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED THIS _____ DAY OF OCTOBER, 2008.

RONALD L. SHAFFER, MAYOR

ATTEST:

APPROVED AS TO FORM:

JOYCE HAGEN MUNDY, CITY CLERK

CATHERINE P. LOGAN, CITY ATTORNEY



POLICE DEPARTMENT

Council Meeting Date: October 6, 2008

Cou2008-74: Consider approval to use Lyncole Industries to conduct an evaluation of the radio system with funding from the general contingency fund.

RECOMMENDATION

Staff recommends the City Council approve spending contingency funds for an evaluation of the grounding issues involving the cell tower. Lyncole Industries has agreed to perform this task for \$6,822.00.

BACKGROUND

There have been four substantial lightning strikes to the cell tower in the past two years. Each lightning strike has caused a significant amount of damage to our radio system. This damage has ranged in repair costs from \$10,000 to \$62,000 with our current insurance deductible being \$25,000.

We have made minor repairs over the past two years such as adding surge protectors in an attempt to avoid these strikes. Our current radio maintenance provider, Communications Associates, has recommended that we move our switch box from the cell tower to the city hall or police building. This would require running underground fiber optic cable from the cell tower to the main building. This project would cost approximately \$32,000.

Communications Associates can not guarantee this will solve the problem. Therefore, prior to making any repairs, they suggested we contact someone who has the expertise in grounding and lightning protection. Lyncole Industries is located in Torrance, CA and have worked with other companies such as the Navy, AT&T, Sprint, and Motorola. Two other bids were received by other companies that were significantly higher.

ATTACHMENTS

PREPARED BY

Wes Lovett

Staff Services Captain

Date: October 1, 2008

**City of Prairie Village
History of Radio Tower Lightning Strikes**

Date of Strike	Total Cost	Insurance Reimbursement	City Cost
May 2006	\$ 62,794.80	\$ 57,794.80	\$ 5,000.00
June 2007	18,227.52	-	18,227.52
June 2008	62,231.40	37,471.40	24,760.00
July 2008	-	-	- *
	<u>\$ 143,253.72</u>	<u>\$ 95,266.20</u>	<u>\$ 47,987.52</u>

* The vendor waived the repair fee since the repair from the first 2008 strike was not complete due to parts on back order. The repair would have cost the City \$10,000.



COUNCIL COMMITTEE

Committee Meeting Date: October 6, 2008

Council Meeting Date: October 20, 2008

COU2008: Consider approving modifications to Council Policy PP910 (Overtime: non-exempt employees) with regards to employee compensatory time

SUGGESTED MOTION

Move that the Governing Body approve an amendment to the Council Policy PP910 regarding employee compensatory time, effective 1/1/2009.

BACKGROUND

Council Policy PP910 outlines the policies for overtime and compensatory (comp) time.

It is recommended that comp time use be eliminated for all non-exempt positions except commissioned officers and positions with regular shift work. The comp time issue is currently being reviewed as the City is preparing to implement a new time and attendance system.

The policy is attached with recommended changes shown in bold and underlined. The changes relate to the use of comp time for non-commissioned and non-shift work positions. Council feedback is desired at this time regarding the proposed changes to the comp time policy.

The City currently provides overtime pay or compensatory (comp) time to a non-exempt employee who works more than a specified number of hours in a work period.

- For commissioned officers, overtime hours start at 80 hours worked during a 14 day period
- For non-commissioned employees, overtime hours start at 40 hours worked during a 7 day period.
- Salaried employees are not eligible for overtime or comp time.

The employee chooses if the extra hours worked are to be paid as overtime pay, comp time earned or a combination of the two after coordination with their supervisor. Comp time is earned at 1½ times the hours worked. For example, if a non-commissioned employee works 42 hours in a 7 day period (and the employee chooses comp time v. overtime), the employee earns 3 hours of comp time to be used at a future date similar to vacation hours.

Flex time is also offered as an alternative to comp time and overtime, although an official policy does not exist. Flex time is used within the same week for an employee expecting to work over the specified hours during the pay period. For example, if a non-exempt employee works during a night meeting or event for 2 hours beyond their regular schedule, the employee could leave 2 hours earlier on another day of the week thus remaining under the 40 hour threshold.

The comp time policy is currently being reviewed as the City is implementing a new time and attendance system. Currently, employees track and submit time and attendance using paper forms. The forms are signed by their supervisor, submitted and hand keyed into the payroll system by the accounting clerk.

A new system was researched and selected to transfer the process to an on-line paperless system. The system was tested by the pool staff this last summer and proved to be effective in reducing administrative time, human error and payroll inaccuracies. The new system implementation is scheduled for November with associated supervisor and staff training. As staff evaluated the challenges and changes needed to implement the new time and attendance system, the comp time, flex time and overtime policies were reviewed for effectiveness and evaluated for desired changes.

Department managers discussed the comp time policy and possible changes on a number of occasions. Some employees will view the limitation of comp time use as a reduction in employee benefits. The recommendation to limit comp time use is a result of the following considerations:

- The employee chooses whether to receive overtime pay or comp time credit for eligible hours regardless of the position's staffing needs or supervisor's approval.
- The use of comp time adds an administrative burden to track comp time earned, comp time used and amount carried forward for each non-exempt employee.
- Comp time is more difficult for a supervisor to manage than flex time or overtime. Comp time does not have an immediate budget impact although the personnel resources and services are impacted.
- If comp time is carried over to a new year, the pay rate at which comp time is used is higher than the pay rate at which comp time is earned.
- Unfortunately, the comp time policy has been abused by some employees.

The recommended changes would not impact the use of comp time by commissioned officers or employees on regular shift work. The use of comp time allows flexibility for these positions as they are subject to call outs and extra shifts.

The limitation of comp time brings concern about the impact to the overtime budgets within departments. Overtime budgets will remain the same. Department managers discussed strategies to limit the use of overtime including encouraging the use of flex time, shifting work to other positions and managing overtime use more effectively.

It is also recommended that employees with a comp time balance use the hours or be 'paid out' the balance by the end of 2008 (exception for commissioned officers and those on regular shift work). If the comp time balance was paid out at this time, the cost would be approximately \$8,500 (Public Works \$8,000 and Administration \$500).

FUNDING SOURCE

Employee salaries including overtime are funded within the department budgets of the General Fund.

PUBLIC NOTICE

Not applicable.

Prepared By:
Quinn Bennion
City Administrator
Date: October 1, 2008



City Council Policy: PP910 - OVERTIME: NON-EXEMPT EMPLOYEES

Effective Date: January 1, 2009

Deleted: June 21, 2004

Amends: PP311 - OVERTIME: NON-EXEMPT EMPLOYEES, June 21, 2004

Approved By:

I. SCOPE

A. This policy applies to all non-exempt employees.

II. PURPOSE

A. To provide guidelines for the administration of overtime pay policy in compliance with applicable federal and state wage and hour regulations.

III. RESPONSIBILITY

IV. DEFINITIONS

V. POLICY

A. The City overtime pay policy will conform to overtime provisions of the Federal Fair Labor Standards Act.

- 1. Commissioned non-exempt law enforcement personnel will have a 14-day work period.
- 2. All non-exempt non-commissioned personnel will have a 7-day work period.

B. Overtime pay policy for employees includes the following principal elements:

- 1. Non-exempt non-commissioned employees will be paid straight time for all approved hours worked through forty in one 7 day work period. Non-exempt commissioned employees will be paid straight time for all approved hours worked through 80 in one 14 day work period.
- 2. Non-exempt employees will be paid one-and-one half times their regular rate for approved hours worked:
 - a.) In excess of forty in one pay period if they are non-commissioned.
 - b.) In excess of eighty hours in one pay period if they are commissioned.
- 3. Non-exempt employees who work on a City holiday may receive overtime pay at 2 times their regular rate for hours worked when:
 - a.) They are non-commissioned employees and work more than forty hours in the pay period for which the holiday falls.
 - b.) They are commissioned employees and work more than 80 hours in the pay period for which the holiday falls.
- 4. Pre-Approved vacation or an official City holiday as listed in Policy #1006 are considered "hours worked" for overtime calculation purposes.
- 5. Sick leave, disability leave, funeral leave and compensating time are not considered "hours worked" for overtime calculation purposes.
 - a.) Police officers and other employees of the police department who receive hourly pay for official City holidays rather than time-off shall not have those hours considered for overtime calculation purposes.
- 6. Overtime worked for non-exempt employees must be authorized in advance by the supervisor unless special exception is granted by the department manager.
- 7. Compensatory Time
 - a.) Compensating time off in lieu of overtime payments can be granted by the supervisor. The decisions as to when compensatory time off can be used is at the discretion of the supervisor.
 - b.) Compensatory time off may only be earned by commissioned officers or employees on regular shift work.
 - c.) Compensatory time, if granted, will be at the rate of 1 ½ hours off for each hour worked beyond 40 in a given pay period for non-commission employees.
 - d.) Compensatory time, if granted, will be at the rate of 1 ½ hours off for each hour worked beyond 80 in a pay period for commissioned employees.
 - e.) Compensatory time off can be accumulated up to 40 hours in a comp-time bank.
 - f.) The balance of compensatory time in the bank at December 31st will automatically carry forward into the subsequent year, up to the maximum time allowed pursuant to this policy.

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Deleted: are working

PP910 Overtime: Non-Exempt Employees

- When an employee changes from a non-exempt to an exempt position, they will receive payment for the compensatory time banked at their final non-exempt position rate of pay.

| VI.

Deleted: PROCEDURES

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
October 6, 2008
7:30 p.m.**

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. PUBLIC PARTICIPATION**
- V. CONSENT AGENDA**

All items listed below are considered to be routine by the Governing Body and will be enacted by one motion (Roll Call Vote). There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the regular agenda.

By Staff:

1. Approve Regular Council Meeting Minutes – September 15, 2008
2. Ratify the Mayor's appointment of Deborah English to the Prairie Village Environment/Recycle Committee for a three year term.
3. Approve the renewal of the Animal Medical Center contract for the remainder of 2008 through 2009.
4. Authorize the Mayor to issue a proclamation for Lancer Day – October 17, 2008.

By Committee:

5. Approve Construction Change Order #5 with O'Donnell & Sons Construction for an increase of \$48,521.00 to Project 190864: 2008 Street Resurfacing Program. (Council Committee of the Whole Minutes – September 15, 2008)
6. Adopt Ordinance 2176 amending Section 1 of Ordinance 2091 of the City of Prairie Village. (Council Committee of the Whole Minutes – September 15, 2008)
7. Authorize the Mayor to accept a Phase 1 Safe Routes to School grant application in the amount of \$15,000. (Council Committee of the Whole Minutes – September 15, 2008)
6. Approve City Council Policy 515, City Council Policy 527, PVMC #12-301 and PVMC #12-303 as written. (Park and Recreation Committee)

- VI. STAFF REPORTS**
- VII. COMMITTEE REPORTS**

Council Committee of the Whole

COU2008-70 Consider Employee Health Insurance Plan for 2009 - David Voysey

COU2007-27 Consider Project 191022: 2008 Concrete Repair Program Final Change Order – David Voysey

- VIII. OLD BUSINESS**
- IX. NEW BUSINESS**
- X. ANNOUNCEMENTS**

XI. ADJOURNMENT

If any individual requires special accommodations -- for example, qualified interpreter, large print, reader, hearing assistance -- in order to attend the meeting, please notify the City Clerk at 381-6464, Extension 4616, no later than 48 hours prior to the beginning of the meeting.

If you are unable to attend this meeting, comments may be received by e-mail at cityclerk@PVKANSAS.COM

CONSENT AGENDA

CITY OF PRAIRIE VILLAGE, KS

October 6, 2008

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
SEPTEMBER 15, 2008**

The City Council of Prairie Village, Kansas, met in regular session on Monday, September 15, 2008, at 7:30 p.m. in the Council Chambers of the Municipal Building.

ROLL CALL

Mayor Ron Shaffer called the meeting to order and roll call was taken with the following Council members present: Al Herrera, Bill Griffith, Ruth Hopkins, David Voysey, Michael Kelly, Andrew Wang, Laura Wassmer, Dale Beckerman, David Morrison, Charles Clark and Diana Ewy Sharp.

Also present were: Quinn Bennion, City Administrator; Katie Logan, City Attorney; Wes Jordan, Chief of Police; Suzanne Lownes for the Director of Public Works; Dennis Enslinger, Assistant City Administrator and Joyce Hagen Mundy, City Clerk.

Mayor Shaffer led all those present in the Pledge of Allegiance.

PUBLIC PARTICIPATION

No one was present to address the City Council.

CONSENT AGENDA

David Voysey moved the approval of the Consent Agenda for Monday, September 15, 2008:

1. Approve Regular Council Meeting Minutes - September 2, 2008
2. Approve Claims Ordinance 2851
3. Ratify the Mayor's appointment of Karin McAdams to the Prairie Village Environment/Recycle Committee for a three-year term.

4. Ratify the Mayor's appointment of Ann Bontrager to the Parks and Recreation Committee.

A roll call vote was taken with the following members voting "aye":
Herrera, Griffith, Hopkins, Voysey, Kelly, Wang, Wassmer, Beckerman, Clark,
Morrison and Ewy Sharp.

STAFF REPORTS

Public Works - Suzanne Lownes

- The Fall Tree Seminar will be held on October 1st at 7 p.m. The theme of this year's event is "Environmental Impact of Trees" The Board has received 14 nominations for Champion Tree Awards.
- Storm damage from the weekend was minimal - large limbs on Windsor and at 64th & Hodges. No flooding issues.
- Project Updates
 - Roe- 75th to 79th - Concrete Repair Program Street closure from 8:30 to 4:30 - work will last a couple of weeks
 - Delmar - 67th Street to 69th Street - starting to reconstruct that street
 - Mission & Somerset - WaterOne completed the pipe work from north to south across Somerset. East to west on the north side they are putting in a new line - estimated completion later this week. Construction delays will continue approximately another 3 weeks
 - Sod replacement for the street program will begin next week.
 - 80th Street - Rosewood to Nall partial reconstruction will start the end of October.

Codes Administration - Dennis Enslinger

- The Shawnee Mission School District Breakfast is Tuesday, October 23rd at 7 a.m. There are still three openings at the City's table for the event.

City Attorney - Catherine Logan

- Nothing new to report

City Administration - Quinn Bennion

- Quinn will be attending the City Manager's Conference next week. He will be out all week, Dennis Enslinger will be the point of contact in his absence.

Public Safety - Chief Wes Jordan

- The September issue of the Village Voice contains a Public Safety Resident survey. A similar survey is being sent out to residents of Mission Hills. The department conducts surveys every other year.

- Last week Chief Jordan and Chief Douglas from Overland Park were invited to address the Jewish Community Relations Bureau. The committee is very sensitive to security issues and the City's Crime Prevention Officer is working with both synagogues in the City.

Chief Jordan introduced Officer Kyle Shipps to give a presentation on the City's Crisis Intervention Team. Officer Shipps has addressed police departments throughout the area and state and will be addressing a national conference later this fall on this program.

Crisis Intervention Teams began in Memphis, TN in 1988 establishing a partnership between police, mental health and community. CIT was established in Johnson County in 1996. The program began as a jail diversion program. Its purpose is to divert mentally ill persons from jail and get them the treatment they need while still addressing any crime committed.

Police officers average six encounters with mentally ill people per month. In 2008, there have been over 700 police contacts/consults made to JOCO Mental Health's crisis line. In Prairie Village, officers have filed 67 mental health reports to date in 2008. The City currently has seven trained officers providing for a trained CIT officer on all shifts. Officer Shipps coordinates all mental health cases. The training received helps officers to identify mental health condition signs and how to respond to these conditions. The program has gained recognition for its effectiveness in dealing with mental health conditions and providing support for families and individuals impacted by them. All commissioned and non-commissioned officers in the City receive basic training in the area and its 8th officer will complete certification later this year.

The following benefits from Crisis Intervention Team Training have been documented:

- Arrests and use of force situations have decreased nationwide
- Officer recognition and appreciation by the community have increased
- Consumers that may be "overlooked" by police services are identified
- Effective court and hospitalization proceedings through partnerships

Mayor Shaffer acknowledged Officer Shipps role in this important program and the cooperation between agencies to provide the best services for all residents.

COMMITTEE REPORTS

Council Committee of the Whole

COU2008-69 Consider Repairs to Air Conditioning Unit at Municipal Office

On behalf of the Council Committee of the Whole, David Voysey moved the City Council authorize the repair of the air conditioning unit at the Municipal

Office Building with funding from the General Contingency Fund. The motion was seconded by Laura Wassmer and passed unanimously.

COU2008-73 Consider the Tyco Electronic-M/A-COM Renewal Agreement for Maintenance of the EDACS System Components

On behalf of the Council Committee of the Whole, David Voysey moved the City Council approve the maintenance agreement with Tyco Electronics-M/A-Com, Inc. for EDACS system components from August 3, 2008 to August 2, 2009 with funding from the 2008 Public Safety Budget and \$4,431.00 of the total cost being shared with the City of Leawood. The motion was seconded by David Beckerman and passed unanimously.

Parks & Recreation Committee

Diana Ewy Sharp reported the Parks Master Plan Survey was mailed out to 2000 households and as of last Wednesday, 600 surveys have been returned. She noted this is a very good response with more anticipated before the Friday return deadline.

