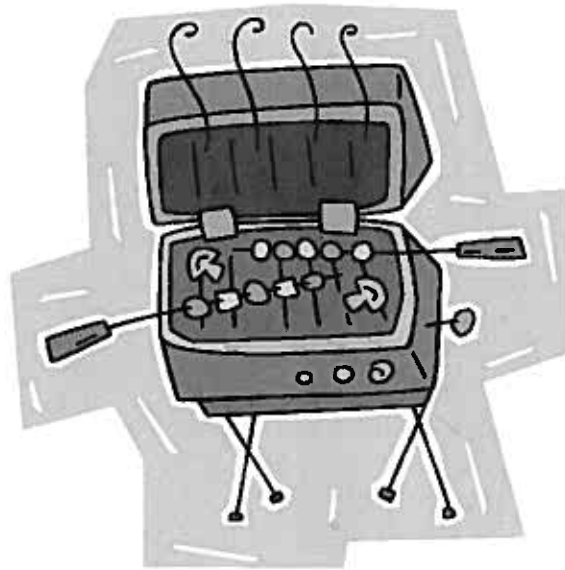


City Council Meeting
August 18, 2008



Dinner will be provided by:
Gates BBQ

Ham, Beef & Turkey
Potato Salad, Coleslaw & Beans
Pickles
Bread

Cheesecake

COUNCIL COMMITTEE
August 18, 2008
6:00 p.m.
Council Chamber

AGENDA

DAVID VOYSEY, COUNCIL PRESIDENT

CONSENT AGENDA

**COU2007-33 Consider Project 190719: 2008 Storm Drainage Repair Program
Construction Change Order #2 (Final)**

AGENDA ITEMS FOR DISCUSSION

**COU2008-62 Consider Amendment to Special Use Permit for Kansas City Christian
School
Ron Williamson**

**COU2008-64 Consider GASB 45 Implementation
Karen Kindle**

**COU2008-63 Consider Transportation Cooperation Council Interlocal Agreement
Dennis Enslinger & David Belz**

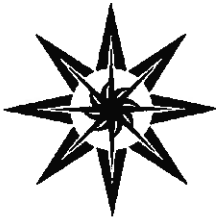
**COU2008-65 Consider Establishment of Grant Fund
Karen Kindle**

***COU2008-66 Consider approval of 2009 Mission Hills Contract and Budget
Chief Wes Jordan**

**COU2008-67 Consider Sidewalk Policy relative to sidewalks on cul-de-sacs (8200
Rosewood Drive)
Tom Trienens**

COU2007-51 Village Vision

***Council Action Requested the Same Evening**



PUBLIC WORKS DEPARTMENT

Council Committee Meeting Date: August 18, 2008

Council Meeting Date: September 2, 2008

COU2007-33 CONSIDER PROJECT 190719: 2008 STORM DRAINAGE REPAIR PROGRAM CONSTRUCTION CHANGE ORDER #2 (FINAL)

RECOMMENDATION

Move to approve construction change order #2 with Miller Paving and Construction for Project 190719: 2008 Storm Drainage Repair Program for \$17,276.17.

BACKGROUND

Additional pavement repairs were required on 89th Street (Mission Road to Alhambra) due to the existing condition of the asphalt adjacent to the curb. This project is complete and the final as-built quantities have been determined.

FUNDING SOURCE

Funds are available in the Capital Infrastructure Program under project 190719 - 2008 Storm Drainage Repair Program. The change order is a 4.4% increase to the existing contract amount.

RELATED TO VILLAGE VISION

CC1a. Make streetscape improvements to enhance pedestrian safety and attractiveness of the public realm.

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 Miller Paving and Construction.

PREPARED BY

S Robert Pryzby, Director of Public Works

August 11, 2008



PLANNING COMMISSION

Council Committee Meeting Date:
Council Meeting Date: June 2, 2008

COU2008-66 Consider Amendment to Special Use Permit for Kansas City Christian School - 4801 West 79th Street

PLANNING COMMISSION RECOMMENDATION

Recommend the City Council adopt an Ordinance approving an amendment to the Special Use Permit for the operation of a private school by Kansas City Christian School Society, Inc. on the property described as follows: 4801 West 79th Street, subject to the conditions recommended by the Planning Commission.

BACKGROUND

The Special Use Permit for Kansas City Christian School was approved by the City Council on January 18, 1999, subject to the following conditions:

1. That the applicant meet all the conditions and requirements of the Planning Commission for the approval of the Site Plan;
2. That the Special Use Permit not have a termination or expiration time established for it; however, if construction has not begun within 24 months from the approval of the Special Use Permit by the City Council, the permit shall expire unless the applicant reappears to the Planning Commission and receives an extension of time;
3. If the applicant violates any of the conditions of zoning regulations and requirements as a part of the Special Use Permit, the permit may be revoked by the City Council; and
4. That the applicant cannot further expand or amend the Site Plan without an amendment to the Special Use Permit requiring a public hearing before being approved.

The Planning Commission approved the Site Plan at its regular meeting on February 2, 1999, subject to the following conditions:

1. That all mechanical equipment be screened from the view of the adjacent neighbors on 79th Street;
2. That any trash storage area be properly screened and enclosed to prevent the blowing of debris and to obscure the view from adjacent property;
3. That any exterior lighting be installed so that it does not adversely affect any adjacent residential property;
4. That the 15' setback requirement for the parking adjacent to 79th Street be met; and
5. The applicant restudies and resubmits other options for the architectural appearance of the project including the height of the building. *(This was approved at the March meeting)*

When the Site Plan was approved, the classroom distribution and off-street parking requirements were as follows:

19 Elementary Classrooms	x 2 =	38 spaces
9 High School Classrooms	x 8 =	72 spaces
52 Staff	x .5 =	<u>26</u> spaces
Total Required		136 spaces

According to current information, the Kansas City Christian School has reorganized its classroom distribution by transferring two elementary classrooms to two high school classrooms and the off-street parking requirements have increased as follows:

17 Elementary Classrooms	x 2 =	34 spaces
11 High School Classrooms	x 8 =	88 spaces
51 Employees	x .5 =	<u>26</u> spaces
Total Required		148 spaces

The parking requirements have increased 12 spaces based on the classroom redistribution.

The Site Plan approval in 1999 indicates 72 spaces in the west lot, 43 spaces in the east lot, 15 spaces on the north along the drive, and 8 spaces behind the school building for a total of 138 spaces.

Parking on residential streets in the neighborhood became an issue last year and numerous complaints were made to the City. The Police Department has been working with the neighborhood and Kansas City Christian School to find a solution that works for both the neighbors and the School. While addressing this issue, it was discovered that the classroom distribution had changed and according to the conditions of the Special Use Permit approval, it is required that the Special Use Permit and Site Plan be amended.

The east parking lot was being used for a turnaround for parents who pick-up or drop-off students. This reduced the effective availability of parking by 12 to 14 spaces. Kansas City Christian School has proposed a better solution for parents to pick-up and drop-off children and also provides more on-site parking.

The original Site Plan only identified parking for two busses and the School now has six buses and two passenger cars.

The operation of the Kansas City Christian School has also changed. Middle school students do not attend this facility the entire day, but are dropped off at this location and bussed to another campus. Kansas City Christian School has taken over the Oxford Park Academy at 132nd Street and Nall Avenue which currently serves preschool through third grade. Kansas City Christian School plans to build a Pre-K through eighth grade school at this location. Ground

breaking is anticipated in the spring of 2009. Kansas City Christian School is also in the process of acquiring 35 acres at 135th Street and Quivira to build a new high school. The plan is to relocate the high school from its current site within four years.

The revised Site Plan shows 65 parking spaces on the east side of the school compared to 45 on the approved plan. The west lot remains the same at 72 spaces while the paved area on the south side of the school has increased from eight spaces to 19 spaces plus four bus spaces. The total parking being provided on the new plan is 171 spaces while the ordinance requirement is 148 spaces. The proposed plan exceeds the ordinance by 23 spaces but the facility may actually generate more vehicles than that and a plan needs to be put in place that addresses that problem. Providing adequate on-site parking for the school is the most critical issue to resolve in order for the school to be compatible with the neighborhood. The school was originally designed and built as an elementary school and now K-12, which has changed the parking requirements.

In 1998 the total enrollment was 543 students with 162 high school students. In 2007 the total enrollment was 469 students with 234 high school students. The total enrollment was 74 students less in 2007 but the high school enrollment was 72 students greater. The increase in high school students has obviously caused the parking problem.

The applicant held a neighborhood meeting on July 22nd in accordance with the Planning Commission Citizen Participation Policy and only four neighbors were present. Concerns were expressed about current street parking restrictions and the busses parked in front of the school that were left running. The school addressed those concerns and none of those neighbors expressed opposition to the proposed changes. Some of the neighbors that have been meeting with the City relative to the parking problems and who have issues with the school did not attend this meeting. Neighbors did attend the Planning Commission public hearing and expressed concern about traffic, student parking, bus parking and bus idling.

The Planning Commission considered the comments from the public and discussed the nine factors required to be considered for a Special Use Permit.

Bob Lindeblad moved the Planning Commission find favorably on the findings and recommend the City Council approved the proposed amendment of the Special Use Permit for the Private School subject to the following conditions:

1. That the applicant meet all the conditions and requirements of the Planning Commission for the approval of the Site Plan.
2. That the Special Use Permit not have a termination or expiration time established for it.
3. If the applicant violates any of the conditions of zoning regulations and requirements as a part of the Special Use Permit, the permit may be revoked by the City Council.