OLD BUSINESS

There was no Old Business to come before the City Council.

NEW BUSINESS

There was no New Business to come before the City Council.

Executive Session.

David Voysey moved pursuant to KSA 74-4319(b)(2) that the Governing Body, recess into Executive Session for a period not to exceed thirty (30) minutes

for the purpose of consulting with the City Attorney on matters which are privileged in the attorney-client relationship.

Present will be the Mayor, City Council, City Administrator, Assistant City Administrator and City Attorney. The motion was seconded by Michael Kelly and passed unanimously.

Mayor Shaffer reconvened the meeting at 8:35 p.m.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Prairie Village Arts Council	09/17/2008	7:00 p.m.
Environmental/Recycle	09/24/2008	7:00 p.m.
Council Committee	10/06/2008	6:00 p.m.
Council	10/06/2008	7:30 p.m.

The Prairie Village Arts Council is pleased to announce a mixed media exhibit by Images Group during the month of September.

Prairie Village Peanut Butter week will be September 22 - 26, 2008. Bring some peanut butter to the Council meeting on September 15th!

The Shawnee Mission Education Foundation Annual Fall Breakfast is Tuesday, September 23rd at the Overland Park Convention Center.

The art exhibit in the R. G. Endres Gallery for October will be the State of the Arts Exhibit. It will be a juried show featuring entries from local artists. There will be three prizes of \$1,000.00 each and the winners will be announced at the reception on October 10th from 6:00 to 8:00 p.m.

Flu shots for City of Prairie Village employees and Council members are scheduled for October 13th from 7:30 - 9:00 a.m. at Public Works and on October 14th from 2:00 - 4:00 p.m. at City Hall. Cost to the employee/Council member is \$10.

Prairie Village Gift Cards are on sale at the Municipal Building. This is a great way to encourage others to "Shop Prairie Village."

The 50th Anniversary books, **Prairie Village Our Story**, and Prairie Village Gift Cards continue to be sold to the public.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:40 p.m.

Joyce Hagen Mundy
City Clerk



MAYOR

**Council Committee Meeting Date:
Council Meeting Date: October 6, 2008**

Consent Agenda: Consider Appointment to Environment/Recycle Committee

RECOMMENDATION

Mayor Shaffer requests Council ratification of the appointment of Deborah English to the Prairie Village Environment/Recycle Committee for a three year term.

BACKGROUND

Deborah English has been actively involved with the committee for the past year. She brings background in environmental engineering and a strong commitment to the committee. Ms McAdams volunteer application is attached.

ATTACHMENTS

Volunteer application

PREPARED BY

Joyce Hagen Mundy
City Clerk

Date: September 10, 2008



**City of Prairie Village
APPLICATION TO VOLUNTEER**

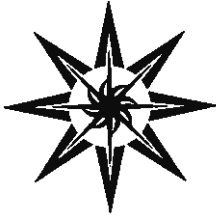
Please complete this form and return it to the City Clerk's Office, 7700 Mission Road, Prairie Village, Kansas 66208. If you have any questions, please contact the City Clerk's Office at 913-381-6464 or send an e-mail to cityclerk@ovkansas.com.

Name Deborah English Spouse's Name Joel Cron
Address 4200 W. 69th St Zip 66208 Ward _____
Telephone: Home 913 722 1272 Work 913 451 7510 Fax _____
E-mail daenglish@kc.rr.com Other Number(s): _____
Business Affiliation SCS Engineers
Business Address 10975 El Monte Op, KS 66211
What Committee(s) interests you? Environmental

Please tell us about yourself, listing any special skills or experiences you have which would qualify you for a volunteer with the City of Prairie Village.

Environmental Engineering (23 years)

Thank you for your interest in serving our community.



POLICE DEPARTMENT

Council Committee Meeting Date: October 6, 2008

CONSENT AGENDA: The approval of the contract with Animal Medical Center.

RECOMMENDATION

Staff recommends the renewal of the Animal Medical Center contract for the remainder of 2008 through 2009.

COUNCIL ACTION REQUESTED ON: October 6, 2008

BACKGROUND

The City has contracted with Animal Medical Center for many years to provide an impoundment facility, as well as general veterinary or related animal services. The contract has been reviewed by the City Attorney.

PREPARED BY

Capt. Tim M. Schwartzkopf
Patrol Commander
Date: October 2, 2008

L/2008AMC

CONTRACT FOR PROFESSIONAL ANIMAL CARE SERVICES

This Agreement is entered into this 1st day of September 2008, by and between the City of Prairie Village, Kansas, hereafter referred to as the City, and Animal Medical Center & Associates, P.C., 204 W. 75th Street, Kansas City, Missouri, a professional veterinary medicine organization owned by Jarvis E. Williams, DVM, hereafter referred to as AMC.

I. SCOPE OF SERVICES

1. That all services required by the City, in the care, custody and confinement of all domestic and/or wild animals which would normally be the financial responsibility of the City, shall be provided by AMC for the total sum of One Thousand Four Hundred and Forty-Four and no/100 Dollars (\$1,444.00) per month. That the services offered by the AMC shall be, but not limited to:
 - i. Maintain an animal receiving center seven (7) days per week, twenty-four (24) hours per day to receive any and all domestic animals and wild animals which are in the custody of the City.
 - ii. Provide emergency veterinary medical treatment during normal office hours for those animals under control of the City, which are injured or sick.
 - iii. Provide rabies observation for UNCLAIMED animals for a minimum of ten (10) days.
 - iv. Stray canines and felines, unclaimed, shall be kept a minimum of ten (10) days at which time the City, shall release them to AMC for adoptions or euthanization, as AMC deems necessary and proper. AMC agrees that no animal shall be sold for the purpose of research and that all animals adopted under this program will ordinarily only be made available to individuals as companion animals.
 - v. AMC will submit a fecal sample for laboratory testing for all impounded animal to screen for intestinal parasites (worms). Exfoliate cytology (skin scrape) will be performed on all animal suspected of mange.
 - vi. Animals found suffering from worms or mange will be treated according to their individual needs.
2. AMC agrees to accept from the City, any and all dead small animals (under ten (10) pounds each) other than canines and felines presented for disposal. AMC shall dispose of said animals properly, either by incineration or other appropriate means. In consideration for this service, the City shall pay AMC the amount of One Hundred Thirty-Three and no/100 Dollars (\$133.00) per month.
3. This Agreement shall authorize AMC, the Police Department, and the City, to establish rules and procedures between all parties concerned to ensure that proper attempts are made to identify the owner of any domestic animal under control of the city. AMC is authorized to bill directly to the owners of said animals appropriate medical costs. The City will reimburse AMC for emergency medical care rendered to unclaimed animals, not to exceed One Hundred Thirty-Five and no/100 Dollars (\$135.00) per animal.
4. AMC agrees to hold any animal under confinement by the City, whose owner is known, until such time as a release order is received from the City. Should the period of confinement exceed ten (10) days, AMC shall bill the City the sum of Ten and no/100 Dollars (\$10.00) per day for boarding of this animal. Should additional EMERGENCY services be rendered to this animal, AMC is authorized to bill directly to the owner of said animal appropriate medical costs. The City shall guarantee payment by the owner to maximum of One Hundred Thirty-Five and no/100 Dollars (\$135.00) per incident.
5. The City desires that injured or sick animals located or taken into custody within the City, when an owner cannot be identified or contacted, receive humane treatment. AMC, acting as an agent of the City under contract, is authorized to receive such animals from Animal Control

or Police Officers and make a medical examination to determine if treatment is needed and treat such animals if practical. AMC may bill the City, the maximum amount of One Hundred Thirty-Five and no/100 Dollars (\$135.00) for said treatment if the legal owner cannot be established, and approval for such treatment is received from an authorized City official. AMC, following standard veterinarian practices, is also authorized to determine that treatment is not warranted and may euthanize said animal to end unnecessary pain and suffering.

6. The City, agrees to pay AMC the sum of Forty-Three and no/100 Dollars (\$43.00) per animal for each canine and feline disposed of under this agreement, whether accepted for disposal or euthanized any time during or after the ten (10) day impound period.
7. Animal Control Officers or Police Officers bringing in an animal to AMC agrees to:
 - i. Scan the animal for a microchip
 - ii. Put an E-Jay band around the neck of the animal with the Impound number and City written on it.
 - iii. Complete a cage card to be placed on the animal's cage.
 - iv. Put the animal in the appropriate location (cage, freezer, etc).
 - v. Write down the PV impound number on the Daily Work Sheet in A-Ward for medical processing.

II. SERVICE FEES

1. In consideration of the above provisions, the City shall pay to AMC the amount of One Thousand Four Hundred Forty-Four and no/100 Dollars (\$1,444.00) per month for the fixed services as provided in Section I, Paragraph 1. The City shall also pay to AMC a per animal disposal fee of Forty-Three and no/100 Dollars (\$43.00) per animal for the proper disposal of all canines and felines, as provided in Section I, Paragraph 6, and Ten and no/100 Dollars (\$10.00) per day for boarding of animals being confined by the City for a period exceeding ten (10) days, as provided in Section I, Paragraph 4.
2. A fee of Twenty and no/100 Dollars (\$20.00) will be charged the City for every impounded animal to pay for: flea and tick removal, laboratory fecal exam and if needed, a exfoliate cytology for mange.
3. The cost of intestinal parasite removal and/or mange treatment of infested animals will be charged the City on a per-case basis at fifty percent (50%) off AMC's normal and customary fees.

III. SPECIAL PROVISIONS

The City acknowledges that AMC will make available for purchase to the City, controlled substances for the City use in tranquilizing and euthanizing animals. The City will hold AMC harmless from any and all claims of injury or damage of any nature resulting from the City's use, storage or transportation of the controlled substances.

AMC affirms that the work performed is as an independent agent and hereby accepts responsibility for any death or injury of any employee of AMC or property damage while in performance of service under the terms of this Agreement and holds the City harmless.

AMC further agrees to defend, indemnify and hold the City harmless from any and all claims of injury or damage of any nature resulting from their error, omission or negligent act of AMC. Likewise, the City agrees to defend, indemnify and hold AMC harmless from any and all claims of injury or damage of any nature resulting in error, omission or negligent act of the part of the City.

Either party may terminate this Agreement by giving sixty (60) days written notice prior to the time of termination. This Agreement shall be effective and be in force from September 1, 2008, through December 31, 2009.

ANIMAL MEDICAL CENTER

CITY OF PRAIRIE VILLAGE, KANSAS

BY: 

BY: _____

TITLE: Owner

TITLE: _____

DATE: 9/22/2008

DATE: _____

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

Memo

To: City Council
From: Mayor Ron Shaffer
Date: 10/01/2008
Re: PROCLAMATIONS

I have been requested to issue the following proclamation:

“Lancer Day” – October 17, 2008

Authorization for the Mayor to execute a proclamation for “Lancer Day” will be included on the Consent Agenda.

CITY OF PRAIRIE VILLAGE

WHEREAS, a closer relationship between the citizens and associates of our excellent educational facility, Shawnee Mission East, is desired, we, hereby decree: That the City of Prairie Village, Kansas will be changed to Lancer Village, Kansas for the duration of one day – said day to be designated as LANCER DAY; and

WHEREAS, to properly note the occasion, blue, black and white will become the official colors and Lancer Village will be decorated with such colors; further those loyal to the cause will wear the previously designated colors to so note their allegiance; and

WHEREAS, such a momentous occasion should be duly celebrated, a parade beginning at 2:00 p.m. on the appointed day will proceed from LANCER HIGH SCHOOL (Shawnee Mission East) by way of LANCER AVENUE (Mission Road) to the parking area in front of the clock tower in LANCER VILLAGE (Prairie Village Shopping Center), where those assembled will be treated to a pep rally and addresses by dignitaries of the City and school; and

WHEREAS, Tommy Gray, President of the Student Congress, will with this proclamation take over the duties of Honorary Mayor of Lancer Village.

NOW, THEREFORE, I, Ronald L. Shaffer, Mayor of the City of Prairie Village, do hereby proclaim Friday, October 17, 2008 to be

LANCER DAY

IN WITNESS THEREOF, I hereunto set my hand and cause the Seal of the City of Prairie Village, Kansas to be affixed this 6th day of October, 2008.

Mayor Ronald L. Shaffer

City Clerk

Date

COUNCIL COMMITTEE OF THE WHOLE
September 15, 2008

The Council Committee of the Whole met on Monday, September 15, 2008 at 6:00 p.m. The meeting was called to order by Council President David Voysey with the following members present: Mayor Shaffer, Al Herrera, Bill Griffith (arrived late), Ruth Hopkins, Michael Kelly, Andrew Wang, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison and Diana Ewy Sharp. Staff members present: Quinn Bennion, City Administrator; Wes Jordan, Chief of Police; Suzanne Lownes & Mike Helm representing the Director of Public Works; Dennis Enslinger, Assistant City Administrator; Nic Sanders, Human Resources Specialist and Joyce Hagen Mundy, City Clerk.

Charles Clark moved the approval of the Consent Agenda for Monday, September 15, 2008:

- **Approve Construction Change Order #5 with O'Donnell & Sons Construction for an increase of \$48,521.00 to Project 190864: 2008 Street Resurfacing Program**
- **Adopt Ordinance 2176 amending Section 1 of Ordinance 2091 of the City of Prairie Village**

COUNCIL ACTION REQUIRED
CONSENT AGENDA

- **Approve the maintenance agreement with Tyco Electronics-M/A Com Inc. for the EDACS system components from August 3, 2008 to August 2, 2009 with funding from the 2008 Public Safety Budget and \$4,431.00 of the total cost to be shared with the City of Leawood.**

COUNCIL ACTION TAKEN - 9/15/2008

The motion was voted on and passed unanimously.

COU2008-68 Consider installation of additional speakers in the hallway and Multi-Purpose Room

Quinn Bennion stated after a recent public hearing held in the City Council Chambers where the number of attendees exceed the room capacity requiring persons to stand in the hallway and were unable to hear the discussion taking place in the Council Chamber, staff investigated installing two ceiling speakers in the hallway in front of the City Clerk counter and one ceiling speaker opposite the Codes counter. The fourth ceiling speaker would be located in the Multi-Purpose Room. These four speakers would be controlled by adding a module to the existing audio system in the Council Chambers. The cost for the new audio equipment and the necessary wiring is \$4,000.00

David Voysey asked how many times this occurs. Mr. Bennion responded there will be overflow crowds at times. The problem is gauging when and how many. Mr. Voysey stated he can support speakers in the hallway, but not the MPR.

Ruth Hopkins questioned if this was an over-reaction. She asked if these speakers would be tested on a routine basis to insure they are working. She noted the meeting could be

postponed and arrangements made to hold the meeting off-site. Mr. Bennion responded audio issues are handled by Public Works.

Dale Beckerman questioned what notification was necessary for meetings to be moved.

Michael Kelly asked what other alternatives were investigated to address this infrequent need. David Voysey suggested looking into less permanent solutions such as renting additional sound system equipment for these infrequent occurrences that could be placed in the hallway.

Diana Ewy Sharp stated based on the telephone calls she received, there will be an overflow crowd anytime public financing for the Meadowbrook project is on the agenda. She feels the expenditure of \$4,000 is not an unreasonable amount to address this problem on a permanent basis.

Mayor Shaffer asked what the cost of renting equipment for one evening would be. Quinn Bennion responded there are a variety of systems that could be investigated. Andrew Wang stated he supported further investigation of a temporary system. Mr. Bennion stated staff will continue their investigation into alternative temporary solutions to address this need.

COU2008-69 Consider Repairs to Air Conditioning Unit at Municipal Office

The air conditioning condenser coil has failed on the unit that provides air conditioning to the west wing of the building containing the Multi-Purpose Room, employee lunchroom and the communications room in the basement. During the replacement work it was discovered that the refrigerant lines are undersized for the unit. The City's HVAC contractor has recommended the re-location, to improve efficiency, of this unit and the other two condenser units next to the wall where the HVAC internal components are located. This new location will eliminate the necessity to cut the recently constructed concrete driveway and reduce the length of the refrigerant lines.

The estimated cost is \$7,500. This cost includes plumbing, electrical work and the concrete pad. However, no funding is available in the Capital Improvement Program requiring a transfer of \$7,500 from the General Fund Contingency to make the repairs.

Ruth Hopkins confirmed this has not been budgeted. Michael Kelly noted it is difficult to predict when a condenser coil is going to fail. Bill Griffith stated it is to be able to fund unexpected expenses such as these that the City maintains a contingency fund.

Quinn Bennion reported that six items have been approved from the contingency fund this year. The fund balance at the beginning of the year was \$700,000. The current fund balance is \$532,448. Money has been removed for the PVAC carryover, Laptops for PD, additional highway salt, roof repair on the concession stand, the PD communications system repair caused by a lightning strike and additional funding for the police pension plan.

Michael Kelly made the following motion, which was seconded by Charles Clark and passed unanimously:

**RECOMMEND THE CITY COUNCIL APPROVE REPAIR TO THE AIR
CONDITIONING UNIT AT THE MUNICIPAL OFFICES AND A TRANSFER
OF \$7,500 FROM THE GENERAL FUND CONTINGENCY TO THE CAPITAL
IMPROVEMENT PROGRAM TO COVER THE ANTICIPATED COST.**

**COUNCIL ACTION TAKEN
9/15/2008**

COU2008-70 Consider offering a high deductible health care plan with a Health Savings Account for the 2009 plan year and establishing the HMO option as the City's "base" insurance plan.

Quinn Bennion advised this year's health insurance renewal information is remarkable. The City will incur at most a 1.1% increase while the industry norm has been double digit increases. Plan proposals for the 2009 plan year were recently received from seven providers. The Staff in cooperation with CBIZ, its employee benefits consultant, have narrowed the field to the following three providers: United Healthcare, Blue Cross/Blue Shield and Humana.

Council direction is desired at this stage of the process. With Council feedback, the plan proposals can be finalized and the Employee Benefits Committee can continue their discussion of the health plans.

All of the proposals include the two current health plans offered to employees (HMO & PPO) or equivalent. The request for proposal included the addition of a third plan: a high deductible health plan to be used with a Health Savings Account (HSA).

A high deductible plan does not cover first dollar medical expenses, with the exception of preventative care, and typically has a yearly deductible of \$2,000 or more dollars. Because of the higher deductible, the monthly premium is lower than that of a HMO or PPO plan.

The high deductible plan would be associated with the HSA: a special account owned by an individual used to pay for current and future medical expenses. The HSA allows an individual and/or employer to contribute funds to an account on a pre-tax basis. The participating individual can use the funds in the account for qualifying medical expenses (deductibles, prescriptions, hospital visits, glasses, orthodontics, etc.) on a tax free basis. The funds in the HSA account are the individual's responsibility and are fully-owned by the participant; therefore, if the individual leaves employment or the City stops offering an HSA plan, the individual retains the funds in their HSA account. In concept, the HSA plan encourages the individual to be more accountable and aware of health costs.

United Healthcare presented a high deductible with HSA option as part of their renewal proposal. The HSA monthly premium is proposed at 29% less than the current cost for the HMO plan. United Healthcare also presented an option for the HMO and PPO renewal with a decrease of 8.7% and 6.8%, respectively if the HSA plan is added. CBIZ recommends that the City use the HMO plan as the 'base' plan for determining the employer's premium contributions and pay the same amount per month for premium towards the HSA or the PPO plan.

Dave Johnson, with CBIZ, noted in evaluating health coverage proposals the following criteria are considered:

- Cost - i.e., premiums
- Plan benefits
- Network of providers
- Administrative capabilities of the organization
- Health and productivity management programs

All of the final three providers offer a base plan, a buy-up plan and a high-deductible plan funded as a Health Savings Account program. Mr. Johnson reviewed the federally mandated regulations for an HSA plan and its basic operation. He stressed under an HSA an employee has to meet very high deductibles prior to the plan paying out anything. There are no co-pays, the employee would pay the entire cost of an office visit or any prescriptions. Once the deductible has been met, the plan would cover at 100%. However, unlike a Section 125 account, you only have the funds in your account available for use. If a serious accident occurred at the beginning of the year, only what has been deposited in the account would be available for use, leaving the employee with a large out-of-pocket expenditure. On the positive side, any unused funds at the end of a year are retained by the employee and rolled over into their account.

Mr. Johnson continued to explain how a HSA program worked and noted the implementation of this program would require a huge educational effort to clearly explain the program to employees. The program is different than the Section 125 program and you can not participate in both a Section 125 program and a HSA program.

Quinn Bennion stated in prior years, the Governing Body determined the cost sharing by the City and the employee to be as follows:

	<u>City</u>	<u>Employee</u>
EE Only	100%	0%
EE+1	83%	17%
Family	75%	25%

Based on this information and if Council is comfortable using the HMO at the 'base' premium level, the monthly cost sharing structure for the three plans were reviewed. Mr. Bennion noted the plans have not been finalized and approved, therefore, the numbers are for illustration and may need to be modified.

<i>Base (HMO)</i>	2008 Plan Year			2009 Plan Year		
	<u>Total</u>	<u>Employee</u>	<u>City</u>	<u>Total</u>	<u>Employee</u>	<u>City</u>
EE Only	355.55	0.00	355.55	324.77	0.00	324.77
EE+1	860.57	146.30	714.27	786.08	133.64	652.44
Family	1,268.21	317.06	951.15	1,158.43	289.60	868.83

<i>Buy-Up (PPO)</i>	2008 Plan Year			2009 Plan Year		
	<u>Total</u>	<u>Employee</u>	<u>City</u>	<u>Total</u>	<u>Employee</u>	<u>City</u>
EE Only	439.97	84.42	355.55	410.11	85.34	324.77

EE+1	1,064.91	350.64	714.27	992.64	342.20	652.44
Family	1,569.35	618.20	951.15	1,462.84	594.01	868.83

HSA w/ high deductible

2009 Plan Year

	Total	Employee	HSA Contribution	City
EE Only	251.07	0.00	73.70	324.77
EE+1	607.68	0.00	44.76	652.44
Family	895.53	86.70	0.00	868.83

Using the proposed premium contributions, the HSA option allows the City to fund a portion of the employee's HSA while still reducing overall total healthcare cost. The employee can also contribute to their HSA in the amount of the difference between the IRS annual contribution limit.

Diana Ewy Sharp confirmed it would be very unlikely for the HSA premium to ever be higher than the base plan premium. Mr. Anderson responded the HSA program with the high deductibles should keep the premiums lower by keeping the amount paid out by the provider lower.

Charles Clark asked what happened if the employee decided after one year to change back to a traditional program. Mr. Anderson responded that could be done and noted the employee would keep any funds in their HSA account and could use them for any medical expenses. However, they could not contribute any additional funds to their account.

Quinn Bennion advised the Council staff is seeking direction on whether they can offer the additional HSA option and if the Council is open to remaining with the existing level of contribution with any additional funds being placed in an individual's HSA account.

Bill Griffith asked if once a decision is made if the Council is committed to keep it at the same level. Dale Beckerman confirmed the program is presented annually and with the level of support determined annually.

Andrew Wang confirmed the HSA funds could be used for dental and vision expenses.

Michael Kelly stated he supported offering the third option to employees. David Morrison agreed. Dale Beckerman asked what the downside of offering the additional option was. Dave Johnson stated it is merely the extensive educational component and the initial confusion to employees as the options are explained.

David Voysey confirmed the Council direction to staff is to authorize adding a high deductible health care plan with a Health Savings Account for the 2009 plan year in addition to the two current plan options and the establish the HMO plan as the City's "base" health insurance option for the purposes of determining employer premium contributions. The final plans, provider and recommendation will be brought to Council at their October 6th meeting.

COU2008-32 Consider Implementation of Phase 1 Safe Routes to School Grant Application for FY 2009

Dennis Enslinger reported the Safe Routes to School Program grant applied for by the City earlier this year was approved for Phase 1. This program is intended to be a comprehensive planning tool for communities by looking at the following five components:

- Engineering - creating operational and physical improvements to the infrastructure surrounding schools that reduce speeds and potential traffic conflicts and establishing safer and fully accessible crossings, walkways, trails and bikeways.
- Education - Teaching children, parents, neighbors and City and school officials about the broad range of transportation choices and launching driver safety campaigns in the vicinity of schools.
- Enforcement - Partnering with local law enforcement to improve compliance with traffic laws in the vicinity of schools and initiating community enforcement such as crossing guard programs.
- Encouragement - Using events and activities to promote walking and bicycling.
- Evaluation - Monitoring and documenting outcomes and trends.

The Safe Routes to School Program requires a phased approach. Phase I is the creation of a Safe Routes to School Plan that includes all "5 E's" for K-8th grade schools. Phase I grants are limited to technical assistance, assessment and project planning activities with a maximum grant award of \$15,000.

The City has been awarded a grant of \$15,000 to conduct a Safe Routes to School Plan. With these funds, the city would be able to hire assistance in the development of the SRTS Plan, which might include a traffic engineer to evaluate possible solutions, a facilitator to conduct public meeting(s) and/or to offset any publication or advertising costs.

Mr. Enslinger stated it is anticipated the City would be able to cover any associated out-of-pocket costs related to fulfillment of the grant. However, there will additional in kind costs such as staff time associated with working with the various schools and staff time administering the grant. The application identified all the public elementary and middle schools within the City, but Saint Ann's and Kansas City Christian School could also participated if desired.

Mr. Enslinger reviewed the initial time line for the development of the Safe Routes to School Plan. The lead department for the grant would be Administration with assistance from Public Safety and Public Works. While the exact number of hours required is not known. It is anticipated that to coordinate all of the activities with the schools will require at least 20-25 hours with each school. There will also be additional staff time associated with public meetings and the development of plan documents.

The grant does not require any cash match, but will require staff time to administer and coordinate the grant process and products. Phase II of the grant program allows for a maximum grant of \$250,000. Mr. Enslinger noted the program has not received final federal approval, but it is anticipated funding will be available in 2010 or 2011.

Diana Ewy Sharp stated she supports the program although she expects the City will carry a much large portion of the work than the school district.

Ruth Hopkins noted Bridging the Gap is working on similar projects. Dennis Enslinger stated they have offered assistance in coordinating. He feels the keep component will be to get the local PTA and PTO's and school administrations on board. The City can address infrastructure needs identified.

Bill Griffith noted the \$15,000 will not cover what the City will spend and expressed concern with any ongoing costs after the completion of the grant to maintain the implemented Plan.

Dennis Enslinger stated he felt how the Plan is presented is important. The Plan will provide for better insight into the issues that the City will need to deal with or without the Plan. He noted the city is already spending considerable staff time address these issues.

Quinn Bennion confirmed the acceptance of the grant for Phase I does not obligate the City to participate in Phase II.

Ruth Hopkins made the following motion, which was seconded by Diana Ewy Sharp and passed by a vote of 10 to 1 with Bill Griffith voting "nay":

**CITY COUNCIL AUTHORIZE THE MAYOR TO ACCEPT A PHASE I SAFE
ROUTES TO SCHOOL GRANT APPLICATION IN THE AMOUNT OF \$15,000
COUNCIL ACTION REQUIRED
CONSENT AGENDA**

Discussion of the Process for Considering Planning Commission Recommendations & Open Meetings

During the last Council Committee of the Whole meeting questions were raised regarding the attendance of Council members at public Planning Commission meetings and/or neighborhood meetings. City Attorney Catherine Logan advised the Council the Kansas Open Meeting and notice requirements do not apply if a planning commission or neighborhood meeting is attended by 6 or fewer council members. The Mayor's attendance does not count as attendance by a council member under KOMA.

However, the meeting must be open to the public and KOMA notice is required only if at least 7 members of the city council attend the same neighborhood meeting or planning commission meeting, and the attendance of those council members is not "by chance" but rather is prearranged.

KOMA does not prohibit the attendance of 7 or more council members. It merely requires that such attendance, if not by chance, be treated as a "public meeting" of the governing body, that the requisite notice be given and the meeting be open to the public.

Charles Clark noted many neighborhood meetings are arranged by residents without notice to the City so notification by the City would be very difficult.

Katie Logan stressed that although it was acceptable for council members to attend; they should not participate in the discussion.

Presentation on Crisis Intervention Team

Chief Jordan stated the remaining time for this meeting is not sufficient for the scheduled presentation and asked that the presentation be carried over into the City Council meeting.

ADJOURNMENT

Council President David Voysey adjourned the Council Committee of the Whole at 7:20 p.m.

David Voysey
Council President

Explanation of Changes

Project190864; 2008 Paving Program. This change order is to cover the following items:

Additional asphalt base required to stabilize subgrade.

This change order increases the contract amount by \$48,521.00.

Calendar days were not added as result of this change order.

Original Contract Price	<u>\$1,631,516.30</u>
Current Contract Price, as adjusted by previous Change Orders	<u>\$2,178,671.60</u>
NET increase or decrease this Change Order	<u>\$48,521.00</u>
New Contract Price	<u>\$2,227,192.60</u>

Change to Contract Time:

The current contract deadline of December 1, 2008 will remain the same.


The City does not anticipate a related Engineering Change Order.



Thomas Trienens, Manager of Engineering Services
City of Prairie Village, KS

9/2/08

Date



Ronald L. Shaffer, Mayor
City of Prairie Village, KS

Date



Joseph O'Donnell
O'Donnell & Sons Construction

9-2-08

Date

ORDINANCE NO. 2176

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2091 OF THE CITY OF PRAIRIE VILLAGE, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS:

Section I.

Section 1 of Ordinance No. 2091 of the City of Prairie Village is deleted in its entirety and in lieu thereof, the following section of the same name and number is hereby adopted:

Section 1. The codification of ordinances of the City of Prairie Village, Kansas, authorized by Ordinance No. 1883 and K.S.A. 12-3014 and 12-3015, as set out in the following chapters, Chapters I to XVI and Appendices A and B, all inclusive, and entitled the "Code of the City of Prairie Village, Kansas, 2003," is hereby adopted and ordained as the "Code of the City of Prairie Village, Kansas, 2003." Said codification shall be effective after publication of Ordinance No. 2091. A copy of Ordinance No. 2091 as amended by this Ordinance 2176, along with a certificate of the City Clerk that the code, ordinance and the code published in book form are true and correct copies of the code, shall be on file with the City. At least 3 copies of this code shall be certified by the City Clerk as the true and correct copies and these copies shall impart absolute verity and be received in evidence in all courts and places without further proof.

Section II.

This Ordinance shall take effect and be in force from and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 6th day of October, 2008.

Mayor Ronald L. Shaffer

ATTEST:

APPROVED AS TO FORM:

Joyce Hagen Mundy, City Clerk

Catherine P. Logan, City Attorney



ADMINISTRATION

Council Committee Meeting Date: September 15, 2008
Council Meeting Date: October 6, 2008

Consider Authorizing the Mayor to Accept a Phase I Safe Routes to School Grant Application in the Amount of \$15,000.

RECOMMENDATION

Recommend the City Council authorize the Mayor to sign an Agreement with the State of Kansas Department of Transportation accepting the conditions of the Safe Routes to School Grant to develop a SRTS Plan for the City of Prairie Village. Agreement has been reviewed and approved by Legal Counsel.

BACKGROUND

On April 21st, the City Council authorized staff to submit a grant application for the Safe Routes to School Program (SRTS).

The Safe Routes to School Program was authorized on August 10, 2005, through FY2009 under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). This program is intended to be a comprehensive planning tool for communities by looking at five components, often referred to as the "5 E's". These components are:

- Engineering - Creating operational and physical improvements to the infrastructure surrounding schools that reduce speeds and potential conflicts with motor vehicle traffic, and establish safer and fully accessible crossings, walkways, trails, and bikeways.
- Education - Teaching children, parents, neighbors and City and school officials about the broad range of transportation choices, instructing them in important lifelong bicycling and walking safety skills, and launching driver safety campaigns in the vicinity of schools.
- Enforcement - Partnering with local law enforcement to improve compliance with traffic laws in the vicinity of schools (this includes enforcement of speeds, yielding to pedestrians in crossings, and proper walking and bicycling behaviors), and initiating community enforcement such as crossing guard programs.
- Encouragement - Using events and activities to promote walking and bicycling.
- Evaluation - Monitoring and documenting outcomes and trends through the collection of data, including the collection of data before and after the intervention(s).

The Safe Routes to School Program (SRTS) requires a phased approach. Phase I is the creation of a Safe Routes to School (SRTS) Plan that includes all "5 E's" for K-8th grade schools. Phase I grants are limited to technical assistance, assessment and project planning activities. The maximum Phase I grant award is \$15,000.

Phase II of the SRTS program will allow the city to apply for up to \$250,000 in grant funds to implement recommendations and/or projects contained in the approved Phase I SRTS Plan. These funds can be used for the following items:

Infrastructure:

- Sidewalk improvements
- Traffic calming and speed reduction improvements
- Pedestrian and bicycle crossing improvements
- On-street bicycle facilities
- Off-street bicycle facilities
- Secure bicycle parking facilities
- Traffic diversion improvements in the vicinity of schools

Non-infrastructure:

- Public awareness campaigns and outreach to the media and community leaders
- Traffic education and enforcement in the vicinity of schools
- Student sessions on bicycle and pedestrian safety, health, and environment
- Funding for training volunteers and managers of Safe Routes to School programs.

The legislation is currently pending so there is a possibility that funding for Phase II projects would not be available.

DISCUSSION

The City of Prairie Village has received notification that it has been awarded a grant in the sum of \$15,000 to conduct a Safe Routes to School Plan. With these funds, the city would be able to hire assistance in the development of the SRTS Plan, which might include a traffic engineer to evaluate possible solutions, a facilitator to conduct public meeting(s), and/or offset any publication or advertising costs.

It is anticipated that the City would be able to cover any associated out-of-pocket costs related to fulfilling the obligations under the grant. There will be additional in kind costs such staff time associated with working with the various schools and staff time associated with administering the grant.

The initial application identified the following schools: Corinth Elementary, Prairie Elementary, Belinder Elementary, Briarwood Elementary, Mission Valley Middle School, and Indian Hills Middle School. The two private schools (Saint Ann's and Kansas City Christian School) located in Prairie Village could be added to the plan should they wish to participate.

Staff has developed the initial time line for the development of the Safe Routes to School Plan.