4. That the applicant cannot further expand or amend the Site Plan without an amendment to the Special Use Permit requiring a public hearing before being approved.
5. That Kansas City Christian School adopt a policy that all students will park on site or in a designated lot and develop a procedure for implementation and enforcement of the policy.
6. The number of high school classrooms shall be limited to 11.
7. That no more than four buses shall be permanently stored on site with their location as identified on the approved site plan.

The motion was seconded by Nancy Vennard and passed unanimously.

Options:

In making its decision, The City Council must make findings of fact based on the nine factors. It can adopt the findings of the Planning Commission or make its own findings of fact. The City Council shall make its findings of fact and either:

- A. Adopt the recommendation of the Planning Commission and deny the Special Use Permit based on the findings of fact of the Planning Commission, or
- B. Override the recommendation of the Planning Commission by a 2/3 vote of the Governing Body (9 votes), or
- C. Return the recommendation to the Planning Commission with a statement specifying the basis for the City Council's failure to approve or disapprove the recommendation and ask the Planning Commission to consider the City Council's statement.
- D. Continue the item to a designated meeting by a simple majority.

ATTACHMENTS

Planning Commission minutes of August 8, 2008 (related to this application)
Staff Report & Application for PC2008-04
Revised Site Plan
Proposed Ordinance
Letters

PREPARED BY

Ron Williamson
Planning Consultant
Date: August 12, 2008

SPECIAL USE PERMIT APPLICATION

CITY OF PRAIRIE VILLAGE, KANSAS

For Office Use Only

Case No.: PC 2008-06

Filing Fees: \$100

Deposit: \$500

Date Advertised: _____

Date Notices Sent: _____

Public Hearing Date: 8/5/08

APPLICANT: Kansas City Christian School PHONE: 913-648-5227

ADDRESS: 4801 West 79th Street ZIP: 66208

OWNER: Kansas City Christian School Society PHONE: 913-648-5227

ADDRESS: 4801 West 79th Street ZIP: 66208

LOCATION OF PROPERTY: 4801 West 79th Street

LEGAL DESCRIPTION: S 8-12-25 E 826.75' OF W 1159' OF N 421.50'
NE 1/4 NW 1/4 EX N 30' 7.43 ACRES PVC 624 A BOTA

ADJACENT LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	_____	<u>R1-B</u>
South	_____	<u>R1-A</u>
East	_____	<u>R1-A</u>
West	_____	<u>R1-A</u>

Present Use of Property: School - Pre-k through 12th grad.

Please complete both pages of the form and return to:

Planning Commission Secretary

City of Prairie Village

7700 Mission Road

Prairie Village, KS 66208

Does the proposed special use meet the following standards? If yes, attach a separate Sheet explaining why.

	<u>Yes</u>	<u>No</u>
1. Is deemed necessary for the public convenience at that location.	_____	<u> x </u>
2. Is so designed, located and proposed to be operated that the public health, safety, and welfare will be protected.	_____	<u> x </u>
3. Is found to be generally compatible with the neighborhood in which it is proposed.	_____	<u> x </u>
4. Will comply with the height and area regulations of the district in which it is proposed.	_____	<u> x </u>
5. Off-street parking and loading areas will be provided in accordance with the standards set forth in the zoning regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential use from any injurious effect.	_____	<u> x </u>
6. Adequate utility, drainage, and other such necessary facilities have been or will be provided.	_____	<u> x </u>

Should this special use be valid only for a specific time period? Yes x No _____

If Yes, what length of time? 4 years

SIGNATURE: E. Allan Chagg

DATE: 7-7-08

BY: E. Allan Chagg

TITLE: Superintendent Kansas City Christian School

Attachments Required:

- Site plan showing existing and proposed structures on the property in questions, and adjacent property, off-street parking, drive ways, and other information.
- Certified list of property owners

Kansas City Christian School

4801 West 79th Street • Prairie Village, KS 66208 • 913-648-5227

July 7, 2008

Planning Commission Secretary
City of Prairie Village
7700 Mission Road
Prairie Village, Kansas 66208

RE: Amending Special Use Permit (Ordinance No. 1964)

Dear City of Prairie Village:

This is request to amend the Special Use Permit (Ordinance No. 1964) in order to continue to operate Kansas City Christian School as it is today. The request is to include 11 high school classrooms instead of the 9 agreed to in the original Special Use permit. The school has already reconfigured the east side of the building to add the necessary additional 12 off-street parking spaces. The total spaces now available on campus come to 174. As a result of moving the lower elementary playground to the west side of the building the amount of off-street parking exceeds the 148 spaces required by the change in classroom distribution. This is 16 more spaces than is required in hopes to have all drivers park on our off-street parking spaces. . Even though we do not anticipate any increase in the distribution of high school classrooms, if we would need to occupy one more room with high school students this would also meet the requirement of 8 more spaces for that classroom.

The 4 buses and two other passenger vehicles that serve this campus and the middle school campus have also been given designated parking spots as shown on the revised plan.

The turnaround on the east side of the building has been changed. See the enlarged diagram. This will take more parents off the street at pick up time and allow for more parking on campus.

Our plan is to make it possible to have all our staff and students parking off-street. This is why we included 16 additional spaces beyond the 12 required by the classroom redistribution. There have been a total of 28 spaces added along with opening up the east side parking to what it was intended to park in the original Special Use Permit (Ordinance No. 1964).

Kansas City Christian School is now in possession of 9.5 acres at 133rd and Nall. We are planning on building a Pre-K through 8 at this site. This week we are involved in a process to develop plans for this building in order to break ground in the spring of 2009. Also KCCS is getting ready to sign an agreement with Colonial Presbyterian Church at 135th and Quivira in order to build a high school at that location on 35 acres that will be deeded to us for that purpose. In fact the congregation unanimously approved of the option to purchase by KCCS this last week and I am meeting with them tonight to iron out the

structure to make this happen. Our plan is to move the high school within four years. We fully understand that the present facility at 4801 W. 79th is inadequate for a high school and have wanted to move for some time.

Our enrollment in the high school is now stabilized and will not grow in the next years due to the lack of space. At this time the projection for high school enrollment is slightly less than it was last year. Our viability as a school does depend on enrollment but the only increase in enrollment at the Prairie Village campus would be in the grade school. It is true that our middle school does occupy a separate campus but does start the day at the Prairie Village campus. This requires two buses to move them back and forth from the Prairie Village campus. Additional buses are used for activities as needed.

It is our intention as best we can to be good neighbors. Kansas City Christian School is making a commitment to have all students and staff park on campus for the time we still occupy the building at 4801 W. 79th Street.

If any additional information is required we will be happy to supply it. Thanks for your consideration and help in this matter.

Please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Allan Chugg". The signature is fluid and cursive, with the first name "E" being particularly prominent.

E. Allan Chugg

Superintendent Kansas City Christian School

E. M. Phipps, being duly sworn upon his oath, deposes and states:

1. I am the (owner of) (attorney for) (agent of) the property described in the attached notice upon which an application has been filed before the Planning Commission of the City of Prairie Village, Kansas.
2. On the 22nd day of July, 2008, a public information meeting was held pursuant to the Citizen Participation Policy adopted on June 6, 2000, by the Planning Commission
3. On the 15th day of July, 2008, I did comply with notification requirements to landowners as stated Section 19.28.020, of the Prairie Village Zoning Regulations and notified in letter by certified mail all owners of land located within 200 feet of the described real property. Notice was mailed to the following:

Name

Address

See attached list of names and addresses.

I certify that the foregoing is true and correct.