Fall/Winter 2008

- Work with the school administrators and Parent Teachers Associations of each school to get buy-in on the development of the plan. The City will also need to coordinate with the schools to conduct parent surveys and a walking/bicycling bench mark for each school. This survey would be conducted in the spring of 2009.
- Survey areas surrounding the schools physical/perceived barriers including a sidewalk inventory
- Develop Draft Plan Outlining Opportunities/Constraints and Solutions

Spring 2009

- Take benchmark survey of walkers/bicyclists
- Implement of some of the opportunities- to increase number of students walking/biking to school

Fall of 2009

- Conduct a follow-up survey to see if there has been an increase in the number of students walking or biking to school (This might also be done in late Spring of 09)

The lead department on the grant will be Administration, with assistance from the Police Department and the Public Works Department. While the exact number of hours required, is not known, it is anticipated that to coordinate all of the actives with the schools it will require at least 20-25 hours with each school. There will also be additional staff time associated with public meetings and development of the plan documents.

FINANCIAL IMPACT

Phase I Safe Routes to School Grants allow for the City to secure a maximum of \$15,000 in grant funds. The grant does not require any cash match but will require staff time to administer and coordinate the grant process and products. The grant is 100% reimbursable.

RELATED TO VILLAGE VISION

LG2A Build on inter-municipal cooperative activities, agreements, and planning initiatives.

LRN1A Promote continued support of schools within the community.

ATTACHMENTS

Safe Routes to School Grant Agreement (Currently being reviewed by Legal Counsel)

PREPARED BY

Dennis J. Enslinger

Date: October 1, 2008

PROJECT NO. 46-U-2196-01
SAFE ROUTES TO SCHOOLS PROGRAM-Noninfrastructure Activities
TYPE OF PROJECT: SAFE ROUTES TO SCHOOL PLAN
CITY OF PRAIRIE VILLAGE, KANSAS
JOHNSON COUNTY, KANSAS

AGREEMENT

PARTIES: **DEBRA L. Miller, Secretary of Transportation, Kansas Department of Transportation (KDOT), hereinafter referred to as the "Secretary,"**

CITY OF PRAIRIE VILLAGE, hereinafter referred to as the "Local Sponsor,"

Collectively referred to as the "Parties."

PURPOSE: The Secretary is authorized by the current Federal-Aid Transportation Act to allocate federal Safe Routes to Schools (SRTS) funds to eligible state agencies, local governments, Metropolitan Planning Organizations (MPO), and school districts for reimbursements for eligible SRTS expenses. The Secretary and the Local Sponsor are empowered by the laws of Kansas to enter into agreements for federal SRTS funding under the SRTS Provision of the current Federal-Aid Transportation Act.

Under the terms of the current Federal-Aid Transportation Act and the rules and regulations of the Federal Highway Administration (FHWA), states, local governments, MPO, and school districts are, under certain circumstances, entitled to receive assistance in the financing of SRTS projects, provided however, that in order to be eligible for such federal-aid, such work is required by federal law to be done in accordance with the laws of the state.

PROJECT: The Secretary and the Local Sponsor desire to enter into this Agreement and take such steps as are deemed by the Secretary to be necessary or advisable for the purpose of securing the benefits of the current Federal Transportation Act for the administration of a SRTS project, hereinafter referred to as the "Project", for planning activities in the Prairie Village, Kansas, and is described as follows: Safe Routes to School Plan.

Development of a plan to promote walking and biking to school through education, encouragement, enforcement, and evaluation activities, and engineering that provides safer sidewalk routes to local schools.

EFFECTIVE

DATE: The Parties in consideration of the premises and to secure the approval and construction of the Project shall mutually agree to perform in accordance with this Agreement as of the _____ day of _____, 2008.

ARTICLE I

THE SECRETARY AGREES:

1. To reimburse the Local Sponsor for one hundred percent (100%) of total eligible and participating costs incurred for the Project, but not to exceed a total of \$15,000. The Secretary shall not be responsible for Project costs that exceed \$15,000.
2. To make partial payments to the Local Sponsor for amounts of no less than \$1,000 and no more frequently than monthly, to the Local Sponsor upon receipt of proper billings and progress reports.
3. To provide Local Sponsors with required SRTS Evaluation Forms and Instructions, as shown in the attached Exhibit A, for completion by the Local Sponsor.

ARTICLE II

THE LOCAL SPONSOR AGREES:

1. To furnish or contract to have furnished the necessary personnel, facilities, materials, equipment and such other professional services as may be required to fulfill the work identified and described in the Local Sponsors' approved application for SRTS funds and to administer both the Project and payments due for the Project. If the Local Sponsor chooses to use consultants for any or all of the Project, they shall use their Local Procurement Procedures, which should satisfy all requirements set forth by both the state and federal rules for procurement.
2. The Local Sponsor agrees to be responsible for one hundred percent (100%) of the Project costs which exceed the Secretary's maximum participation of \$15,000.
3. The term of this Project commences upon receipt of written notice from the Secretary to proceed and shall be completed two years (2) from the effective date of the notice.
4. Project shall incorporate the five components of the SRTS program. The Local Sponsor agrees the five components, referred to as the "5 E's", are: education, engineering, enforcement, encouragement, and evaluation.
5. If the Project includes traffic education and enforcement activities, said activities must take place within approximately two miles of a primary or middle school (grades K-8).
6. To prepare and deliver to the Secretary during and upon completion of the Project any and all reports as required by the Secretary including the required SRTS Evaluation Forms, as shown in Exhibit A, which is attached to this Agreement and made apart thereof. Further, the Local Sponsor agrees to follow the instructions found in Exhibit A for the surveys for the SRTS Evaluation Forms.
7. To pay actual Project costs prior to any reimbursement claim being made to the Secretary. The Local Sponsor agrees to submit for reimbursement invoices to the Secretary after costs have been incurred by the Local Sponsor in amounts no less than \$1,000 and no more frequently than monthly. The Local Sponsor shall provide proper billing and certification by the Local Sponsor that Project was completed in substantial compliance with the approved Local Sponsor's application for SRTS funds.

8. To adopt all necessary ordinances and/or resolutions and to take such legal steps as may be required to give full effect to the terms of this Agreement.

9. Funds provided under this Agreement shall not supplant any activity or expenditure provided for by Local Sponsor's current budget.

10. To maintain accounting records that shall be provided, upon request, to the Secretary, anytime during the agreement period and for five (5) years from the date of final payment.

11. To the extent permitted by law and subject to the maximum liability provisions of the Kansas Tort Claims Act, the Local Sponsor will defend, indemnify, hold harmless, and save the Secretary and its authorized representatives from any and all costs, liabilities, expenses, suits, judgments, damages to persons or property or claims of any nature whatsoever arising out of or in connection with the provisions or performance of this Agreement by the Local Sponsor, its employees, agents, or subcontractors. The Local Sponsor shall not be required to defend, indemnify, hold harmless, and save the Secretary for negligent acts or omissions of the Secretary or its authorized representatives or employees.

ARTICLE III

THE PARTIES AGREE:

1. The Local Sponsors' approved application for SRTS funds is hereby incorporated by reference in this Agreement and made a part thereof.

2. A representative of the Secretary shall at all reasonable times have access to the premises to review and inspect the work and related records. Arrangements for all reviews and inspections by the appropriate federal agency shall be made by the Secretary. The Local Sponsor will direct or cause its contractor to accomplish any corrective action or work required by the Secretary's representative as necessary to the performance of this Agreement.

3. It is the policy of the Secretary to make final payments to the Local Sponsor in a timely manner. The Single Audit Standards set forth in federal O.M.B. Circular A-133 "Audits of State and Local Governments, and Non-Profit Organizations" require the Local Sponsor to comply in accordance with these standards.

The Secretary may pay the final amount due for authorized work performed based upon the Local Sponsor's most recent "Single Audit Report" available and a desk review of the claim by the Contract audit Section of the Bureau of Fiscal Services. The Local Sponsor, by acceptance of this Agreement, acknowledges the final payment is subject to all single audits which cover the time period of the expenses begin claimed for reimbursement. The Secretary and the Local Sponsor agree as the "Single Audit Report" becomes available for the reimbursement period, the Secretary will review it for items which are declared as not eligible for reimbursement. The Local Sponsor agrees that if payment has been made to the Local Sponsor for items subsequently found to be not eligible for reimbursement by audit, the Local Sponsor will refund to the Secretary the total amount of monies paid for same.

If the Local Sponsor is not subject to the Single Audit Report, the Local Sponsor agrees to cooperate with the Secretary during regular working days to provide all records as required by the Secretary for an audit.

4. During the Project, representatives of the Secretary shall make periodic inspection of the Project and the records of the Local Sponsor as may be deemed necessary or desirable. The Local Sponsor will direct or cause its contractor to accomplish any corrective action or work required by the Secretary's representative as necessary to the performance of this Agreement.

5. The following changes in the Project require the approval of the Secretary:

- a. Fiscal year the Project is to be awarded
- b. Project description
- c. Project scope

6. Special Attachment No. 1 attached hereto, pertaining to the implementation of the Civil Rights Act of 1964, is hereby made a part of this Agreement.

7. The provisions found in Contractual Provisions Attachment (Form DA-146a, Rev. 1-01), which is attached hereto, are hereby incorporated in this contract and made a part thereof.

8. The Local Sponsor agrees to comply with all appropriate State and Federal laws and regulations for the Project.

9. This Agreement and all contracts entered into under the provisions of this Agreement shall be binding upon the Secretary, the Local Sponsor and their successors in office.

10. It is expressly agreed that no third party beneficiaries are intended to be created by this Agreement, nor do the Parties herein authorize anyone not a party to this Agreement to maintain a suit for damages pursuant to the terms or provisions of this Agreement.

The signature page immediately follows this paragraph.

IN WITNESS WHEREOF the Parties hereto have caused this Agreement to be signed by their duly authorized officers on the day and year first above written.

ATTEST:

THE CITY OF PRAIRIE VILLAGE, KANSAS

CITY CLERK

AUTHORIZING OFFICIAL

Debra L. Miller
Secretary of Transportation

(SEAL)

By: _____

Jerome T. Younger, P.E.
Deputy Secretary for Engineering and
State Transportation Engineer

KANSAS DEPARTMENT OF TRANSPORTATION

Special Attachment
To Contracts or Agreements Entered Into
By the Secretary of Transportation of the State of Kansas

NOTE: Whenever this Special Attachment conflicts with provisions of the Document to which it is attached, this Special Attachment shall govern.

THE CIVIL RIGHTS ACT OF 1964, and any amendments thereto,
REHABILITATION ACT OF 1973, and any amendments thereto,
AMERICANS WITH DISABILITIES ACT OF 1990, and any amendments thereto,
AGE DISCRIMINATION ACT OF 1975, and any amendments thereto,
EXECUTIVE ORDER 12898, FEDERAL ACTIONS TO ADDRESS ENVIRONMENTAL JUSTICE IN MINORITY
POPULATIONS AND LOW INCOME POPULATIONS 1994, and any amendments thereto,
49 C.F.R. Part 26.1 (DBE Program), and any amendments thereto

NOTIFICATION

The Secretary of Transportation for the State of Kansas, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964 (78 Stat. 252), §504 of the Rehabilitation Act of 1973 (87 Stat. 3555) and the Americans with Disabilities Act of 1990 (42 USC 12101), the Age Discrimination Act of 1975 (42 USC 6101), the Regulations of the U.S. Department of Transportation (49 C.F.R., Part 21, 23, and 27), issued pursuant to such ACT, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations (1994), and the DBE Program (49 C.F.R., Part 26.1), hereby notifies all contracting parties that, the contracting parties will affirmatively ensure that this contract will be implemented without discrimination on the grounds of race, religion, color, gender, age, disability, national origin, or minority populations and low income populations as more specifically set out in the following seven "Nondiscrimination Clauses".

CLARIFICATION

Where the term "consultant" appears in the following seven "Nondiscrimination Clauses", the term "consultant" is understood to include all parties to contracts or agreements with the Secretary of Transportation of the State of Kansas.

Nondiscrimination Clauses

During the performance of this contract, the consultant, or the consultant's assignees and successors in interest (hereinafter referred to as the "Consultant"), agrees as follows:

- 1) **Compliance with Regulations:** The consultant will comply with the Regulations of the U.S. Department of Transportation relative to nondiscrimination in federally-assisted programs of the U.S. Department of Transportation (Title 49, Code of Federal Regulations, Parts 21, 23 and 27, hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- 2) **Nondiscrimination:** The consultant, with regard to the work performed by the consultant after award and prior to the completion of the contract work, will not discriminate on the grounds of race, religion, color, gender, age, disability, national origin or minority populations and low income populations in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The consultant will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- 3) **Solicitations for Subcontractors, including Procurements of Material and Equipment:** In all solicitations, either competitive bidding or negotiation made by the consultant for work to be performed under a subcontract including procurements of materials and equipment, each potential subcontractor or supplier shall be notified by the consultant of the consultant's obligation under this contract and the Regulations relative to nondiscrimination on the grounds of race, religion, color, gender, age, disability, national origin or minority populations and low income populations.

- 4) **Information and Reports:** The consultant will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and the Secretary of the Transportation of the State of Kansas will be permitted access to the consultant's books, records, accounts, other sources of information, and facilities as may be determined by the Secretary of Transportation of the State of Kansas to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a consultant is in the exclusive possession of another who fails or refuses to furnish this information, the consultant shall so certify to the Secretary of Transportation of the State of Kansas and shall set forth what efforts it has made to obtain the information.
- 5) **Employment:** The consultant will not discriminate against any employee or applicant for employment because of race, religion, color, gender, age, disability, or natural origin.
- 6) **Sanctions for Noncompliance:** In the event of the consultant's noncompliance with the nondiscrimination provisions of this contract, the Secretary of Transportation of the State of Kansas shall impose such contract sanctions as the Secretary of Transportation of the State of Kansas may determine to be appropriate, including, but not limited to,
 - (a) withholding of payments to the consultant under the contract until the contractor complies, and/or
 - (b) cancellation, termination or suspension of the contract, in whole or in part.
- 7) **Disadvantaged Business Obligation**
 - (a) Disadvantaged Business as defined in the Regulations shall have a level playing field to compete for contracts financed in whole or in part with federal funds under this contract.
 - (b) All necessary and reasonable steps shall be taken in accordance with the Regulations to ensure that Disadvantaged Businesses have equal opportunity to compete for and perform contracts. No person(s) shall be discriminated against on the basis of race, color, gender, or national origin in the award and performance of federally-assisted contracts.
 - (c) The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 C.F.R. Part 26 in the award and administration of Federally-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the recipient deems appropriate.
- 8) **Executive Order 12898**
 - (a) To the extent permitted by existing law, and whenever practical and appropriate, all necessary and reasonable steps shall be taken in accordance with Executive Order 12898 to collect, maintain, and analyze information on the race, color, national origin and income level of persons affected by programs, policies and activities of the Secretary of Transportation of the State of Kansas and use such information in complying with this Order.
- 9) **Incorporation of Provisions:** The consultant will include the provisions of paragraphs (1) through (8) in every subcontract, including procurements of materials and equipment, unless exempt by the Regulations, order, or instructions issued pursuant thereto. The consultant will take such action with respect to any subcontract or procurement as the Secretary of Transportation of the State of Kansas may direct as a means of enforcing such provisions including sanctions for noncompliance: PROVIDED, however, that, in the event a consultant becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the consultant may request the State to enter into such litigation to protect the interests of the State.

CONTRACTUAL PROVISIONS ATTACHMENT

Important: This form contains mandatory contract provisions and must be attached to or incorporated in all copies of any contractual agreement. If it is attached to the vendor/contractor's standard contract form, then that form must be altered to contain the following provision:

"The Provisions found in Contractual Provisions Attachment (Form DA-146a, Rev. 1-01), which is attached hereto, are hereby incorporated in this contract and made a part thereof."

The parties agree that the following provisions are hereby incorporated into the contract to which it is attached and made a part thereof, said contract being the _____ day of _____, 20_____.

1. **Terms Herein Controlling Provisions:** It is expressly agreed that the terms of each and every provision in this attachment shall prevail and control over the terms of any other conflicting provision in any other document relating to and a part of the contract in which this attachment is incorporated.
2. **Agreement With Kansas Law:** All contractual agreements shall be subject to, governed by, and construed according to the laws of the State of Kansas.
3. **Termination Due To Lack Of Funding Appropriation:** If, in the judgment of the Director of Accounts and Reports, Department of Administration, sufficient funds are not appropriated to continue the function performed in this agreement and for the payment of the charges hereunder, State may terminate this agreement at the end of its current fiscal year. State agrees to give written notice of termination to contractor at least 30 days prior to the end of its current fiscal year, and shall give such notice for a greater period prior to the end of such fiscal year as may be provided in this contract, except that such notice shall not be required prior to 90 days before the end of such fiscal year. Contractor shall have the right, at the end of such fiscal year, to take possession of any equipment provided State under the contract. State will pay to the contractor all regular contractual payments incurred through the end of such fiscal year, plus contractual charges incidental to the return of any such equipment. Upon termination of the agreement by State, title to any such equipment shall revert to contractor at the end of State's current fiscal year. The termination of the contract pursuant to this paragraph shall not cause any penalty to be charged to the agency or the contractor.
4. **Disclaimer Of Liability:** Neither the State of Kansas nor any agency thereof shall hold harmless or indemnify any contractor beyond that liability incurred under the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.).
5. **Anti-Discrimination Clause:** The contractor agrees: (a) to comply with the Kansas Act Against Discrimination (K.S.A. 44-1001 et seq.) and the Kansas Age Discrimination in Employment Act (K.S.A. 44-1111 et seq.) and the applicable provisions of the Americans With Disabilities Act (42 U.S.C. 12101 et seq.) (ADA) and to not discriminate against any person because of race, religion, color, sex, disability, national origin or ancestry, or age in the admission or access to, or treatment or employment in, its programs or activities; (b) to include in all solicitations or advertisements for employees, the phrase "equal opportunity employer"; (c) to comply with the reporting requirements set out at K.S.A. 44-1031 and K.S.A. 44-1116; (d) to include those provisions in every subcontract or purchase order so that they are binding upon such subcontractor or vendor; (e) that a failure to comply with the reporting requirements of (c) above or if the contractor is found guilty of any violation of such acts by the Kansas Human Rights Commission, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration; (f) if it is determined that the contractor has violated applicable provisions of ADA, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration.