Name

Address

Property ID!Situs Address!Owner Name 1!Owner Name 2!Owner Address!Owner City!Owner State!Owner Zip!Billing Name!Billing Address Line1!Billing Address Line2
 OF251228-1001!4801 W 79TH ST!KANSAS CITY CHRISTIAN!SCHOOL SOCIETY INC!4801 W 79TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000003 0010!7851 JUNIPER ST!GREGORY, ROBERT M.!!7851 JUNIPER ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000003 0011!7847 JUNIPER ST!NICHOLAS, DANA!!7847 JUNIPER ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000004 0013!4803 W 78TH TER!FLOWERS, MARY S.!!4803 W 78TH TER!PRAIRIE VILLAGE!KS!66208!!!
 OP49000004 0014!4727 W 78TH TER!SIMMONS, ELIZABETH JANE BUFFE!!4727 W 78TH TER!PRAIRIE VILLAGE!KS!66208!!!
 OP49000004 0015!4715 W 78TH TER!HARRISON, STEPHEN E.!HARRISON, KRISTEN MARIE!4715 W 78TH TER!PRAIRIE VILLAGE!KS!66208!!!
 OP49000004 0016!4703 W 78TH TER!DIAZ, DORA E.!!4703 W 78TH TER!PRAIRIE VILLAGE!KS!66208!!!
 OP49000004 0018!4700 W 79TH ST!HOLY, LARA M.!HOLY, BRIAN M.!4700 W 79TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000004 0019!4704 W 79TH ST!WOLOSCSUK, KAREN L.!!4704 W 79TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000004 0020!4708 W 79TH ST!SATTEFIELD, SCOTT M. SATTEFIELD, RACHEL L.!4708 W 79TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000004 0022!4800 W 79TH ST!ZWOLINSKI, PATRICK E. FIRESTONE, KRISTEN D.!4800 W 79TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000004 0023!4804 W 79TH ST!SPENCER, STEPHEN R.!SPENCER, VONDA R.!4804 W 79TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000004 0024A!4808 W 79TH ST!DAYTON, CATHERINE R. TRUSTEE!DAYTON FAMILY TRUST!4808 W 79TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000004 0026!4822 W 78TH PL!HERZOG, NORMA L. TRUSTEE!HERZOG, NORMA L. REV TRUST!4822 W 78TH PL!PRAIRIE VILLAGE!KS!66208!!!
 OP49000004 0027!4904 W 78TH PL!SCHILLIG, CHRISTINE E !WALKER, WILLIAM R.!4904 W 78TH PL!PRAIRIE VILLAGE!KS!66208!!!
 OP05000007 0010A!7900 ROE AVE!CURNOW, MELANIE!!7900 ROE AVE!PRAIRIE VILLAGE!KS!66208!!!
 OP05000007 0011!7904 ROE AVE!ECKER, GARRY!!7904 ROE AVE!PRAIRIE VILLAGE!KS!66208!!!
 OPC5000007 0012!7908 ROE AVE!RYFF, TONY D.!RYFF KATHY E.!7908 ROE AVE!PRAIRIE VILLAGE!KS!66208!!!
 OPC5000007 0013!7912 ROE AVE!RODRIQUEZ, LISA A. !7912 ROE AVE!PRAIRIE VILLAGE!KS!66208!!!
 OPC5000007 0014!7916 ROE AVE!PEUGEOT, DANIEL J. PEUGEOT, MELISSA L.!7916 ROE AVE!PRAIRIE VILLAGE!KS!66208!!!
 OPC5000007 0015!7920 ROE AVE!HANLON, MICHELE J. !7920 ROE AVE!PRAIRIE VILLAGE!KS!66208!!!
 OPC5000007 0016!7924 ROE AVE!PRUNEAU, SCOTT MICHAEL!PRUNEAU, KELLY SIEVERS!11227 W 116TH TER!OVERLAND PARK!KS!66210!!!
 OPC5000007 0021!4718 W 80TH ST!WILKES, WILLIAM G.!WILKES, KATHLEEN S.!4718 W 80TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OPC5000007 0022!4722 W 80TH ST!WILSON, THOMAS M !WILSON, WANDA K.!4722 W 80TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OPC5000007 0023!4726 W 80TH ST!HILLMAN, NATALIE L.!LAMBRECHT, CORY M.!4726 W 80TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OPC5000007 0024!4802 W 80TH ST!PETERSON, DALE J !PETERSON, ERMA T.!4802 W 80TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP05000007 0025!4806 W 80TH ST!BOEHM, JOHN W.!BOEHM, GEORGIA L.!4806 W 80TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP05000007 0026!4810 W 80TH ST!BOYD, GEORGE K.!BOYD, DORIS H.!4810 W 80TH ST!PRAIRIE VILLAGE!KS!66208!!!

OP05000007 0027!4814 W 80TH ST!BARNES, SHARON L.!!4814 W 80TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP05000007 0028!4818 W 80TH ST!REDMOND, ROBERT LEWIS!REDMOND, RACHEL LYNN!4818 W 80TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP05000007 0029!4822 W 80TH ST!THOMPSON, JAMES W. CO-TRUSTEE!THOMPSON, MARGARET J. CO-TR!4822 W 80TH ST!PRAIRIE VILLAGE!KS!66208!FIRST NATIONAL BANK OF OLATHE!PO BOX 1500!OLATHE, KS 66051
 OP05000007 0030!4915 W 81ST ST!FAHRLANDER, JOHN E.!!4915 W 81ST ST!PRAIRIE VILLAGE!KS!66208!!!
 OP05000007 0031!4911 W 81ST ST!UNDERWOOD, LINDA!!3885 RAWHIDE CIR!CASTLE ROCK!CO!80104!!!
 OP05000008 0013!4815 W 80TH ST!BUOZIS, PAUL D.!BUOZIS, SANDRA K.!4815 W 80TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0001!7900 JUNIPER DR!MASSON, ANTHONY G.!MASSON, JILL P.!7900 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0001A!7904 JUNIPER DR!ROWE, JAMES M.!ETAL!7904 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0002!7908 JUNIPER DR!BARICKMAN, BARBARA K. TRUSTEE!BARICKMAN, BARBARA K. TRUST!7908 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0004!7920 JUNIPER DR!HALCOMB, LOTTIE WOLF TRUSTEE!WOLF, DAVID TRUSTEE!7920 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0005!7924 JUNIPER DR!MYERS, CHARLES LEWIS!!7924 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0006 7928 JUNIPER DR!NORDBY, ROBERT W.!NORDBY, LORETTA J.!7928 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0007 7934 JUNIPER DR!WOLOWSKI, ERNA TRUSTEE!!7934 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0010 7947 JUNIPER DR!BAVLEY, ALAN!BAVLEY, THERESA L.!7947 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0011 7941 JUNIPER DR!GAUNT, DAVID R.!GAUNT, CYNTHIA L.!7941 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0012 7935 JUNIPER DR!WHITE, BETTY K.!!7935 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0013 7929 JUNIPER DR!ZELLERS, RICKY JOE!!7929 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0014 7923 JUNIPER DR!MANLEY, FRANCIS J.!!7923 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0015 7917 JUNIPER DR!BOSWORTH, MICHAEL E.!BOSWORTH, BARBARA A.!7917 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0016 7911 JUNIPER DR!HARR, THOMAS A.!HARR, JOAN P.!7911 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0017 7901 JUNIPER DR!PARISH, GRACE A.!!7901 JUNIPER DR!PRAIRIE VILLAGE!KS!66208!!!
 OP19000000 0018 4915 W 79TH ST!MYERS, MOLLY!!4915 W 79TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000003 0004 4917 W 78TH PL!GOLDSBOROUGH, JUSTIN P.!COLEMAN, MARGARET K.!4917 W 78TH PL!PRAIRIE VILLAGE!KS!66208!!!
 OP49000003 0005 4911 W 78TH PL!RECK, JOSEPH NEIL!RECK, SHELBY LYNN!4911 W 78TH PL!PRAIRIE VILLAGE!KS!66208!!!
 OP49000003 0006 4900 W 79TH ST!BLADL, FRANK BRIAN!BLADL, MICHELLE MARIE!4900 W 79TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000003 0007 4904 W 79TH ST!LIMA, PHILIP P.!LIMA, MARGARIT M.!4904 W 79TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000003 0008 4908 W 79TH ST!STAAB, MATTHEW D.!!4908 W 79TH ST!PRAIRIE VILLAGE!KS!66208!!!
 OP49000003 0009 4912 W 79TH ST!BROWN, ROBERT D.!BROWN, PHYLLIS E.!4912 W 79TH ST!PRAIRIE VILLAGE!KS!66208!!!

July 16, 2008

Dear Resident,

The City of Prairie Village asked Kansas City Christian School to schedule a neighborhood meeting. The purpose of this meeting is to discuss Kansas City Christian School's request to amend its existing special use permit. The school is requesting to use 11 classrooms for high school students. The original permit allows 9 classrooms. This change would mean that KCCS increase the on-campus parking spaces, which we are in the process of finishing this summer. The result is that on-campus parking capability increases more than 30 spots from last year. Our goal for the 2008 – 2009 school year is to eliminate all off-campus parking for our faculty and students.

The meeting will be on Tuesday, July 22, 2008, 7:00 p.m., in the KCCS school gym. We invite and welcome you to this meeting. During this time we will also share our plans to move the high school to a larger campus south of I-435 and the future plans for the elementary program.

Sincerely,

E. Allan Chugg
Superintendent
Kansas City Christian School

EAC:ej

Municipal Building
7700 Mission Road
Prairie Village, Kansas 66208

Catherine R. Dayton
4808 West 79 Street
Prairie Village, Kansas

RE: Renewal of Special Use Permit for Kansas City Christian School

I am in favor of the renewal of the Special Use Permit for Kansas City Christian School (KCCS). But, for the benefit of the surrounding community, I strongly request that an additional requirement be added to the special use permit: Any school buses on the property or in the bus lane may not idle for more than 5 minutes. I have discussed this issue with Assistant City Administrator Dennis Enslinger three times this year, and he recently suggested I write this letter.

I live across the street from KCCS and directly across from its bus lane. There has been a problem in recent years with school buses coming from other schools to attend events at KCCS. Many of these buses engage in unnecessary and unhealthful long term engine idling in front of the school. This unnecessary idling causes me immediate and severe breathing problems and also excessive, ongoing noise outside of my residence.

Last winter, there was one driver from another school who idled her bus for the better part of 4 hours on a Friday evening. This occurred even after I, school officials, and finally, the police, asked her to turn off the engine of her bus. The driver also directed abusive language and manner toward me when I politely asked her to turn off the engine.

The Environmental Protection Agency (EPA) has a National Idle-Reduction Campaign within its Clean School Bus program directed at reducing unnecessary and unhealthy school bus idling. Idling school buses pollutes the air both inside and outside the bus. Exhaust from buses also enters nearby buildings through air intakes, doors, and windows. Diesel bus exhaust from excessive idling is damaging to the health of students, faculty, neighbors, and the surrounding community.

According to the bus manufacturers, it is no longer necessary to start and warm up diesel bus engines for long periods of time before driving. More information and myths about this subject can be found at <http://www.epa.gov/cleanschoolbus/antiidling.htm>

The EPA states the suggested minimum policy guidelines should include:

- As a general rule, school buses should be moving whenever the engine is on.
- The school bus engine should be turned off as soon as possible after arriving at loading or unloading areas.
- The school bus should not be restarted until it is ready to depart.
- Limits on idling time during early morning warm up to what the manufacturer recommends (generally no more than five minutes).

Planning Commission
August 4, 2008
Page 2

In conclusion, the inclusion of this additional requirement in the Special Use Permit would:

- Provide for cleaner air and less noise for students, faculty, and neighbors, and the surrounding community.
- Create a structure with which to hold management of the school accountable for this issue in the years going forward.
- Create a structure with which to hold bus drivers from other schools accountable.
- Give the police force a basis for ticketing of school buses for violations.

Again, I am requesting that the following requirement be added to the Special Use Permit for Kansas City Christian School (KCCS): Any school buses on the property or in the bus lane may not idle for more than 5 minutes.

Thank you for your attention.

Catherine R. Dayton

Attachment: EPA National Idle Reduction Campaign



Notes from the Neighborhood meeting on 7/22/08 held at 7:00pm at Kansas City Christian School

Those attending from the neighborhood were Norma Herzog, Catherine Dayton, and Steve and Vonda Spencer. Also attending were two members of the Prairie Village planning commission, and three board members from Kansas City Christian School. Superintendent Chugg moderated the meeting.

Allan Chugg, Superintendent of Kansas City Christian opened the meeting.

The meeting began the description of the amendment to the Special Use Permit and how that was different to the existing Special Use Permit. Basically it was shared that we were now using 11 classrooms for the high school instead of the 9 allowed by the Special Use Permit. The on campus parking changes necessitated by the change in the Special Use Permit were also shared with those present. Since we were now operating with 11 instead of 9 classrooms in the high school and the requirement is that we have 8 spaces per high school classroom and we were going to have to increase our parking.

It was stated that the city asked that we increase our parking by 12 spaces in order to meet the total required.

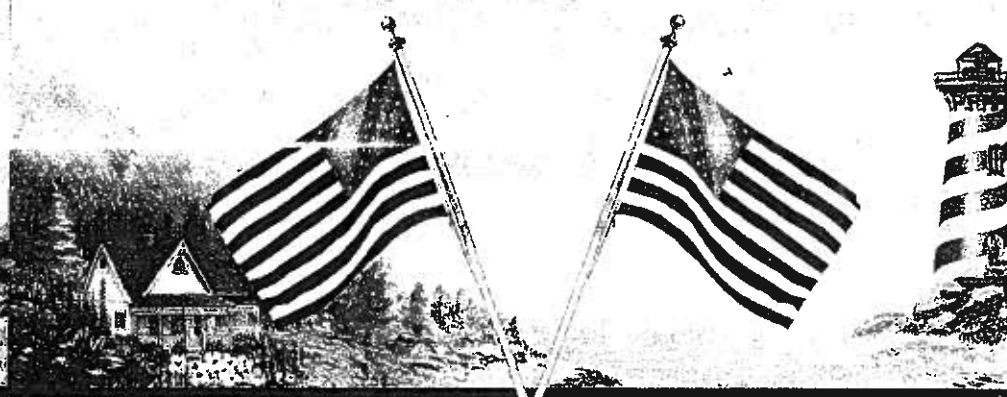
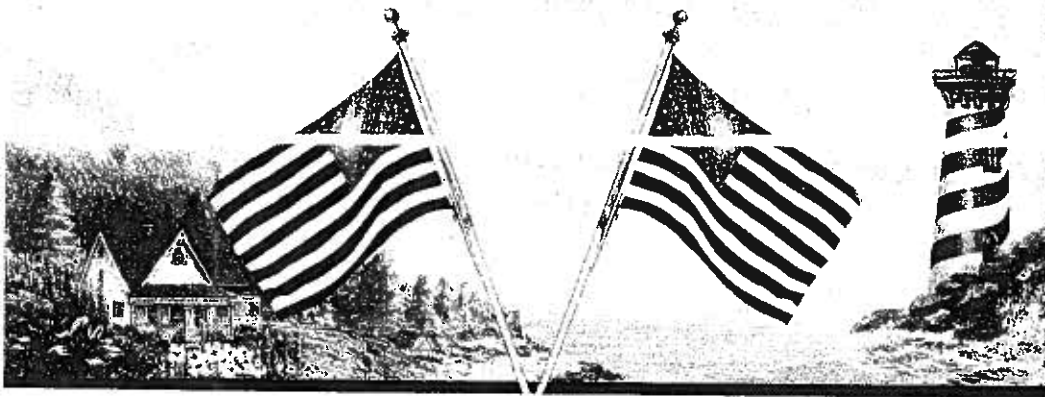
Mr. Chugg stated that the school planned to increase the parking spaces by 30. He also shared that the school planned to have all faculty and students park on campus the next year.

The total spaces will be 174 even though the city required a total of 148.

At this time there was a question and answer time.

- Why hasn't the police addressed and enforced the current signage on the streets? This was answered by Dennis Enslinger that the police is trying to compromise and then they will come up with a new plan to address the accumulation of cars @ pick up time.
- Neighbor wants to the north side of 78th place to have a sign that no Parking until 4:00 pm.
- The discussion about parking on 78th place went on for a while even though it really was not the focus of the meeting.
- It was asked what happens when we open K-8 @ 133rd and Nall? The Commission and the neighbors are fearful that we will turn this facility into a larger high school. It was shared with them that we would still have a grade school here. The plan is to move the high school to 135th and Quivira at pretty much the same time.
- There was a concern expressed about visiting buses parking in front of the school and the exhaust causing health problems when they were left running. It was communicated that the school had a plan to have visiting buses park in the back and ask these schools to have their buses shut off.
- The neighbors that were present indicated that they did not have a problem with the amendment to the Special Use Permit.

Mr. Chugg then adjourned the meeting.



Dear Supt. Chugg,

Unfortunately, I will not be able to be present and speak up on your behalf at the August 5th meeting. I am still in Florida giving hospice care to my mom. However, as one of the neighbors most personally affected, I wanted my voice to be heard. My property is directly below your playground, along the fence by your jungle-gyms and slide and along one side of your crosswalk.

You, the K.C.C. School, are a great neighbor, and I want to keep you! I can't be there, physically, to speak up, but I want you to know that, 100%, I give you my support for any and all changes that you find necessary.

If needed, and permitted, you

have my permission to use this letter in any way you see fit

Most sincerely,

Sharon L. Barnes
Sharon L. Barnes
4814 W. 80th
Pr. Vill., Ks. 66208

Florida:

4475 Lady Beverlee Ct. N.
Boynton Beach, FL 33436
561-737-9947

P.S. - separate issue - If ~~any~~ any bushes or trees are a problem along my fence, feel free to trim them. I don't want the kids or grounds crew get hurt. Also, retrieve any balls that go over my fence. Permission granted.

*Mrs. Thomas A. Harr
7911 Juniper Drive
Prairie Village, Kansas 66208*

August 12, 2008

Mr. Quinn Bennion
City Administrator
The City of Prairie Village
7700 Mission Road
Prairie Village, Kansas 66208

Dear Mr. Bennion:

Enclosed please find a letter for your review from Mr. Gerald Carter, Plans Review Architect for the Kansas State Department of Education, regarding the Kansas City Christian School and the off street parking issues. In particular you might want to note item number 5 regarding the City of Prairie Village zoning regulations and number of parking spaces the City would require. Also please note numbers 7 and 8, the calculations for number of parking spaces based on those zoning regulations.

I would appreciate your attention to this matter.

Sincerely,



Joan B. Harr

Cc: The Honorable Ronald L. Shaffer
Police Chief Wes Jordan
Ms. Catherine Logan, City Attorney



Office of the Architect

785-296-2627
785-296-7933 (fax)

120 SE 10th Avenue • Topeka, KS 66612-1182 • (785) 296-6338 (TTY) • www.ksde.org

August 5, 2008

Mr. Thomas Harr
7911 Juniper
Prairie Village, Kansas 66208

RE: Occupancy of Kansas City Christian School
4801 West 79th Street
Prairie Village, KS
KSDE 4517

Dear Mr. Harr:

In response to your questions, I am happy to provide the following items for your consideration and use.

1. In the fall of 2000 my predecessor, Ed Kotlinski, reviewed the plans for a gym addition to the Kansas City Christian School. According to the records, he made a number of review comments to the Architect-of-Record, Jeff Kolchinsky of LNL Associates/Architects. These were successfully resolved, the project accepted and approved by the State Board of Education on 12 December 2000.

The plans and specifications were discarded after a few years however the files do have copies of the code information and building layout for my review. A site plan does not exist in the records.

2. According to the building information provided in 2000, the facility has a total floor area of 44,366 square feet, comprised of a mix of two occupancies. These are an assembly A2.1 occupancy for the gymnasium and E1 occupancy for the educational areas. The actual floor area of these two occupancies is A2.1 = 9,760 square feet and E1 = 30,310 square feet.
3. The State code for the project was, and is, the Kansas Fire Prevention Code. At the time of this review the building code utilized the Uniform Building Code 1997. In 2001 that code was replaced with the International Building Code when the Kansas Legislature revised the statute for public and private educational facilities in the State of Kansas.