Parties to this contract understand that the provisions of this paragraph number 5 (with the exception of those provisions relating to the ADA) are not applicable to a contractor who employs fewer than four employees during the term of such contract or whose contracts with the contracting state agency cumulatively total \$5,000 or less during the fiscal year of such agency.
6. **Acceptance Of Contract:** This contract shall not be considered accepted, approved or otherwise effective until the statutorily required approvals and certifications have been given.
7. **Arbitration, Damages, Warranties:** Notwithstanding any language to the contrary, no interpretation shall be allowed to find the State or any agency thereof has agreed to binding arbitration, or the payment of damages or penalties upon the occurrence of a contingency. Further, the State of Kansas shall not agree to pay attorney fees and late payment charges beyond those available under the Kansas Prompt Payment Act (K.S.A. 75-6403), and no provision will be given effect which attempts to exclude, modify, disclaim or otherwise attempt to limit implied warranties of merchantability and fitness for a particular purpose.
8. **Representative's Authority To Contract:** By signing this contract, the representative of the contractor thereby represents that such person is duly authorized by the contractor to execute this contract on behalf of the contractor and that the contractor agrees to be bound by the provisions thereof.
9. **Responsibility For Taxes:** The State of Kansas shall not be responsible for, nor indemnify a contractor for, any federal, state or local taxes which may be imposed or levied upon the subject matter of this contract.
10. **Insurance:** The State of Kansas shall not be required to purchase, any insurance against loss or damage to any personal property to which this contract relates, nor shall this contract require the State to establish a "self-insurance" fund to protect against any such loss or damage. Subject to the provisions of the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.), the vendor or lessor shall bear the risk of any loss or damage to any personal property in which vendor or lessor holds title.
11. **Information:** No provision of this contract shall be construed as limiting the Legislative Division of Post Audit from having access to information pursuant to K.S.A. 46-1101 et seq.
12. **The Eleventh Amendment:** "The Eleventh Amendment is an inherent and incumbent protection with the State of Kansas and need not be reserved, but prudence requires the State to reiterate that nothing related to this contract shall be deemed a waiver of the Eleventh Amendment."

Exhibit A

NCSRTS Safe Routes to School Clearinghouse Evaluation Materials

- Brief SRTS Data Collection Description
- Specific Form Instructions
- SRTS Student Arrival and Departure Tally Sheet
- Survey About Walking and Biking to School for Parents

SAFE ROUTES TO SCHOOL DATA COLLECTION OVERVIEW

The National Center for Safe Routes to School has developed a set of data collection forms and tools intended to help local and state Safe Routes to School programs measure and understand results.

Downloadable Forms and Instructions

How do I get the forms? Data Collection forms and instructions are available for download at www.saferoutesinfo.org/resources under the "Evaluation" tab.

Student Tally Form

What does the tally form do? The form helps measure how students get to school and identify changes in student travel behavior to and from schools with SRTS programs.

Who fills out the form? Teachers in each classroom or SRTS program volunteers.

Who gets tallied? K-8 graders at participating schools.

How many days are students tallied? The tallies should be conducted in each classroom on two days (Tuesday, Wednesday, or Thursday only – not Monday or Friday) of one week.

Parent Survey Form

What does the parent survey do? The survey gathers information about factors that affect whether parents allow their children to walk or bike to school, the presence of safety-related conditions along routes to school, and other background information. Results help determine how to improve opportunities for children to walk or bike to school, and measure parental attitude changes as local SRTS programs occur.

How is the survey administered? Surveys can be administered in three main ways: as a take-home survey, distributed as part of parent-teacher conferences, or as part of homework assignments.

Who gets surveyed? Parents of all K-8 graders at participating schools should be asked to complete the survey. (One per household per school.)

Timing of Tallies and Surveys

When should the tallies and surveys occur? Information should be collected at the beginning of the school year and at the end of the school year. Midyear counts are optional but helpful.

- Start of year: 2nd, 3rd, or 4th week of school year ("Baseline")
- End of year: during one of the last 4 weeks of school year ("Post Activity")

DataTools system
will be available
December 1, 2007

Data Entry and Viewing

How do I enter data? Completed forms can be converted to useful data in two ways:

1. Enter the data yourself using the online "DataTools" program at www.saferoutesinfo.org/tracking. Data is available immediately for usage.; or
2. Send completed forms to the National Center's Centralized Data Entry Program. Forms are scanned and data is entered into the National SRTS Program Tracking Database. Local programs receive an email with instructions on how to access their data online. Data will be available in 2-4 weeks.

Where do I send completed forms? Completed forms, along with a one-page cover sheet (downloadable) can be sent to the address here.

National Center for Safe Routes to School
Attn: SRTS Data Entry
730 Martin Luther King, Jr. Blvd, Suite 300
Chapel Hill, NC, 27599

How do I view my data? Once data is entered (either by the user or through the Central Data Entry Program), users can view their data through the online "DataTools" system. Summaries of data, including basic tables and charts, can be viewed and copied for local use. The completed data is also part of the National SRTS Program Tracking Database and can be used to help evaluate the national SRTS program.

Detailed instructions are also available at www.saferoutesinfo.org/resources.
Please contact: Craig Raborn, Program Manager, raborn@unc.edu for more information.

Instructions for Using the Student Travel Tally Sheet and Parent Survey *(updated November 2007)*

Specific instructions on how to administer each tool are below:

If you have any questions, please contact your State SRTS Coordinator or Craig Raborn, Program Manager, National Center for Safe Routes to School, at raborn@unc.edu.

Student Travel Tally Sheet

The Student Travel Tally Sheet is intended to help track the number of children walking and biking to and from school at participating schools. The information will have many applications, including evaluating overall program success, estimating traffic congestion and environmental effects, learning travel patterns, and many more.

This information, when gathered before and after the SRTS activity or project, can help local SRTS programs measure any changes in walking, biking, and other forms of travel to and from school, which are frequently expected measures.

The tally sheet is designed so that teachers or volunteers involved with the Safe Routes program can ask students in each classroom how they got to school each morning, and how they will get home after school. It should take less than five minutes each morning for two days.

[NOTE: The Student Travel Tally Sheet was revised in October 2007 to only require data collection for a two-day period instead of the previous five-day data collection requirement. This change was based on analysis of initial raw data using the five-day process and is intended to further ease the overall data collection process. The revised form also better facilitates scanner-based data entry.]

Administration Instructions:

1. The Tally Sheet form can be downloaded from www.saferoutesinfo.org/resources under the "Evaluation" tab.
2. Forms should be printed at the highest resolution possible. A minimum resolution of 400 dots per inch should be used; most laser and inkjet printers meet this standard. Resolution under 300 dots per inch may prevent the forms from being readable by scanning systems.
3. The form should be given to all K-8 classrooms in the school, so that as complete a count as possible is achieved.
4. It is intended to be used on two days in the middle of a single week. By gathering travel information for two days in the middle of the week, an accurate average of student travel can be determined.

- a. Counts should be conducted on any two days from Tuesday, Wednesday, or Thursday. Counts conducted on Mondays or Fridays will distort the results. The following combinations of days are acceptable:
 - i. Tuesday and Wednesday
 - ii. Wednesday and Thursday
 - iii. Tuesday and Thursday
 - b. Weather conditions can be identified after counts are collected. We have found that internet-based weather reporting (for example, on www.weatherunderground.com) is normally more accurate than personal observations.
 - i. Local coordinators can find this information online by time of day and Zip Code at www.weatherunderground.com. (Other weather-related Web sites may also provide this information.)
 - c. For national reporting purposes, counts are needed regardless of weather conditions.
 - d. In order to know how many students walk when it is not raining, local programs may choose to collect counts on an additional day if there were adverse weather conditions for both days of planned counts.
 - i. Use the additional day field provided on the tally sheet and, in the comments field at the bottom of the tally sheet, indicate that the third day is an alternate count due to adverse weather.
5. The Student Travel Tally Sheet should be administered at least twice during the school year:
- a. First, counts should be taken at some point during the second, third, or fourth weeks of the school year. This count establishes the baseline measure for that school.
 - i. Please do not conduct counts during weeks with special walking or biking-related events, such as Walk to School Day.
 - ii. If your SRTS program is conducting any events during the first three weeks of the school year, please attempt to conduct travel counts before the SRTS event.
 - b. A count should also be conducted during the last three weeks of the school year (i.e., during May). This count measures the change in travel behavior during the school year. If a mid-year count (see below) was conducted, this end-of-year count can also be used to evaluate the sustained effect of activities.
 - c. Mid-year counts are not required, but might also be useful:
 - i. A count conducted within 2-3 weeks of the completion of educational events or encouragement and enforcement campaigns can be used to measure immediate effects of these activities.
 - ii. A mid-year count can also be used to understand the seasonal variation in levels of walking and biking to and from school.

Tally Sheet Data Entry Options

1. Raw counts from paper forms can be converted to useful data in three ways:
 - a. Centralized Data Entry – Users can collect their paper forms and send them, along with the Local Program Data Information Sheet (“cover sheet”), to the National Center for Safe Routes to School. The National Center processes the forms and provides the data to users through an online data viewing system.
 - i. The Local Program Data Information Sheet (“cover sheet”) can be downloaded from www.saferoutesinfo.org/resources under the “Evaluation” column. *[Note: this form will be available for download by November 9, 2007.]*
 - ii. Users send the cover sheet and their completed tally sheets to:
National Center for Safe Routes to School
SRTS Data Entry
730 Martin Luther King, Jr. Blvd.
Suite 300
Chapel Hill, NC 27599
 - iii. The National Center will scan the forms, validate the data, and transfer the data to the National SRTS Program Tracking Database.
 - iv. The data entry process will take approximately 2 to 4 weeks, depending on workload. *[Note: The Central Data Entry process is new, and this time requirement is an estimate that will likely be shortened as the system is implemented.]*
 - v. Users will be sent an email as soon as their data has been processed. The email will contain information on how to login and access their data using the online “DataTools” system described below. Users will have access to summary reports and basic analysis tools, and will be able to download their data for any other applications they may have.
 - b. Online “DataTools” – Users can use the National Center’s online “DataTools” to enter their data directly into a system that provides immediate access to their data, the ability to generate some basic summary information in table and graphical forms. Users can also download their data in Excel format. *[NOTE: The DataTools system will be available by December 1, 2007.]*
 - vi. User creates account with the DataTools system at www.saferoutesinfo.org/tracking.
 - vii. User provides some basic background information about their SRTS program.
 - viii. User accesses data entry form. Online form replicates the basic appearance of the paper tally sheet to better facilitate data entry.
 - ix. When data entry is complete, user can view data and summary reports. Charts and tables can be copied and pasted into other documents such as program or progress reports.
 - c. *[NOTE: The following option will be phased out during spring 2008 and is no longer recommended.]* Data from the old (5-day) paper forms can be

entered into the Student Travel Behavior Report Excel spreadsheet available at for download from the National Center's FTP site. The spreadsheet can only be used with the previous tally sheet that requires a 5-day count. (Contact Craig Raborn, raborn@unc.edu, for information about downloading the spreadsheet). *The spreadsheets and 5-day tally sheets will be phased out during spring 2008; users are strongly encouraged to switch to the updated 2-day count forms for all future counts.* Completed spreadsheets provide some basic summary statistics that can be used for local purposes, and sent to the National Center for Safe Routes to School (raborn@unc.edu) for inclusion in the National SRTS Tracking Program.

Parent Survey

The Parent Survey is intended to collect information from parents about how their children travel to and from school, what barriers there are to walking or biking to and from school, and their attitudes about walking and biking to school. This information has numerous uses, including understanding the overall environment for walking and biking to school, why children don't walk or bike to school, and how attitudes change as a result of SRTS programs.

Local SRTS programs should be particularly interested in this information because it can be used to help them identify issues that need to be addressed to improve their SRTS activities. Information from parents might also identify unexpected opportunities to increase walking and biking to school.

[NOTE: The Parent Survey was revised slightly in October 2007 to reduce the number of pages from three to two, make minor changes to the categorization of data collected, and add data that allows better mapping and spatial analysis. The revised form also better facilitates scanner-based data entry.]

The Parent Survey form is designed with three potential means of administration (specific instructions for each approach are below):

- First, it can be handed out or placed in backpacks for students to take home, deliver to parents, and then have the students return to their teachers. The survey should take between 5-10 minutes to complete.
- Second, it can be given to parents to complete while they are waiting before parent-teacher conferences.
- Third, it can be assigned as part of a homework assignment, where the student would take home the form and fill it out as part of an interview with the parent.

The parent survey should be conducted twice during the school year. Exact timeframes are listed, and these should be followed when the survey is administered using the take-home method. But when the survey will be administered in conjunction with Parent-Teacher Conferences, the local SRTS program manager and teacher(s) should determine the best time to administer the survey.

- a. To collect baseline information, parents should be surveyed during the second, third, or fourth week of school.
- b. Parents should also be surveyed at the end of the school year to collect information about how attitudes and beliefs have changed during the year.
- c. A local SRTS program might also want to conduct the survey sometime during the year.
 - i. A survey conducted within 2-3 weeks of the completion of educational events or encouragement and enforcement campaigns can be used to measure immediate effects of these activities.
 - ii. A mid-year survey can also be used to understand the progress and early effects of long-term programs, as well as other variation in parental attitudes that affect walking and biking to and from school.

Downloading and Printing Instructions

1. The Parent Survey form can be downloaded from www.saferoutesinfo.org/resources under the "Evaluation" tab.
2. Forms should be printed at the highest resolution possible. A minimum resolution of 400 dots per inch should be used; most laser and inkjet printers meet this standard. Resolution under 300 dots per inch may prevent the forms from being readable by scanning systems.
3. The Parent Survey form is two pages long. It can be printed double-sided to reduce costs.

[Alternate One] Take-Home Administration Instructions:

1. Please distribute copies of these forms to teachers for each classroom, so that all parents will receive a copy of the survey.
2. Collect forms from teachers weekly for a two-week period after the surveys have been sent home.
3. Raw data from completed surveys can be converted to useful formats in three ways described below.

[Alternate Two] Parent-Teacher Conference Administration Instructions:

1. Identify when parent-teacher conferences will occur and determine whether these times of the year are appropriate to collect baseline information and end-of-year information. (If the times do not seem appropriate, a take-home methodology might more successful.)
2. Distribute copies of the survey form to teachers for each classroom, so that all households will receive a copy of the survey during (or immediately before) the parent-teacher conference. (Note that teachers will be responsible for distributing and collecting surveys, and then returning the completed surveys to the local SRTS program manager.)
3. Ask teachers to provide forms to parents/caregivers so that they can fill out the forms while they wait for the conference.
 - a. A sign with simple instructions next to the stack of forms may help explain the process.

- b. Teachers may collect forms during their conference.
 - c. Parents may also complete the survey after their meeting with the teacher.
 - d. Teachers may allow parents to take the surveys home and send them back with the students. If this approach is followed, teachers should request that the forms be returned within a few days, and set a specific date. (Note that this approach will likely reduce the number of surveys that are returned.)
4. Collect forms from teachers weekly for a two-week period after the surveys have been sent home.
 5. Raw data from completed surveys can be converted to useful formats in three ways described below.

[Alternate Three] Homework Instructions:

1. Please distribute copies of these forms to teachers for each classroom, so that all parents will receive a copy of the survey.
2. Teachers can assign the surveys to be filled out as part of a homework assignment. The student would take the survey form home and fill it out during an interview with their parent, or along with their parents.
 - a. Other homework approaches can also be used, as long as the recommended form is used, and the parent provides the answers.
 - b. In many instances, curriculum changes or new homework assignments require approval from the principal or a curriculum committee. Local SRTS programs considering the homework approach should check on this potential issue early.
3. Collect forms from teachers weekly for a two-week period after the surveys have been sent home.
4. Raw data from completed surveys can be converted to useful formats in three ways described below.

Parent Survey Data Entry Options:

Raw counts from paper forms can be converted to useful data in three ways:

1. Centralized Data Entry – Users can collect their paper forms and send them, along with the Local Program Data Information Sheet (“cover sheet”), to the National Center for Safe Routes to School. The National Center processes the forms and provides the data to users through an online data viewing system.
 - a. The Local Program Data Information Sheet (“cover sheet”) can be downloaded from www.saferoutesinfo.org/resources under the “Evaluation” column. [Note: this form will be available for download by November 9, 2007.]
 - b. Users send the cover sheet and their completed parent surveys to:
 - National Center for Safe Routes to School
 - SRTS Data Entry
 - 730 Martin Luther King, Jr. Blvd.
 - Suite 300
 - Chapel Hill, NC 27599
 - c. The National Center will scan the forms, validate the data, and transfer the data to the National SRTS Program Tracking Database.

- d. The data entry process will take approximately 2 to 4 weeks, depending on workload. [Note: The Central Data Entry process is new, and this time requirement is an estimate that will likely be shortened as the system is implemented.]
 - e. Users will be sent an email as soon as their data has been processed. The email will contain information on how to login and access their data using the online “DataTools” system described below. Users will have access to summary reports and basic analysis tools, and will be able to download their data for any other applications they may have.
 2. Online “DataTools” – Users can use the National Center’s online “DataTools” to enter their data directly into a system that provides immediate access to their data, the ability to generate some basic summary information in table and graphical forms. Users can also download their data in Excel format. [NOTE: The DataTools system will be available by December 1, 2007.]
 - i. User creates account with the DataTools system at www.saferoutesinfo.org/tracking.
 - ii. User provides some basic background information about their SRTS program.
 - iii. User accesses data entry form. Online form replicates the basic appearance of the paper survey form to better facilitate data entry.
 - iv. When data entry is complete, user can view data and summary reports. ~~Charts and tables can be copied and pasted into other documents such as program or progress reports.~~
3. [NOTE: The following option will be phased out during spring 2008 and is no longer recommended.] Data from the old (3-page) Parent Survey forms can be entered into the Parent Survey Report Excel spreadsheet available at for download from the National Center’s FTP site. The spreadsheet can only be used with the previous survey form that has slightly different questions in a slightly different sequence than the revised form. (Contact Craig Raborn, raborn@unc.edu, for information about downloading the spreadsheet). *The spreadsheets and previous 3-page parent survey will be phased out during spring 2008; users are strongly encouraged to switch to the updated 2-page survey forms for all future administrations of the parent survey.* Completed spreadsheets provide some basic summary statistics that can be used for local purposes, and sent to the National Center for Safe Routes to School (raborn@unc.edu) for inclusion in the National SRTS Tracking Program.

SAFE ROUTES TO SCHOOL

STUDENT ARRIVAL AND DEPARTURE TALLY SHEET

School Name:

Zip Code:

Teacher:

Grade (K-8)

Monday's Date

M M / D D / Y E A R

of students enrolled in class

Teachers, here are simple instructions for using this form:

- Please conduct these counts on any two days from Tuesday, Wednesday, or Thursday of the assigned week. Only two days worth of counts are needed, but counting all 3 provides better data.
- Please do not conduct these counts on Mondays or Fridays.
- Before asking your students to raise their hands to indicate the *one answer* that is correct for them, read through all potential answers so they will know what the choices are.
- Ask your students as a group the question "How did you arrive at school today?"
- Read each answer and record the number of students that raised their hands for each.
- Place just one character or number in each box.
- Follow the same procedure for the question "How do you plan to leave for home after school?"
- Please conduct this count regardless of weather conditions (i.e., ask these questions on rainy days, too).

Step 1. Fill in the weather conditions and number of students in class each day.			Step 2. Ask students "How did you arrive at school today?" and "How do you plan to leave for home after school?" (record number of hands for each answer)							
	Weather S= sunny R= rainy O= overcast Sn= snow	Number of Students (in class when count made)	Walk	Bike	School Bus	Family Vehicle (only with children from your family)	Carpool (riding with children from other families)	Transit (city bus, subway, etc.)	Other (skate-board, scooter, inline skates, etc.)	
SAMPLE	S	2 7	4	2	1 1	7	3	0	0	
Tues AM										
Tues PM										
Wed AM										
Wed PM										
Thur AM										
Thur PM										

Comments (List disruptions to counts or any unusual travel conditions to/from the school on the days of the tally):

Thank you for helping gather this information!

SURVEY ABOUT WALKING AND BIKING TO SCHOOL

- FOR PARENTS -

Dear Parent or Caregiver,

Your child's school wants to learn your thoughts about children walking and biking to school. This survey will take about 5 - 10 minutes to complete. We ask that each family complete only one survey per school your children attend. If more than one child from a school brings a survey home, please fill out the survey for the child with the next birthday from today's date.

After you have completed this survey, send it back to the school with your child or give it to the teacher. Your responses will be kept confidential and neither your name nor your child's name will be associated with any results. **Thank you for participating in this survey!**

School Name:	
---------------------	--

Completing this form: Please write with CAPITAL letters. Mark boxes with "X" instead of "✓".

1. What is the grade of the child who brought home this survey? (K - 8) grade
2. Is the child who brought home this survey male or female? MALE FEMALE
3. How many children do you have in Kindergarten through 8th grade? children
4. What is the street intersection nearest your home? (provide the names of two intersecting streets)

	AND	
--	-----	--

5. How far does your child live from school? (choose one and mark box with X)

- | | | |
|---|---|---|
| <input type="checkbox"/> a. less than 1/4 mile | <input type="checkbox"/> c. 1/2 mile up to 1 mile | <input type="checkbox"/> e. More than 2 miles |
| <input type="checkbox"/> b. 1/4 mile up to 1/2 mile | <input type="checkbox"/> d. 1 mile up to 2 miles | <input type="checkbox"/> f. Don't know |

6. On most days, how does your child arrive at school and leave for home after school? (select one choice per column, mark box with X)

	Arrive at school	Leave for home
<input type="checkbox"/> a. Walk	<input type="checkbox"/> a. Walk	<input type="checkbox"/> a. Walk
<input type="checkbox"/> b. Bike	<input type="checkbox"/> b. Bike	<input type="checkbox"/> b. Bike
<input type="checkbox"/> c. School Bus	<input type="checkbox"/> c. School Bus	<input type="checkbox"/> c. School Bus
<input type="checkbox"/> d. Family vehicle (only with children from your family)	<input type="checkbox"/> d. Family vehicle (only with children from your family)	<input type="checkbox"/> d. Family vehicle (only with children from your family)
<input type="checkbox"/> e. Carpool (riding with children from other families)	<input type="checkbox"/> e. Carpool (riding with children from other families)	<input type="checkbox"/> e. Carpool (riding with children from other families)
<input type="checkbox"/> f. Transit (city bus, subway, etc.)	<input type="checkbox"/> f. Transit (city bus, subway, etc.)	<input type="checkbox"/> f. Transit (city bus, subway, etc.)
<input type="checkbox"/> h. Other (skateboard, scooter, inline skates, etc.)	<input type="checkbox"/> h. Other (skateboard, scooter, inline skates, etc.)	<input type="checkbox"/> h. Other (skateboard, scooter, inline skates, etc.)

7. How long does it normally take your child to get to/from school? (fill-in circle for one choice per column)

	Travel time to school	Travel time from school
<input type="checkbox"/> a. Less than 5 minutes	<input type="checkbox"/> a. Less than 5 minutes	<input type="checkbox"/> a. Less than 5 minutes
<input type="checkbox"/> b. 5 - 10 minutes	<input type="checkbox"/> b. 5 - 10 minutes	<input type="checkbox"/> b. 5 - 10 minutes
<input type="checkbox"/> c. 11 - 20 minutes	<input type="checkbox"/> c. 11 - 20 minutes	<input type="checkbox"/> c. 11 - 20 minutes
<input type="checkbox"/> d. More than 20 minutes	<input type="checkbox"/> d. More than 20 minutes	<input type="checkbox"/> d. More than 20 minutes
<input type="checkbox"/> e. Don't know / Not sure	<input type="checkbox"/> e. Don't know / Not sure	<input type="checkbox"/> e. Don't know / Not sure

8. Has your child asked you for permission to walk or bike to/from school in the last year? (select one) YES NO

9. At what grade would you allow your child to walk or bike without an adult to/from school? (select a grade between K - 8) grade (or I would not feel comfortable at any grade)

10. Which of the following issues affected your decision to allow, or not allow, your child to walk or bike to/from school? (select all that apply, mark with X in box)

- Distance
- Convenience of driving
- Time
- Child's before or after-school activities
- Speed of traffic along route
- Amount of traffic along route
- Adults to walk or bike with
- Sidewalks or pathways
- Safety of intersections and crossings
- Crossing guards
- Violence or crime
- Weather or climate

11. Would you probably let your child walk or bike to/from school if this problem were changed or improved? (select one choice per line)

(My child already walks or bikes to/from school)

- | | | |
|------------------------------|-----------------------------|-----------------------------------|
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input type="checkbox"/> Not Sure |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input type="checkbox"/> Not Sure |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input type="checkbox"/> Not Sure |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input type="checkbox"/> Not Sure |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input type="checkbox"/> Not Sure |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input type="checkbox"/> Not Sure |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input type="checkbox"/> Not Sure |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input type="checkbox"/> Not Sure |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input type="checkbox"/> Not Sure |
| <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input type="checkbox"/> Not Sure |

12. In your opinion, how much does your child's school encourage or discourage walking and biking to/from school? (select one, mark with X in box)

- | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Strongly Encourage | Encourage | Neither | Discourage | Strongly Discourage |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

13. How much FUN is walking or biking to/from school for your child? (select one)

- | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Very Fun | Fun | Neutral | Boring | Very Boring |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

14. How HEALTHY is walking or biking to/from school for your child? (select one)

- | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Very Healthy | Healthy | Neutral | Unhealthy | Very Unhealthy |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

15. What is the highest grade or year of school you completed? (select one, mark with X in box)

- | | |
|---|--|
| <input type="checkbox"/> Grades 1 through 8 (Elementary) | <input type="checkbox"/> College 1 to 3 years (Some college or technical school) |
| <input type="checkbox"/> Grades 9 through 11 (Some high school) | <input type="checkbox"/> College 4 years or more (College graduate) |
| <input type="checkbox"/> Grade 12 or GED (High school graduate) | <input type="checkbox"/> Prefer not to answer |

16. Please provide any additional comments below:

Thank you for participating in this survey!



PARK & RECREATION COMMITTEE

Council Meeting Date: October 6, 2008

COU2008-76: Consider Revisions of PVMC #12-301, 12-302 and CP515 and 527.

RECOMMENDATION

Staff recommends approval of the revisions made to Prairie Village Municipal Code 12-301, 12-302 and Council Policies 515 and 527 as written.

BACKGROUND

In Chapter XII, Article III of the Prairie Village Municipal Code there is reference to the obsolete position of tennis court supervisors and the former practice of acquiring cards and/or badges to use the tennis courts. These references have been deleted from the updated version of the Code.

There is additional mention in City Council Policy 527 of the rental of tennis courts for private use and an event fee. These references have been modified or deleted from the updated version of the Policy.

Council Policy 515 has been revised by removing the mention of a specific daycare price to attend the pool.

Excerpt of approved Park & Recreation Committee minutes (9/10/2008):

Code & Policy Changes

Chris reported there were a few policies pertaining to recreation programming that needed updating. In addition, there was a section in the Municipal Code referencing tennis attendants that needed to be modified.

Jim Bernard Jr. moved to recommend the City Council approve CP515, CP 527, PVMC #12-301 and PVMC #12-303 as written. Joe Nolke seconded the motion and it passed unanimously.

ATTACHMENTS

Strikethrough versions of PVMC #12-301 and 12-303 and City Council Policies CP515 and CP527.

PREPARED BY

Chris Engel
Assistant to the City Administrator
Date: 10/1/08



City Council Policy: CP515 - Daycare at Swimming Pool

Effective Date: December 20, 1999

Amends:

Approved By: City Council

I. SCOPE

II. PURPOSE

- A. To establish proper supervision of children that are part of an organized day care group and using the pool facilities.

III. RESPONSIBILITY

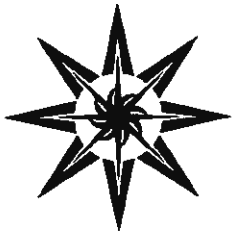
- A. Pool Manager

IV. DEFINITIONS

V. POLICY

- A. Only daycare groups that have their facility in Prairie Village are eligible for this membership.
- B. There must be an adult supervisor (16 or older) for every eight children.
 - 1. Supervisors must sit in specially designated chairs adjacent to the pool and watch the children at all times.
- C. The manager of the daycare will sign an agreement at the beginning of the season. The agreement will require them to:
 - 1. Provide a list of students who will attend the daycare swim sessions.
 - 2. Follow the requirements for supervisors.
 - 3. Provide armbands (one color for each daycare) for children and supervisors while they are in the pool complex.
 - 4. Schedule day/time to attend the pool and follow that schedule throughout the summer.
 - 5. Schedule a time for the swimming pool manager to talk to children about pool rules on their first visit to the pool.
 - 6. Return pool cards if they do not provide the supervision required by the City's pool manager.
- D. The manager of the daycare will provide a list of students in the daycare swim group. The list will be checked as the children enter the pool. Each child will wear an armband of a certain color to designate the daycare group.
- E. Daycare groups will be issued a special card for each child and supervisor they plan to bring to the pool. This card will allow the person to attend only with the group on the dates and times scheduled for the group.
- F. The fees for the daycare group attendance will be ~~\$3.50~~ per person per visit and must be paid in advance on dates listed in the agreement.

VI. PROCEDURES



City Council Policy: CP527 - Tennis Court Rental/Reservation Policy

Effective Date: December 20, 1999

Amends:

Approved By: City Council

I. SCOPE

II. PURPOSE

A. To establish the procedures for the rental/reservation of Prairie Village Tennis Courts.

III. RESPONSIBILITY

A. City Clerk

IV. DEFINITIONS

V. POLICY

- A. The Prairie Village Tennis Courts may be reserved for ~~private use~~ ^{tournaments} by making a written request to the City Clerk.
1. The request shall include:
 - a.) The name of the sponsoring organization;
 - b.) The reason for the reservation;
 - c.) The dates and times to be reserved; and
 - d.) The number of courts to be reserved and if they need access to the tennis shack.
 2. There shall be a fee per tennis court per hour ~~and a fee~~ for the event.
 - a.) The City Clerk will waive the fee for recognized educational institutions and City sponsored programs.
 - b.) The fee for the tennis court use shall be determined each year by the City Council and will be included on the fee schedule maintained in the City Clerk's Office.

VI. PROCEDURES

ARTICLE 3. TENNIS PROGRAM

- 12-301. ~~TENNIS COURT SUPERVISORS; DUTIES AND AUTHORITY. The tennis court supervisors shall be responsible for supervising the tennis facilities of the city and their use by any person. It shall be the duty of the tennis court supervisors of the city's tennis program, as well as the duty of any police officer of the city to maintain order and keep the public peace within the city parks and tennis facilities of the city. (Ord. 1914, Sec. 2)~~
- 12-302. RULES AND REGULATIONS; POSTING. The park and recreation committee and the governing body of the city may from time to time adopt rules and regulations which may be necessary for the management and operation of the tennis facilities including hours of operation. The police officers of the city and tennis court supervisors are authorized and directed to enforce such rules and regulations as may be necessary for the management and operation of the tennis facilities. Copies of all rules and regulations shall be posted in conspicuous places about the tennis facilities. (Ord. 1914, Sec. 2)
- 12-303. CHARGES FOR USE TO BE FIXED BY GOVERNING BODY. The governing body of the city may from time to time establish a fee that will be paid by users of the tennis facilities. ~~The tennis court supervisors are responsible for collecting the fee. Registration for the use of the tennis facilities and for obtaining identification cards, patches or other devices to gain admission to the tennis facilities shall be determined and carried out by the office of the City Clerk. It is unlawful for any person or persons to use the tennis facilities without being registered in accordance with the rules and regulations. The tennis court supervisors are given the authority to determine whether or not the person or persons using the tennis facility is registered in accordance with the rules and regulations. (Ord. 1914, Sec. 2)~~
- 12-304. VIOLATION; PENALTY. Any person or persons who violates any provision of this article, including the violation of any rule or regulations adopted by the governing body pertaining to the operation and management of the tennis facility of the city may be prosecuted in municipal court of violation of the provisions of this chapter. Upon conviction thereof, the person or person shall be punished by a fine of not more than \$100 or by imprisonment of not more than 30 days, or by both such fine and imprisonment. (Ord. 1914, Sec. 2)

MAYOR'S ANNOUNCEMENTS

Monday, October 6, 2008

Committee meetings scheduled for the next two weeks include:

Planning Commission	10/07/2008	7:00 p.m.
Sister City Committee	10/13/2008	7:00 p.m.
Prairie Village Arts Council	10/15/2008	7:00 p.m.
Council Committee of the Whole	10/20/2008	6:00 p.m.
City Council	10/20/2008	7:30 p.m.

=====

The Prairie Village Arts Council is pleased to announce the State of the Arts mixed media exhibit during the month of October. It will be a juried show featuring entries from local artists. There will be three prizes of \$1,000.00 each and the winners will be announced at the reception on October 10th from 6:00 to 8:00 p.m.

Flu shots for City of Prairie Village employees and Council members are scheduled for October 13th from 7:30 - 9:00 a.m. at Public Works and on October 14th from 2:00 - 4:00 p.m. at City Hall. Cost to the employee/Council member is \$10.