4. Statutorily the responsibility for building code compliance for public and private educational facilities is given to the State and administered by the Kansas State Fire Marshal and the Department of Education. Zoning issues are the responsibility of local jurisdiction like the City of Prairie Village. This differentiation has been confirmed in a number of Attorney General opinions. As such, this office does not have the authority to require a specific number of parking spaces except as needed to comply with the Americans With Disabilities Accessibility Act to determine the number of accessible stalls in a parking lot.
5. Based upon the understanding I have looked at the 2000 plan and building information provided on the project data block. Additionally, I checked the City of Prairie Villages zoning regulations to determine the number of parking spaces the City would require.

According to Chapter 19.46 – off street parking and loading – regulations, I found the following:

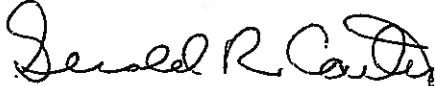
- a. Elementary and Junior High Schools require 2 spaces per classroom.
 - b. Senior High Schools require 8 spaces per classroom plus 1 space for each two employees.
 - c. Auditoriums and places of assembly (gym) require 1 space for every 4 people, based on the maximum capacity of the building.
 - d. Day Care Centers require 1 space for each employee plus 1 space for each 8 children.
6. It should be easy to calculate the school parking if one knows the number of classrooms assigned to each age group. According to the practices of this office in applying the Kansas Fire Prevention Code, art rooms, seminar rooms, music rooms, etc., are considered to be classrooms. If "education" happens in the room than it is a classroom regardless of what the user names it. There appears to be 23 rooms in this facility which could meet the understanding of the term "classrooms" as previously mentioned. However, since I don't know which ones are assigned to which grades I can't speculate as to the total number of parking stalls that should be provided for the educational occupancy.

Mr. Thomas Harr
KSDE 4517
August 5, 2008
Page 3

7. The Gymnasium on the other hand is an easy calculation. The maximum number of people in the approved space is one person for every 7 net square feet in the space. The building information says there are 9,760 square feet in the Auditorium. This appears to be a net square foot figure based on the available data. Applying the math 9,760 square feet divided by 7 net square feet yields 1,394 people capable of being in the building. This number, 1,394 people, divided by 4 persons per parking space yields 348 parking spaces for only the gymnasium.
8. The school parking plus the gymnasium parking should, probably, be in excess of 400 spaces based upon my rules of thumb.
9. While I am happy to provide this information, my authority in these circumstances would be limited to the number of accessible parking stalls. The City retains the statutory authority to apply, or waive, their zoning regulations for off street parking.

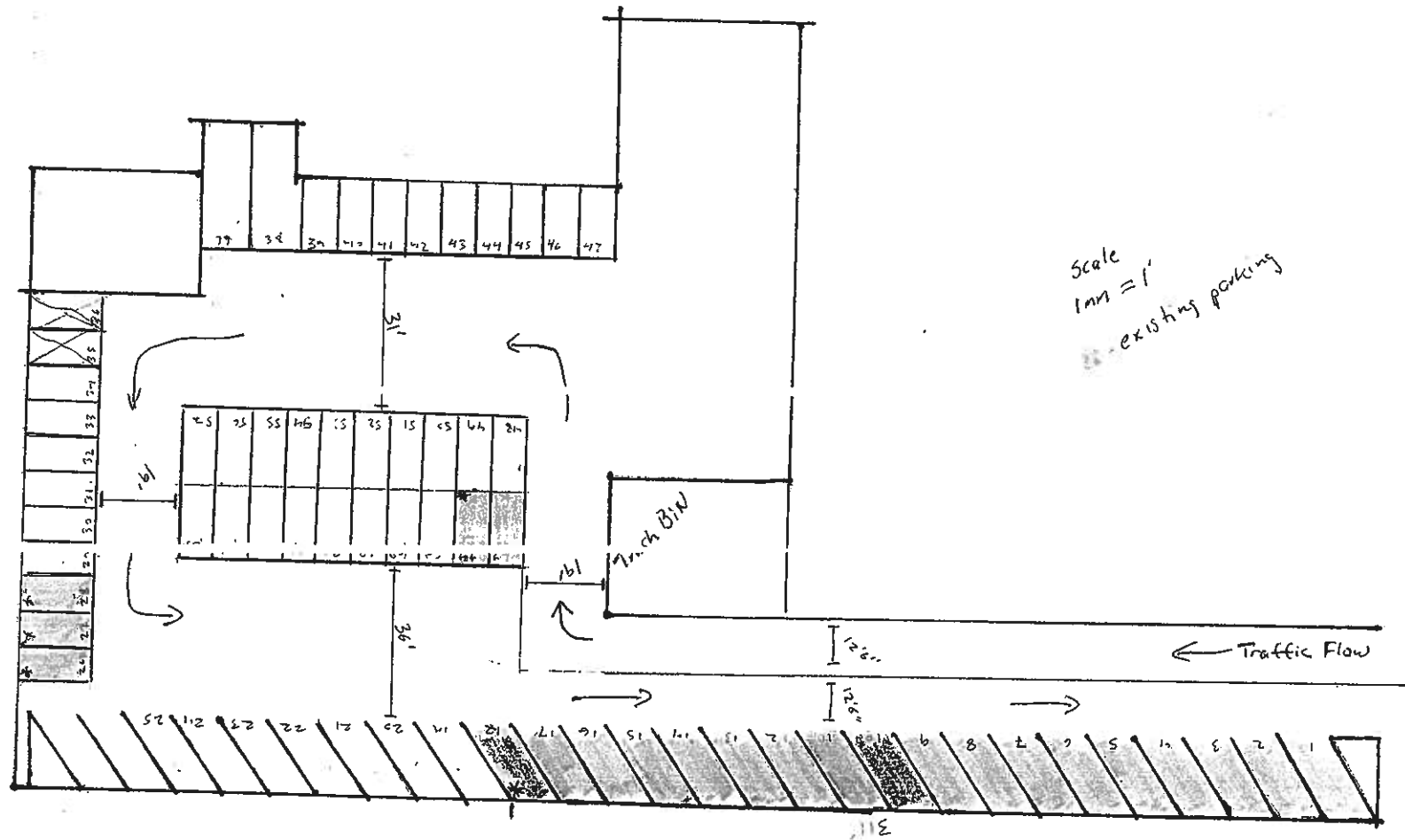
I hope you find this review helpful.

Sincerely,



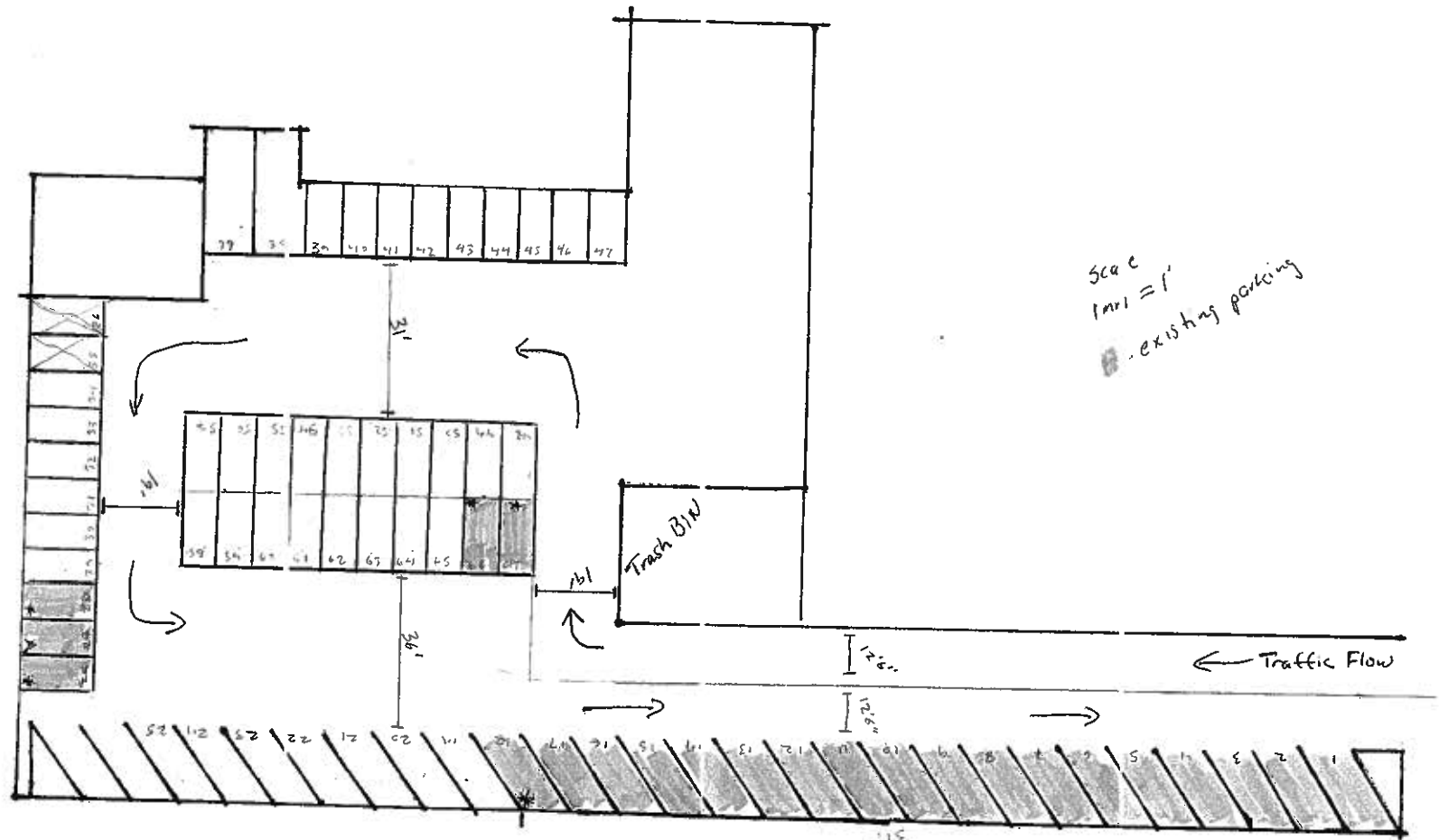
Gerald R. Carter, AIA, AUA
Plans Review Architect
gcarter@ksde.org