The annual Mayor's Holiday Tree lighting will be at Corinth Square on November 24th at 6:30 p.m.

Prairie Village Gift Cards are on sale at the Municipal Building. This is a great way to encourage others to "Shop Prairie Village."

The 50th Anniversary books, Prairie Village Our Story, are being sold to the public.

INFORMATIONAL ITEMS
October 6, 2008

1. Planning Commission Agenda - October 7, 2008
2. Communications Committee Minutes - August 27, 2008
3. Prairie Village Arts Council Minutes - August 20, 2008
4. Prairie Village Environmental Committee Minutes - August 27, 2008
5. Park and Recreation Committee Minutes - September 10, 2008
6. Prairie Village Arts Council Minutes - September 17, 2008
7. Prairie Village Environmental Committee Minutes - September 24, 2008
8. Prairie Village Sister City Committee Minutes - September 8, 2008
9. Letter from Time Warner Cable
10. Mark Your Calendars
11. Committee Agenda

**PLANNING COMMISSION AGENDA
CITY OF PRAIRIE VILLAGE
MUNICIPAL BUILDING - 7700 MISSION ROAD
TUESDAY, OCTOBER 7, 2008
Council Chamber
7:00 P. M.**

I. ROLL CALL

II. APPROVAL OF PC MINUTES - September 9, 2008

III. PUBLIC HEARINGS

**PC2008-09 Request for Conditional Use Permit for a
Communications Utility Box
7700 Mission Road
Zoning: R-1a
Applicant: Tom Reaves for SureWest**

**PC2008-10 Request for Conditional Use Permit for
Drive-thru
8200 Mission Road
Zoning: C-2
Applicant : Landplan Engineering for CVS**

IV. NON-PUBLIC HEARINGS

**PC2008-115 Site Plan Approval - Retail building
Southwest Corner Somerset & Mission
Zoning: C-2
Applicant: Landplan Engineering for CVS**

**PC2008-113 Site Plan Approval
3500 West 75th Street
Zoning: C-0
Applicant: Thad Smith**

**PC2008-114 Sign Standard & Monument Sign Approval
1900 West 75th Street
Applicant: Luminous Neon, Inc.**

**PC2008-116 Monument Sign Approval
3920 West 63rd Street
Zoning: R-1a
Applicant: Trinity Angelican Church**

**V. OTHER BUSINESS
Discussion on Cell Tower Regulations**

VI. ADJOURNMENT

Plans available at City Hall if applicable

If you can not be present, comments can be made by e-mail to

Cityclerk@Pvkansas.com

COMMUNICATIONS COMMITTEE
August 27, 2008
MINUTES

The Communications Committee met at 5:30 pm in the Executive Conference Room. Members present: Michael Kelly, Chairman, Andrew Wang, Vice-Chairman, Dirk Wright and Christine Adams. Also present: Quinn Bennion and Jeanne Koontz.

Approval of the June 30, 2008 Minutes

Dirk moved the approval of the June 30, 2008 Minutes. The minutes were unanimously approved.

Update on website redesign proposals and fee proposals

Quinn reviewed the selection of the three finalists. Digital Evolution Group was the favorite but the committee wanted a price estimate. Vision Internet was the second favorite. The committee knew the price but it seemed too cookie-cutter. Burn Advertising was the third favorite but the committee wanted to know they had the ability and depth to develop a CMS system.

Quinn updated the committee on the follow-up meetings with Digital Evolution Group and Burn Advertising. Staff met with Digital Evolution Group to discuss scope of work and request a fee estimate. Staff also met with Burn Advertising and the Liquid 9 representative to request a fee estimate and to see more of their CMS system. Liquid 9 has the ability to create the CMS but it might look home-made. Vision Internet has confirmed that they will take 10% off their price for being the first city in Kansas to use them.

The fee estimates for each vendor are attached.

Discuss website vendors and selection process

Michael said there are two ways of looking at this process. It could be a strategic investment in web technologies that will last for years or it could be a tactical decision and more improvements may be needed in a few years. A strategic investment would be selecting Burn Advertising or Digital Evolution Group because they will do lots of market research. A tactical choice would be Vision Internet or Civic Plus because they will provide a quick solution that is not tailor-made. He stated that he would like to make a strategic investment. It will require more up-front cost but will serve the City long-term.

Christine said she would also like to take the strategic investment approach and she likes Digital Evolution Group but is concerned about the cost. Quinn stated that there is not a defined budget for the project. The funds would come from the Economic Development Fund. Ultimately, the Council will make the final decision. Michael said Council responded positively the last time he updated them on the website process.

Andrew said that the market research will determine which direction the project goes. He said we may learn that no one wants the PV Portal. He believes the market research is pivotal to the project.

Christine asked the committee to keep in mind the experiences the Council had when the website was originally created.

Quinn said he believes council members expect e-commerce to be included. He said he does not think Vision is cookie-cutter and that they would provide an excellent, well-tested CMS System.

Michael said there is an added benefit to using someone local and he thinks Vision is too far away.

Michael asked staff if they could negotiate the price with Digital Evolution Group. Quinn said if the committee selects them, he would be willing to negotiate before bringing the recommendation to Council.

Michael moved to recommend entering into an agreement with Digital Evolution Group for the redesign of the City's website. Dirk seconded the motion which passed unanimously.

Quinn stated he would meet with Digital Evolution Group and let the committee know the result. The recommendation will go to Council on the first meeting in October.

There being no further business, the meeting adjourned at 6:20 pm.

Michael Kelly
Chairman

Website Proposals Comparison of Fees

	Burn	Digital Evolution	Vision
Market/User Research	\$13,910	\$36,480 (304 Hours)	Included
CMS System	\$74,882	\$79,000 (632 Hours)	\$51,375
PV Portal	Included	\$40,000 - 90,000	TBD
Web Based Databases	Included	TBD	TBD
Hourly Rate for Services	\$150	\$125	\$135 - Custom Programming \$125 - Graphic Design \$105 - Webmaster Service \$85 - HTML Programming/Content Migration
Hosting (optional)	\$0-560/month	Less than \$85/month	\$200/month
Annual Support Plan (optional)	\$14,400/year (up to 20 hours per month)	Determination of success stage \$125/hr	3 months free
Mid-Level Marketing Promotion	\$20,000 - 30,000	N/A	N/A
Warranty	No quote	No quote	1 year free
Travel Costs	N/A	N/A	Included
Message Board	No quote	No quote	\$3,685
Sample web sites	www.kansascitysteaks.com www.elsie.com	www.kcchamber.com http://www.business.ku.edu	www.grantspassoregon.gov http://www.sanjuancapistrano.org http://www.wdm-ia.com

Prairie Village Arts Council
20 August 2008
Minutes

The Prairie Village Arts Council met at 7:00 pm in the Council Chambers. Members present: Randy Kronblad, Chairman, Bill Rose, Pam Marshall, Dan Andersen, Kyran Wilson, and Christina Hoffman, Inge Dugan. Also present: Dennis Enslinger, City Staff.

Minutes

Committee approved minutes from the July 16, 2008 meeting with minor revision of time for band starting on page 2.

Council Report

No report at this time.

Financial Report

Dennis Enslinger provided a breakdown of budget expenditures. There was a general discussion about the expected donations from Columbia Bank.

June/July Exhibit/Reception

It was reported that the reception for Venus Auxier – Botanical Art was well attended.

State of the Arts

Kyran Wilson indicated the call for entries brochure was complete. Mr. Enslinger indicated that the brochure went out in the mail on August 11th. Callahan Creek agreed to layout the brochure for free and Kingston Printing has also agreed to print the brochure at no cost. Kingston would be charging for the envelopes used in the mailing.

Kyran Wilson discussed the remaining items which needed to be printed: Invitations and the Reception piece. Callahan Creek will be coordinating the layout and printing. The invitations should be ready about the third week of September.

Mr. Enslinger indicated that staff would handle the addressing of the invitations and the mailing.

The Committee was reminded about various dates associated with the event.

August 28 th	Entry Deadline
September 4 th	Jury
September 8 th	Notify Artists
September 29 th	Delivery
September 30 th	Hanging of Art
October 10 th	Opening Reception

Arts Council will be meeting at 6:30 p.m. prior to the meeting for the annual picnic.

Dan Andersen indicated that they were working on the advertising and that they would have a list of places to place ads or make sure the State of the Arts Event would be on the appropriate calendars.

Dan Andersen indicated that they were still working on plans for the reception and would have an update at the September meeting. The Council was provided with a brief overview of the associated issues related to the reception. The Council approved the purchase of napkins with Arts Council logo for use at the reception and during monthly openings.

Dennis Enslinger indicated that Jack Shearer had confirmed that Doubleday-Meise Quartet would perform. Staff noted that there would be several changes needed to the confirmation request including correct identification of the Prairie Village Arts Council and notation that the music would begin at 6:00. Mr. Enslinger also indicated that the cost for the music would be \$350.

Dennis Enslinger noted that the City Council approved the policy change to allow for the serving of wine and beer at the State of the Arts event. In addition, he noted that the Council also allowed for the serving at opening receptions. The Arts Council indicated that they would like to see how the State of the Arts event goes and then look at possibility serving wine at other opening receptions. It was also noted that the Arts Council decided it would need to adopt some policy regarding to deal with possible requests from artists. The general consensus was that the Arts Council would review each request on a case-by-case basis and the Arts Council would be responsible for securing and serving all alcoholic beverages.

New Business

Dan Andersen provide the Council members with cards to handout if they have contact with artists or are asking for donations related to the State of the Arts Event. In addition, Dan said that he has set up email address for each member and provided instructions to each member.

The next meeting will be at 7:00 pm on Wednesday, September 17, 2008.

There being no further business, the meeting adjourned at 8:25 p.m.

Randy Kronblad
Chairman

Arts Council will be meeting at 6:30 p.m. prior to the meeting for the annual picnic.

PRAIRIE VILLAGE ENVIRONMENTAL COMMITTEE MINUTES
August 27, 2008

Margaret Thomas, chair, called the meeting to order at 7:00 p.m.

Attending were Margaret, Dennis Enslinger, Penny Mahon, Barbara Brown, Cheryl Landes, Don Landes, Margaret Goldstein, Bob Pierson, Ruth Hopkins, Linda Smith, Kathy Riordan, Deborah English, Kristin Carmody, and guest Julie Coon.

Kristin Carmody, the new faculty advisor for the student environmental committee at East was introduced. At their first meeting they discussed projects for the year including a spring fashion show as well as were told about our events.

Kathy Riordan gave out assembly-line assignments for the upcoming Community Forum to committee members, including filling out invitations, stamping and putting mailing labels on the postcards to be sent while we listened to this month's speaker.

Julie Coon, Environmental Compliance Manager for the Pollution Control Division of the Johnson County Environmental Department gave a short presentation. The county has committed to many sustainability issues, but she discussed their Solid Waste Management Plan. It was updated in 2000, with the incentive of the county landfill closing realistically by 2020 (the official date is 2027.) While the population of the county is growing, waste reduction through recycling and composting is well below the national average - 22% for JOCO while 32% is the national average. The waste must go somewhere, so JCED has an aggressive diversion/waste reduction plan, described in a brochure that was passed out. Julie's goal and that of JCED is to have 0% waste by 2020 in all county government services and operations, which includes parks and libraries. A waste evaluation was conducted in 2006 and 2007, which determined the amount and type of materials being added to the waste.

Julie had a lot to say in only 20 minutes, but some of the highlights were that 5000 tons of waste per day go into the present landfill, 60% of which is from KCMO, and 75% of JOCO waste goes into the Deffenbaugh/Johnson County Landfill and the remainder of 25% goes to several other county and city landfills. A large portion of these waste materials are potentially recyclable. For example, 33% is paper and 33% plastics by volume. Some of these are lower-grade plastics that currently have no market for recycling. To encourage recycling, some of their plans are to implement a pay-as-you-throw, county-wide recycling of residential electronic waste, and provide curbside yard waste collection following a yard waste landfill ban. The "One Planet, One Chance" program involves recycling bins similar to the Abitibi paper bins placed at local schools and churches, for occupants of commercial buildings to recycle. Cities can require their commercial endeavors to recycle. They also have a Recycling Road Show that they can present to schools and other organizations.

Kristin Carmody told us that SME is going to begin plastic and aluminum recycling (!)

Community Forum: Kathy Riordan handed out flyers for us to post. Margaret will send an electronic version of the flyer to committee members to pass on to others. Reservations are needed ahead of time, even for committee members. Publicity is going well. We have ads in the Sierra Club publication Planet Kansas and Greenability as well as others. Dennis stated that the Sun and Star would have ads. It was suggested that we look into the possibility of advertising this and other events at the bottom of receipts from Hen House. Ann-Marie, Teri, Pete and Polly will be helping with the table, Mary-Helen might make the centerpiece, and Margaret and Kathy are responsible for set-up.

Upcoming local events and opportunities: KCMO is holding a Green Festival on September 8th. Margaret passed around faith-based materials produced by the Sierra Club entitled "Faith in Action." KCMO is sponsoring trainings to identify good sites to achieve their goal of planting 120,000 trees within the next ten years. Contact Angela Schreffler at 816-561-1061, ext. 110 or angela.schreffler@bridgingthegap.org. Training on September 13th from 9-11 or 6-8. Future trainings will be scheduled later. Sponsored by BTG and the Heartland Tree alliance.

Election year: Margaret reminded us that the KNRC has created a non-partisan voter guide regarding the environmental voting record of Kansas legislators, which is available online. Discussion followed about the possibility of making this available to patrons at our forum.

Electronics Recycling: We received a map of the junior lot, where the event will occur. A sign-up sheet was passed around for volunteers in several areas: intake, materials handler, food, and photographer. Jim Twigg has graciously volunteered to manage the materials handling, and the sports and computer department kids at SME will be recruited for muscle and brain work. Discussion concerning water availability at the event ensued, including which company might possibly be used (Culligan or JOCO Water) and the use of paper cups. The city of PV is providing our breakfast and/or lunch. Publicity is going well, it is on the PV website, in the September and October Village voice, and Roeland Park, Overland Park, and Mission are most likely advertising as well. The PV website offers a complete list of all electronics taken and prices that must be paid. Quinn offered to handle a shredder event at the same time, but we declined at this time.

The meeting was adjourned, time not available.
Respectfully submitted, Penny Mahon

PARK AND RECREATION COMMITTEE

September 10, 2008

The Park and Recreation Committee met September 10, 2008 at 7:00 pm. Present and presiding, Chairperson Diana Ewy Sharp. Members present: Vice Chair, Al Herrera, Jim Bernard, Jr., Sally Holmes, Joe Nolke, Peggy Couch, and Kathy Peterson. Staff: Mike Helms and Chris Engel. Also in attendance: Doug Pickert, President, Indigo Design

CONSENT AGENDA

Jim moved approval of the consent agenda. Al seconded and it passed unanimously.

REPORTS

1. Public Works Report

Mike reported the benches had been installed at Franklin Park along the large walking path. Mike also reported his employees have had repeated run-ins with a certain youth who is riding their bike at the skate park. Mike pointed out the damage a bike could do and recommended adding something to the posted signs at the park to deter future occurrences. Mike will report back next month after checking with the Police to see if there is something that can be done from a legal standpoint in the way of progressive ticketing and fines. Mike updated the committee on the new Title XIV – Pool & Spa Safety Act that requires modification of pool drains. Unfortunately, there is no product on the market to bring any pool or spa into compliance. Mike will be monitoring the situation and reporting back as needed.

Mike reported vandalism at the Santa Fe Pavilion has completely stopped since school started and the trees were trimmed up, new signage installed, and installation of bright lights.

2. Recreation Program Report

Chris reported the pool was closed and he would be presenting his season end report next month. Chris also notified the Committee their KRPA membership was expiring and asked if they would like it renewed. **Jim moved the Committees membership to KRPA be renewed in the amount of \$400. Kathy seconded and the motion passed unanimously.**

3. Chairperson's Report

Diana reported there was \$150,000 in the 2009 budget for Parks Master Plan implementation, \$75,000 for the swimming pool reserve and about \$100,000 left over from 2008 projects that were deferred pending the Master Plan (Park ID signage, Carroll Plaza, Fall Zone Replacement).

New Business

1. Skate Park Competition

Chris reported a local skate group wanted to hold a competition at the skate park in late September or early October. The teams competing will be from different schools within the Shawnee-Mission School District. The competition would be on a week night; the

groups would bring in portable lights and potentially have vendors there with concessions and clothing.

Chris had spoken with Public Works and the Police Department and there were no objections to the event as long as they cleaned up after themselves. Chief Jordan did mention that hiring off-duty officers might be a consideration but was not required. Kathy said if that was required there would be no event because there is usually not enough money at these types of events for security. Kathy did volunteer to attend the event if necessary.

There was discussion over the idea of receiving some of the profit from vendors that sell on city property. There was additional discussion over treating the skate park like a park pavilion and allowing it to be rented for a fee. It was agreed that these items would be addressed again in the future and this event could proceed as planned.

2. Code & Policy Changes

Chris reported there were a few policies pertaining to recreation programming that needed updating. In addition, there was a section in the Municipal Code referencing tennis attendants that needed to be modified.

Jim Bernard Jr. moved to recommend the City Council approve CP515, CP 527, PVMC #12-301 and PVMC #12-303 as written. Joe Nolke seconded the motion and it passed unanimously.