GRC:blh



Scale
1 in = 1'
existing parking

East side of building



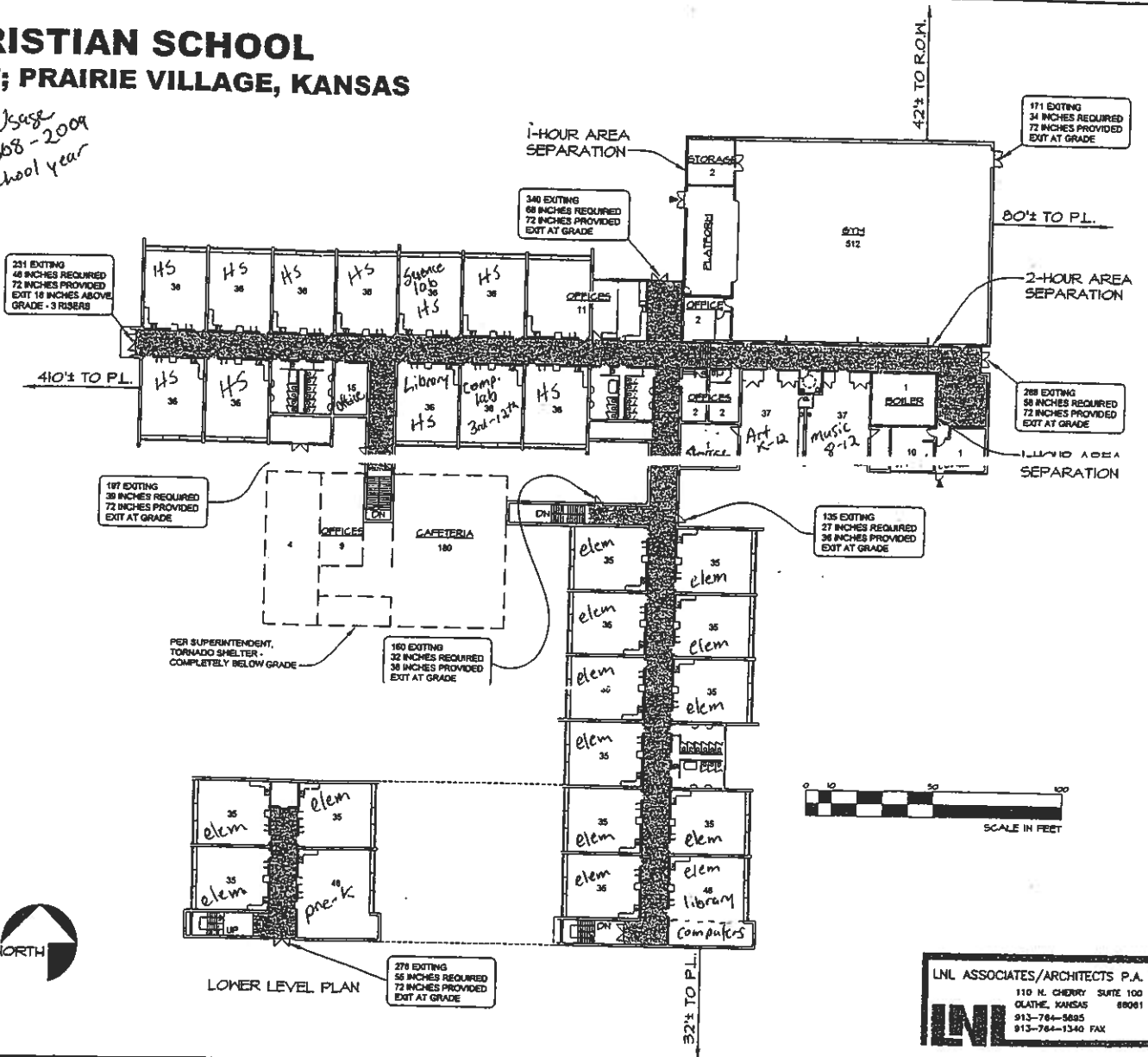
East Side of building

KANSAS CITY CHRISTIAN SCHOOL

4001 WEST 79th STREET; PRAIRIE VILLAGE, KANSAS
 FEBRUARY 8, 2001

*Room Usage
 for 2008-2009
 School year*

BUILDING INFORMATION	
BUILDING CODE UTILIZED:	1987 U.S.C.
OCCUPANCY GROUPS:	A2.1 - ASSEMBLY (NEW GYM ONLY) E1 - (EXISTING SCHOOL BUILDING & NEW 1-STORY ADDITION)
AREA / OCCUPANCY SEPARATION:	2-HOUR
TYPE OF CONSTRUCTION:	2-1 HOUR
ALLOWABLE FLOOR AREA:	A 2.1 = 20,290 S.F. (W/ 50% AREA INCREASE) E1 = 40,400 S.F. (WITH 100% AREA INCREASE)
ACTUAL FLOOR AREA:	A 2.1 = 9780 S.F. E1 = 30,310 S.F.
BUILDING AREAS:	
• EXISTING MAIN FLOOR AREA:	37,432 SQUARE FEET
• DEMOLISHED AREA:	4,284 SQUARE FEET
• EXIST. BLDG LESS DEMOLISHED:	33,148 SQUARE FEET
• NEW ADDITION:	11,218 SQUARE FEET
• TOTAL MAIN FLOOR AREA:	44,366 SQUARE FEET
• ALLOWABLE STORIES / HEIGHT:	2 STORIES, 50 FEET
• ACTUAL STORIES / HEIGHT:	1 STORY, 32 FEET
CONSOLIDATE FIRE DISTRICT	
• LOCAL BUILDING CODE AUTHORITY:	CITY OF PRAIRIE VILLAGE, KANSAS



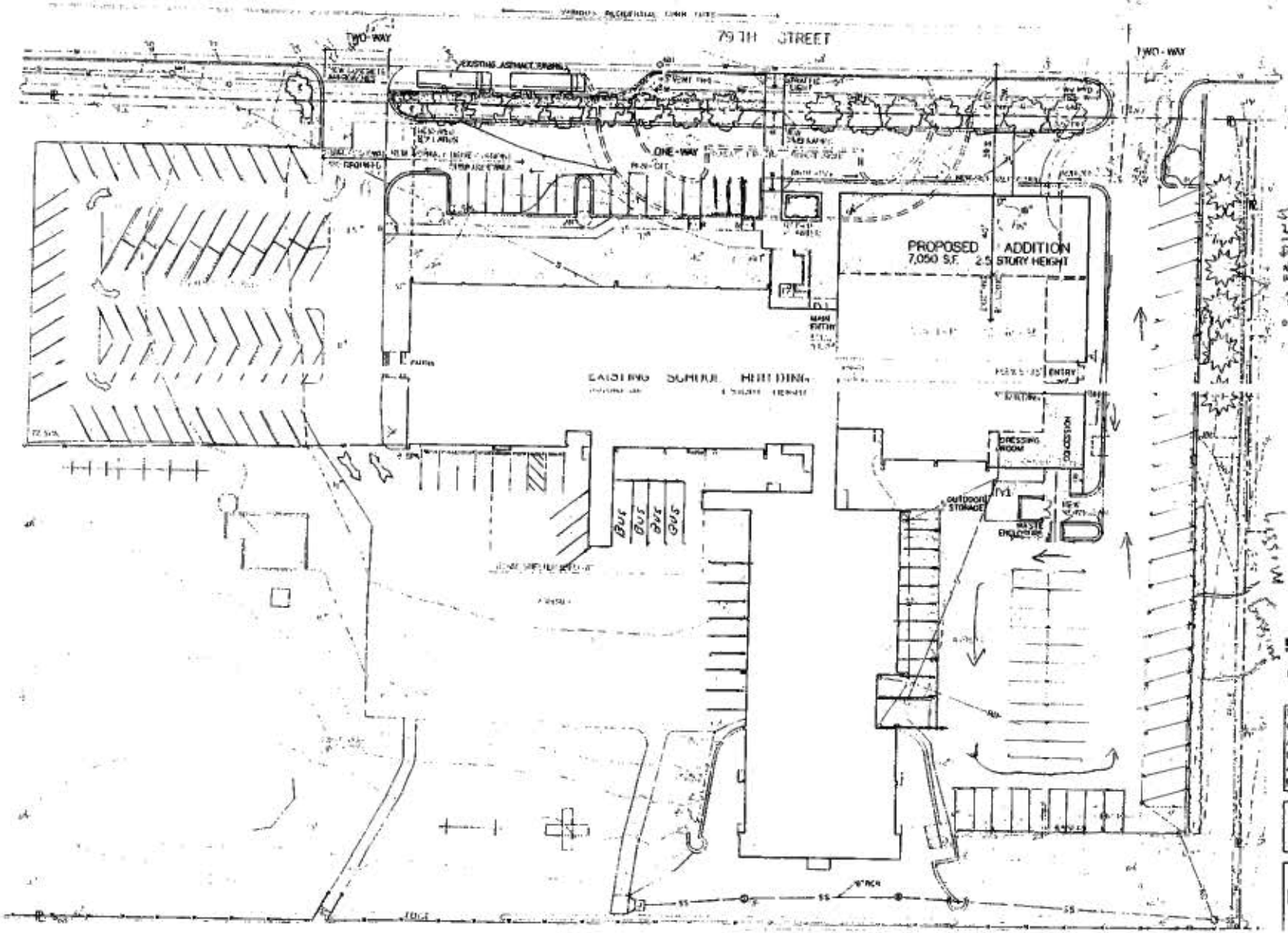
MAIN FLOOR PLAN

LOWER LEVEL PLAN

LNL ASSOCIATES/ARCHITECTS P.A.
 110 N. CHERRY SUITE 100
 OLATHE, KANSAS 66061
 913-766-5695
 913-766-1340 FAX

Present Room Usage

*Change
In Parking*



PROPOSED ADDITION
7,050 S.F.
2.5 STORY HEIGHT

PROPOSED SITE PLAN
NOVEMBER 6, 1993
REVISED December 1, 1993
KANSAS CITY
CHRISTIAN SCHOOL
ADDITION AND SITE
IMPROVEMENTS
4801 WEST 79TH
PRAIRIE VILLAGE, KS

Kansas City Christian School
4801 West 79th
Prairie Village, Kansas
Alan WOOD Safety
Chairman of the Board

HARMON
Design/Build Solutions
12001 West 120th Street
Overland Park, MO 66209
913-646-1000

ORDINANCE _____

AN ORDINANCE APPROVING AN AMENDMENT TO THE SPECIAL USE PERMIT FOR THE OPERATION OF A PRIVATE SCHOOL BY KANSAS CITY CHRISTIAN SCHOOL SOCIETY, INC. ON THE PROPERTY DESCRIBED AS FOLLOWS: 4801 WEST 79TH STREET, PRAIRIE VILLAGE, KANSAS.

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

Section I. **Planning Commission Recommendation.** At its regular meeting on August 5, 2008, the Prairie Village Planning Commission held a public hearing, found the findings of fact to be favorable and recommended that the City Council approve an amendment to the Special Use Permit for the operation of a private school by Kansas City Christian School Society, Inc at 4801 West 79th Street subject to the following conditions: 1) that the applicant meet all the conditions and requirements of the Planning Commission for the approval of the revised site plan; 2) that the special use permit not have a termination or expiration time established for it; 3) if the applicant violates any of the conditions of zoning regulations and requirements as a part of the special use permit, the permit may be revoked by the City Council and 4) that the applicant can not further expand or amend the site plan without an amendment to the special use permit requiring a public hearing before being approved; 5) That Kansas City Christian School adopt a policy that all students will park on site or in a designated lot and develop a procedure for implementation and enforcement of the policy; 6) The number of high school classrooms shall be limited to 11; and 7) That no more than four buses shall be permanently stored on site with their location as identified on the approved site plan.

Section II. **Findings of the Governing Body.** At its meeting on August 18, 2008, the Governing Body adopted by specific reference the findings of fact as contained in the Minutes of the Planning Commission Meeting of August 5, 2008, and the recommendations of the Planning Commission including conditions and approved the amendment to the Special Use Permit as docketed PC2008-08.

Section III. **Granting of Special Use Permit.** Be it therefore ordained that the City of Prairie Village grant an amendment to the Special Use Permit originally approved January 18, 1999, by Ordinance 1964 which remains in effect to Kansas City Christian School Society, Inc. for the operation of a private school at 4801 West 79th Street, Prairie Village, Kansas subject to the specific conditions listed above.

Section V. **Take Effect.** That this ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED AND ADOPTED THIS 18TH DAY OF AUGUST 18, 2008.

CITY OF PRAIRIE VILLAGE, KANSAS

By: _____
Ronald L. Shaffer, Mayor

ATTEST:

APPROVED AS TO FORM:

Joyce Hagen Mundy, City Clerk

Catherine P. Logan, City Attorney



FINANCE COMMITTEE

Council Meeting Date: September 2, 2008
Committee Meeting Date: August 18, 2008

COU2008-64: Consider Implementation of Governmental Accounting Standards Board (GASB) Statement 45 "Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions"

RECOMMENDATION

The Council adopt the recommendations of the Finance Committee.

COUNCIL ACTION REQUESTED ON SEPTEMBER 2, 2008

SUGGESTED MOTION

Move that the Council adopt the Finance Committee's recommendations regarding the implementation of GASB 45 as follows:

1. Use the level dollar amortization method to amortize the unfunded actuarial accrued liability.
2. Keep the premium for current retirees and those retiring before January 1, 2009 at 100% of the active employee premium.
3. Increase retiree premiums to 125% of the active employee premium for employees retiring on or after January 1, 2009.
4. Continue funding other postemployment benefit liabilities on a pay-as-you-go-basis.

BACKGROUND

The GASB is a private sector, non-profit entity that sets accounting and financial reporting standards for governments. These standards are referred to as Generally Accepted Accounting Principles (GAAP). The City follows GAAP when preparing the financial statements each year. The City received an unqualified opinion on the 2007 financial statements, the highest opinion that can be given by the auditors.

The GASB issued Statement 45 in 2004. GASB 45 changes the way the City accounts for its liability related to other postemployment benefits such as healthcare. Prior to GASB 45 governments accounted for these costs on a pay-as-you-go basis. GASB 45 requires that these costs be accounted for in a manner similar to pension plans where the cost of the benefit is recognized as it is earned over the employee's career. While GASB 45 requires that the City

account for the benefits like a pension plan, GASB 45 does not require the City to fund the benefits in a trust like a pension plan. GASB 45 is effective for the City's December 31, 2008 financial statements.

GASB 45 applies to the City because the City is required by KSA 12-5040 to make its group health plan available to retirees until age 65 or they become eligible for other coverage. The City charges retirees 100% of the active employee premium. KSA 12-5040 allows the City to charge up to 125% of the active employee premium. Currently, there are three retirees participating.

Because the premium the City pays to the insurance carrier is a blended premium - the claims experience for both active employees and retired employees are combined - the retirees receive a lower premium than they would if their claims experience was considered by itself. This benefit is called the implicit rate subsidy and is the liability addressed by GASB 45.

In order to determine its liability for these benefits, GASB 45 requires the City to have an initial actuarial valuation and a valuation every other year after that. The City contracted with SilverStone Group, the firm that performs the actuarial work on the Police Pension Plan. Their report is attached.

The report includes general information about GASB 45 and the City's postemployment benefits as well as the assumptions used to prepare the report. The assumptions used in the report were based on assumptions already used for the retirement plans as well as discussions with staff and the actuary's experience. The report contains several scenarios to show the effects of changing some of the assumptions.

The Finance Committee discussed the report and the decisions that the City needs to make in order to implement this new accounting standard at their July 17, 2008 meeting. The decisions that need to be made are:

- (1) What method should be used to amortize the unfunded actuarial accrued liability - the liability that has accumulated up to this point?
- (2) Should the City make any changes in the premium rate charged to retirees?
- (3) Should the City pre-fund these benefits in a trust similar to a pension plan as allowed by KSA 12-16,102?

The amortization method recommended by the actuary was the level dollar method. The Finance Committee decided to accept the actuary's recommendation to use the level dollar method. The difference in the two methods is further discussed in the letter from the actuary dated July 10, 2008 which is attached to the GASB 45 Valuation Report.

assuming retirees pay 110% and 125% of the active employee premium. The results of those scenarios are attached to the GASB 45 Valuation Report. The higher the percent paid by the retiree, the more of the implicit rate subsidy the retiree is covering and therefore, the lower the liability. The Finance Committee decided to recommend that the City grandfather the current retirees and anyone retiring before January 1, 2009 at 100% of the active employee premium and increase the premium to 125% of the active employee premium for employees retiring on or after January 1, 2009.

The Finance Committee then discussed whether or not the City should pre-fund the benefits in a trust allowed by KSA 12-16,102. The Committee felt that pre-funding the benefits was not in the best interests of the City at this time. The liability is not that high compared to other governments across the country. In addition, by making changes to the premium charged to retirees the liability would be significantly reduced. The Committee felt that GASB 45 was still new enough that there may be changes to laws, etc., which would affect the City's liability. The Committee also considered how the funding decision might affect the City's bond rating. Since the City is an infrequent issuer of debt, the Committee felt that this was not a significant factor. Finally, the trust that would be established would be an irrevocable trust - once the money is put in the trust, it cannot be taken back out. Staff reviewed the plans of other communities in the Kansas part of the metro area and noted that so far, only one entity is pre-funding the benefits in a trust - the City of Overland Park. After weighing all of these factors, the Finance Committee decided to recommend that the City continue funding these benefits on a pay-as-you-go basis.

The GASB 45 liability will appear in the government wide financial statements (the GASB 34 statements) and the notes to the financial statements. The liability will not be recorded in the General Fund and therefore, does not affect the fund balance.

ATTACHMENTS:

- GASB 45 Actuarial Valuation Report
- Additional scenarios requested by staff

Prepared By:

Karen Kindle

Finance Director

Date: August 14, 2008

June 5, 2008

Ms. Karen Kindle
Finance Director
City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208

RE: GASB 45 Actuarial Valuation Report

Dear Karen:

Enclosed please find five copies of the January 1, 2008 GASB Statement No. 45 actuarial valuation report for the City of Prairie Village Other Postemployment Benefits ("OPEB") Plans. The report provides a summary of the Annual OPEB Cost, or accounting cost determined under GASB Statement No. 45, and the Annual Required Contribution (ARC) for the fiscal year beginning January 1, 2008. The determinations included in the report are based on an assumed January 1, 2008 transition date to GASB Statement No. 45 along with plan provisions and census data provided by the City as of January 1, 2008.