Old Business

1. Farmer's Market

Chris reported the idea of a farmer's market was not very feasible as it has been currently presented. The current group wants to use Schlifke Park and park in the lot at Village Church. This creates a problem getting in and out of the park for both patrons and vendors because of its layout. In addition, the City is responsible for all advertising, the offerings for days of the week are weak, and there is still concern over the competition this may create with Hen House. Chris mentioned he will investigate it further, possibly involving Donna Potts at the Village Shops, and report back in the spring.

Presentation by Indigo Design

Doug Pickert with Indigo Design made a presentation to the Committee outlining what his team has been doing so far in relation to the Parks Master Plan. They have completed meetings with key stakeholders, the YMCA, JCPRD and other municipalities. They have sent out the resident surveys to 2,100 randomly selected households and so far had 609 returned. Doug asked if there was anything committee members would like to see explored that hadn't been mentioned. Joe said benches in Porter would be nice, as well as spray pads and some pool updates. He also asked if adjustable height basketball poles could be explored for younger kids. Mike wondered if the mid-teenage group's interests would be taken into account which Doug confirmed. Sally mentioned more benches at Windsor to allow for people to spread out away from the equipment a little more. Peggy confirmed additional parking at the parks would be considered during the planning. Al

mentioned the natural habitat along the creek in Schliffke Park and asked for that to be considered during the planning.

INFORMATIONAL ITEMS

Diana noted a letter in the Kansas City Star thanking the City for its prompt response to the hornet's nest in Franklin Park. Diana thanked Mike Helms and Public Works for a job well done.

The next meeting will be October 8, 2008 at 7.00pm.

Diana Ewy Sharp
Chairperson

Prairie Village Arts Council
September 17, 2008
Minutes

The Prairie Village Arts Council met at 7:00 pm at the Santa Fe Pavilion. Members present: Randy Kronblad, Chairman, Bill Rose, Angi Jones, Annie Brabson, Pam Marshall, Dan Andersen, Kyran Wilson, and Christina Hoffman, Jack Shearer. Also present: Dennis Enslinger, City Staff.

Minutes

Committee approved minutes from the August 20th meeting with minor revisions on page 1 regarding the invitation ready date and who presented information regarding the State of the Arts reception information on page 2.

Council Report

No report at this time.

Financial Report

Dennis Enslinger provided a breakdown of budget expenditures. There was a general discussion about the expected donations from Columbia Bank. The Council discussed options regarding pursuing additional donations for the State of the Arts Event. The Council also discussed possible revisions to the overall budget and using currently budgeted funds for the State of the Arts event.

September Exhibit/Reception

It was reported that despite the weather there was a good turnout at the reception held for Images Group.

State of the Arts

Kyran Wilson indicated she was working with Callahan Creek on the handout for the State of the Arts Opening event. It was decided that the flyer should have no winners and that they would be announced the evening of the event.

Mr. Enslinger indicated that the invitations for the event were ready and provided some to the Council members. He also indicated that the invitations would go out on Thursday, September 18th. Mr. Enslinger also agreed to send the electronic version of the invitation to the Council. Mr. Enslinger stated that he was working with the Sun and the Star Newspapers to run an article about the State of the Arts Event.

Dan Andersen and Angie Jones went over the costs related to the reception. The rental of the tables and other items would cost approximately \$514 this includes all of the high-top tables, wine glasses and linens. Ms. Brabson indicated that it was anticipated that the cost of the food and other miscellaneous items would be \$500.

Mr. Andersen indicated the Council would be preparing all of the food the night prior to the event. Mr. Andersen has offered to host the preparation event at 3308 71st Street. The food consists of an antipasto platter, meatballs, smoked salmon, and assorted cheeses with grapes.

Pam Marshall indicated that Andres chocolates would be served. She had been working with Andres and they had agreed on a price and that they would be individually wrapped for ease of serving.

Jack Shearer indicated that he had been working on the wine and had some initial discussion with Rimman Liquors and went over the cost ranges.

Mr. Enslinger indicated that he would try to send out revised budget numbers to the Council so that the Council would have a better idea on the costs and associated donations that might be received.

New Business

Review of request by Kale Van Leeuwen regarding exhibiting in 2009. It was decided because of the location of the meeting that the Council would address this issue at the October meeting.

With no other business the meeting was adjourned at 8:40 p.m.

The next meeting will be at 7:00 pm on Wednesday, October 15, 2008.

Randy Kronblad
Chairman

PRAIRIE VILLAGE ENVIRONMENTAL COMMITTEE

MINUTES, September 24, 2008

Margaret Thomas, chair, called the meeting to order at 7:00 p.m. Attending were Margaret, Barbara Brown, Deborah English, Margaret Goldstein, Anne-Marie Hedge, Cheryl Landes, Don Landes, Pete Jarchow, Toby Grotz, Karin McAdams, Ruth Hopkins, Linda Smith, Mary Helen Korbelik, Kathy Riordan, Bob Pierson, Polly Swafford and Dennis Enslinger. The minutes were approved as corrected.

Events and information:

- **Shawnee Mission East** is accepting small garage sale items from nine to 12 am on October 4.
- **The Land Institute's Prairie Festival** will be the weekend of September 27.
- **The Sustainable Sanctuary Coalition** is hosting a two-day event with a talk and workshop by **Peter Sawtell**, of Eco-Justice Ministries. It is at Village Presbyterian on October 17 and 18.
- **The Tree Board** will meet October 1 in the council chambers, presenting information on the impact of trees.
- **Toby Grotz** recently attended a conference where it was made clear that the demand for oil is expected to surpass supply by **2012**.
- **The city of Mission** is having a workshop October 11 on rehabbing houses. Prairie Village is a sponsor of the event and will have a booth a chance to win two composting bins and providing free bags recycled bags.

Reports:

- **Community Forum:** The numbers of people registering are low so far. Perhaps the topic is a hard sell; given that there will be more action on the Holcomb power plant, it would be excellent if local legislators would attend. We are all asked to publicize this event. The details of the event are well under control. It was suggested that Don and Polly, the publicity people, try to arrange an article on the speaker or an interview with him.
- **Recycling event:** Linda, Dennis and Barbara met with Kristin Riott to try to get more high school students to help. Barbara is still working on getting Boy Scouts and Bishop Miege students. Deffenbaugh is donating trash and recycling bins. The planning committee will email our work assignments to us.

Old business:

- Those who volunteered to help with the **SME running shoe collection** (Margaret, Margaret and Karin) will probably attend their meeting on November 5th or 19th. Margaret G. will work on a poster for this effort.
- We had discussed selling tote bags, but due to the Prairie Village give away at the Mission workshop, it won't be necessary.

New business:

- **Kristin Riott and Margaret T.** attended the September 2 City Council meeting and presented their idea of creating an *ad hoc* subcommittee of the Environmental Committee. This group would work on a sustainability plan for the city and would report to the Environmental Committee as a whole.
If this committee were to be formed, Margaret could no longer chair the wider committee, so new leadership and perhaps a new purpose for the original committee would be needed. Margaret polled those present to see if some were interested in chairing the committee. There was a great deal of discussion about possible goals for the original committee: education, events and carrying out the goals of the *ad hoc* committee were some of the ideas.

The meeting was adjourned at 8:30.

Respectfully submitted,

Karin McAdams, Secretary

SISTER CITY COMMITTEE
08 September, 2008
MINUTES

Call to Order

Chairperson Jim Hohensee called the meeting to order at 7.00pm. Members present: Michael Kelly, Cleo Simmonds, Jo Ann Memming, Dick Bills, Bob McGowan and Cindy Dwigans. Also present: Hildegard Knopp, Vera Glywa, Rod Attebury. Staff: Chris Engel.

Cindy moved for the inclusion of the Raphael contract for the Ukrainian stay in the minutes. Cleo seconded and it passed with Jim the lone dissenting vote.

Michael moved for the approval of the July 15 and July 23 minutes as written. Cleo seconded and it passed unanimously.

Dolyna Visit

Jim passed around a list of key phrases and menu items for the upcoming visit. He has called around for the casual dinner between the Committee and the Ukrainians on Friday evening. The Blue Moose said they did not have the space, Salty Iguana will be checking with the managers and getting back with him, and the Cactus Grille offered a percentage off their food and possibly some free appetizers.

Jim reviewed the press release with the Committee and corrections were made.

Michael gave an update on the fundraising that had been done so far. To date almost \$2,100 had been raised through private donations. In addition, there is ~\$2,700 still in the Committee budget. Michael stressed this was still not enough to cover the projected expenses and fundraising efforts needed to continue even after the guests had left.

Dick showed everyone the centerpiece flags he had purchased for the various events. Dick also informed the Committee he had been in contact with Bonita Wilson with the Johnson County Department of Aging. They had offered to host the group at their Sunset building on the morning of August 20. In addition, Dick informed the Committee that Jim Hamil could personalize his art book to either the Mayor or the entire City of Dolyna. It was agreed to address it to the entire City for possible display in their library.

Bob updated the Committee he had arranged to take Oksana, the Superintendent of the School for the Visually Impaired, to visit the Kansas City School for the Visually Impaired. A young lady from the Ukrainian Club will be serving as interpreter.

Cindy and Carole will be taking the group shopping one afternoon. They will speak with the guests once they arrive to help determine where they will be going.

New Business

Cleo moved that Jo Ann Memming be approved for membership in the Sister City Committee. Cindy seconded the motion and it passed unanimously.

Adjournment

The next scheduled meeting will be Monday, October 13 at 7.00 pm in the Council Chambers. The meeting was adjourned at 8:50 p.m.

Jim Hohensee
Chair

6550 Winchester Ave.
Kansas City, MO 64133
Tel (816) 222-5001
Fax (816) 358-7987

Dan Wright
Group Vice President, Operations-Kansas City
Time Warner Cable National Division



**The Honorable Ron Shaffer
Mayor
City of Prairie Village
7700 Mission Road
Prairie Village, Kansas 66208**

Dear Mayor Shaffer:

It was a pleasure meeting you at City Hall during my recent tour of Kansas municipalities. I enjoyed the opportunity to know more about you and the city. Prairie Village is a wonderful community with a great history and spirit. I found your aquatic center very impressive and believe it is a terrific amenity for your residents

Since arriving to Kansas City, I have found the people on both sides of the state line to be extremely friendly, hospitable and most importantly, committed to the success of the entire region. I look forward to working with you in the future on many of these regional issues.

Time Warner Cable is proud of its strong relationship with the city of Prairie Village. We have been a part of your community for over 20 years, offering video, high-speed data and phone service. We will continue providing exceptional customer service and work hard responding to concerns your residents might have. On behalf of our 1,000 local employees and 8,000 customers in Prairie Village, thank you for your leadership and service. If I can be of assistance to you or others in City Hall please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Wright", with a stylized flourish at the end.

Dan Wright

**Council Members
Mark Your Calendars
October 6, 2008**

October 2008	State of the Arts exhibit in the R. G. Endres Gallery
October 10	Artist reception in the R. G. Endres Gallery 6:00 to 8:00 p.m.
October 11-14	League of Kansas Municipalities Conference in Wichita, KS
October 20	City Council Meeting
November 2008	Mid-America Pastel Society exhibit in the R. G. Endres Gallery
November 3	City Council Meeting
November 7	Artist reception in the R. G. Endres Gallery 6:00 to 8:00 p.m.
November 11-15	National League of Cities Conference, Orlando, FL
November 17	City Council Meeting
November 22	NEJC Chamber of Commerce Annual Dinner
November 24	Mayor's Holiday Tree lighting
November 27	City offices closed in observance of Thanksgiving
November 28	City offices closed in observance of Thanksgiving
December 2008	Tom Wilson, Melanie Nolker & Wendy Taylor mixed media exhibit in the R. G. Endres Gallery 6:30 to 7:30 p.m.
December 1	City Council Meeting
December 3	Council of Mayors Holiday Social
December 5	Mayor's 2008 Holiday Party
December 12	Artist reception in the R. G. Endres Gallery 6:30 to 7:30 p.m.
December 15	City Council Meeting
December 25	City offices closed in observance of Christmas
January 2009	
January 1	City offices closed in observance of New Year's Day
January 5	City Council Meeting
January 19	City offices closed in observance of Martin Luther King Jr. Day
January 20 (Tues.)	City Council Meeting
February 2009	
February 2	City Council Meeting
February 16	City offices closed in observance of President's Day
February 17 (Tues.)	City Council Meeting
March 2009	
March 2	City Council Meeting
March 16	City Council Meeting
April 2009	
April 6	City Council Meeting
April 20	City Council Meeting
May 2009	
May 4	City Council Meeting
May 18	City Council Meeting
May 25	City offices closed in observance of Memorial Day

June 2009

June 1 City Council Meeting
June 15 City Council Meeting

July 2009

July 3 City offices closed in observance of Independence Day
July 6 City Council Meeting
July 20 City Council Meeting

August 2009

August 3 City Council Meeting
August 17 City Council Meeting

September 2009

September 7 City offices closed in observance of Labor Day
September 8 (Tues.) City Council Meeting
September 21 City Council Meeting

October 2009

October 5 City Council Meeting
October 19 City Council Meeting

November 2009

November 2 City Council Meeting
November 16 City Council Meeting
November 26 City offices closed in observance of Thanksgiving
November 27 City offices closed in observance of Thanksgiving

December 2009

December 7 City Council Meeting
December 21 City Council Meeting
December 25 City offices closed in observance of Christmas

ANIMAL CONTROL COMMITTEE

AC96-04 Consider ban the dogs from parks ordinance (assigned 7/15/96)

COMMUNICATIONS COMMITTEE

COM2008-01 Consider upgrade to City's Website (assigned 10/8/2007)

COUNCIL COMMITTEE

COU2006-27 Consider Project 190855: Tomahawk Road Bridge Replacement (assigned 8/28/2006)
COU2006-33 Consider Lease of Public Works from Highwoods Properties, Inc. (assigned 8/29/2006)
COU2006-38 Consider Park & Recreation Committee Master Plan (assigned 09/27/2006)
COU2007-02 Consider Reducing size of Council & term limits for elected officials (assigned 1/8/2007)
COU2007-27 Consider Project 190864 - 2008 Paving Program (assigned 3/9/2007)
COU2007-33 Consider Project 190719: 2008 Storm Drainage Repair Program (assigned 4/11/2007)
COU2007-35 Consider reactivation of Project 190709: 83rd Street/Delmar Drainage Improvements
COU2007-40 Consider Code Enforcement - Interior Inspections (assigned 5/2/2007)
COU2007-49 Consider Project 190868: Roe - 91st to Somerset Drive (assigned 6/27/2007)
COU2007-62 Consider Project 190863: Parking at Shawnee Mission East (assigned 10/12/2007)
COU2007-74 Consider reactivation of Prairie Village Development Corporation (assigned 12/3/2007)
COU2008-01 Consider Project SP105: 2008 Crack Seal/Slurry Seal Program (assigned 12/31/2007)
COU2008-02 Consider Project SP107: 2008 Street Repair Program (assigned 12/31/2007)
COU2008-03 Consider Project 191022: 2008 Concrete Repair Program (assigned 12/31/2007)
COU2008-21 Consider Project 190865:2009 CARS - Roe Avenue Resurfacing from Somerset Drive to 83rd Street (assigned 2/26/2008)
COU2008-22 Consider Project 190890: 2009 Street Resurfacing Program (assigned 2/26/2008)
COU2008-25 Consider Project 190871: Mission Lane Bridge Replacement (assigned 2/27/2008)
COU2008-67 Consider sidewalk policy relative to sidewalks (8200 Rosewood) (assigned 8/13/2008)
COU2008-68 Consider installation of additional speakers in hallway and MPR (assigned 9/9/2008)
COU2008-69 Consider repairs to air conditioning unit at Municipal Office (assigned 9/9/2008)
COU2008-70 Consider Health Insurance Alternatives (assigned 9/9/2008)
COU2008-71 Consider ordinance changing number of municipal codes maintained by City Clerk (assigned 09/10/2008)
COU2008-72 Consider adoption of 2008 Standard Traffic Ordinances and Uniform Public Offense Code (assigned 9/10/2008)
COU2008-73 Consider the Tyco Electronics-M/A-COM Inc. Renewal Agreement for Maintenance of the EDACS System Components (assigned 9/12/2008)
COU2008-74 Consider approval of agreement with Lyncole Industries to conduct an evaluation of the radio system with funding from the general contingency fund (assigned 10/1/2008)
COU2008-75 Consider approval of a modification to Personnel Policy 910 regarding "comp time" (assigned 10/1/2008)

PARKS AND RECREATION COMMITTEE

PK97-26 Consider Gazebo for Franklin Park (assigned 12/1/97)

PLANNING COMMISSION

PC2007-01 Study City zoning regulations to address those items identified by the Village Vision Strategic Investment Plan in 2007 (assigned 8/20/2007)
PC2008-01 Consider Cell Tower Policy (assigned 3/19/2008)
PC2008-02 Consider development of ordinances to support best practices for renewable energy and for green design related to residential and commercial building design (assigned 7/7/08)

PRAIRIE VILLAGE ARTS COUNCIL

PVAC2000-01 Consider a brochure to promote permanent local art and history (assigned Strategic Plan for the 1st Quarter of 2001)