Please note, the ARC is an accounting term and is not actually a required contribution amount the City is obligated to fund. The ARC was determined based on the investment return and amortization method assumptions discussed below.

The investment return assumptions of 4.5% and 8.0% along with a level dollar and level percentage of pay amortization of the unfunded actuarial accrued liability were selected based on discussions with you and the requirements of GASB Statement No. 45. Under GASB Statement No. 45, the investment return assumption should be the "estimated long-term investment yield on the investments that are expected to be used to finance the payment of benefits, with consideration given to the nature and mix of current and expected investments..." Since the City currently finances the OPEB benefits from a general fund, the current investment return on the assets of the general fund should produce the basis for the investment return assumption. If the City would begin to prefund the OPEB benefits in a dedicated trust with an investment structure aimed to achieve a higher investment return than the City's general fund, a higher investment return assumption may be appropriate and result in potentially lower liabilities and costs.

Please call me if you have any questions regarding the report. I look forward to discussing the report with you and other representatives of the City.

Sincerely,



Michael S. Ehmke, ASA, EA, MAAA
Principal

MSE/mc

Enclosure

**City of Prairie Village, Kansas
Other Postemployment Benefits Plans**

GASB 45 Actuarial Valuation Report

as of January 1, 2008

for 2008 Fiscal Year

June 5, 2008

City of Prairie Village
City Council
7700 Mission Road
Prairie Village, KS 66208

RE: Other Postemployment Benefits Plans Valuation Report

This report will summarize the liabilities, annual required contribution ("ARC") and annual OPEB cost for the Other Postemployment Benefits Plans ("OPEB Plans") maintained by the City of Prairie Village. The report provides a summary of the following determinations:

1. The actuarial liabilities as of January 1, 2008 for the OPEB Plans.
2. The annual required contribution, annual OPEB cost and expected net OPEB obligation for the OPEB Plans under GASB Statement No. 45 for the fiscal year ending December 31, 2008.

Actuarial computations included in this report have been prepared to fulfill employer accounting requirements. The calculations reported herein have been made on a basis consistent with our understanding of GASB Statement No. 45 requirements. The calculations include health, dental and vision benefits provided to retired employees and their dependents. The valuation involved several significant steps that are highlighted below:

Assembly of Participant Data Base—A participant data base for active employees and former employees and dependents who are retired and receiving postemployment benefits was defined from the City of Prairie Village data base. Projected obligations reflect not only payments made to those currently retired but those expected to retire in the future.

Review of Claim Experience—The per capita health, prescription drug and dental claim costs are based on the actual claims experience of the OPEB Plans from December 1, 2004 through November 30, 2007 and blended with anticipated claims based on the plan provisions.

Actuarial Assumptions—A review of actuarial assumptions was made with representatives of the City of Prairie Village. In my opinion, the assumptions selected are reasonably related to the experience of the OPEB Plans and represent my best estimate of anticipated future experience of the OPEB Plans.

Actuarial Valuation—Based on the participant data base, claim costs and the actuarial assumptions, the future obligations of the OPEB Plans were identified. These future obligations were then allocated to current periods to define an annual required contribution and annual OPEB cost using procedures outlined under GASB Statement 45.

City of Prairie Village
June 5, 2008
Page -2-

Medicare Prescription Drug, Improvement and Modernization Act of 2003 ("Act")—The measures of benefit obligations, annual required contribution and annual OPEB cost reflect effects of the Act. However, there is no impact due to the Act, since any federal subsidy to be received on retiree prescription drug costs is not accounted for under Statement 45 based on guidance issued by the GASB in Technical Bulletin 2006-1.

Please contact me if you have questions about our report or would like additional information derived from the analysis we have prepared.

Sincerely,



Michael S. Ehmke, ASA, EA, MAAA
Principal

MSE/mc

Enclosure

Contents of Report

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Overview of Accounting Standards	4
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Actuarial Methods and Assumptions	12
Participant Data	15

Executive Summary

Introduction

The Governmental Accounting Standards Board (GASB) has issued a new accounting standard, Statement 45, relating to Other Postemployment Benefits (OPEB). This statement requires public employers sponsoring and subsidizing retiree healthcare benefit programs to recognize the cost of such benefits on an accrual basis.

The City of Prairie Village provides medical, dental and vision benefits (healthcare benefits) to retired employees and their dependents under certain conditions.

The City is adopting the provisions of GASB Statement 45 for the fiscal year ending December 31, 2008. This report was prepared in accordance with the requirements of GASB Statement 45 and provides an actuarial valuation as of January 1, 2008 of the retiree healthcare benefits sponsored by the City and the fiscal year 2008 accounting expense and financial reporting information.

After discussions with representatives of the City, we are not aware of any other OPEB benefits offered to employees that are subject to GASB Statement 45 other than the healthcare benefits described above.

Background

Prior to the adoption of GASB Statement 45, public employers recognized accounting expense for retiree healthcare benefits on a cash basis. In other words, the accounting expense was equal to retiree healthcare claims and expenses (or if fully insured, the retiree premiums), less collected retiree contributions, during the year. Because employers paid most of the claims or premiums during the course of the fiscal year, any accounting or balance sheet liability was relatively low or, in most cases, not reported.

GASB Statement 45 requires employers to accrue the value of retiree healthcare benefits earned during the employee's working lifetime. Changing the accounting expense recognition from a cash to an accrual basis requires performing an actuarial valuation and developing the following:

Actuarial Present Value of Future Benefits—The present value of future benefits expected to be paid to current and future retirees.

Actuarial Accrued Liability—The present value of future benefits attributable to employee service earned in prior fiscal years.

Normal Cost—The present value of future benefits earned by employees during the current fiscal year.

Annual Required Contribution or ARC—The Normal Cost plus an amortization of the difference between the Actuarial Accrued Liability and any assets available to pay benefits.

Executive Summary (continued)

Annual OPEB Cost—The ARC plus a technical adjustment based on the balance sheet liability at the beginning of the fiscal year. In the first fiscal year that GASB Statement 45 is adopted, the Annual OPEB Cost will usually equal the ARC because the initial balance sheet liability is zero.

Net OPEB Obligation—The balance sheet liability which is the cumulative difference between the Annual OPEB Cost and the actual employer contributions in relation to the ARC.

The Actuarial Accrued Liability impacts the development of the ARC, and is disclosed in the employer's notes to the financial statement, but is not a component of the employer's balance sheet or accounting liability.

The Annual OPEB Cost is accrued on the employer's operations statement and is not necessarily the same as the employer's actual cash contribution. An employer may decide to contribute the minimum amount needed to pay the current year benefits, or commonly referred to as pay-as-you-go funding. In this case, the balance sheet liability will typically grow significantly in the years following the adoption of GASB Statement 45. Other employers may decide to fully-fund the value of the retiree healthcare benefits and contribute the entire Annual OPEB Cost into a separate retiree healthcare trust. For such employers, the balance sheet liability will be zero.

Impact of Assumptions/Prefunding

The valuation depends primarily on the investment assumption used to develop the present value of future benefits. GASB Statement 45 requires this investment return to be based on the assets available to pay benefits. Plan sponsors that finance benefits on a pay-as-you-go basis typically pay retiree healthcare benefits from the general fund. Because an employer's general fund is primarily invested in short-term securities, a low investment return assumption, such as 4 percent to 5 percent, is typically used to develop the present value of future benefits. However, plan sponsors that fully-fund retiree healthcare benefits in a separate trust may be able to design an investment portfolio that generates much higher returns, such as 7 percent to 8 percent. Using a higher investment return such as 8 percent will produce a lower Annual OPEB Cost when compared to an investment return of 5 percent. We have analyzed and determined the impact two different investment returns of 4.5% and 8.0%, along with a level dollar and level percentage of pay amortization of the Unfunded Actuarial Accrued Liability, would have on the City's OPEB obligation and Annual OPEB Cost on the pages that follow.

Other key assumptions such as healthcare inflation, projected healthcare claims, when an employee retires, if the employee elects healthcare coverage and how long the employee survives after retirement will also impact the valuation.

Executive Summary (continued)

Valuation Results

The following section presents the key GASB Statement 45 valuation and accounting results for the retiree healthcare benefits offered to City employees. The Actuarial Accrued Liability is determined as of January 1, 2008, based on census data collected as of January 1, 2008.

The Annual Required Contribution (ARC) is defined as the Normal Cost plus a 30-year level dollar amount amortization of the Unfunded Actuarial Accrued Liability. The Annual OPEB Cost equals the ARC because the initial balance sheet liability is zero.

Actuarial Accrued Liability as of January 1, 2008

- Investment Return of 4.5%	\$187,455
- Investment Return of 8.0%	134,289

Annual Required Contribution for Fiscal 2008

	<u>Level Dollar</u>	<u>Level Percentage of Pay</u>
- Investment Return of 4.5%	\$22,222	\$16,802
- Investment Return of 8.0%	18,388	13,522

Annual OPEB Cost for Fiscal 2008

	<u>Level Dollar</u>	<u>Level Percentage of Pay</u>
- Investment Return of 4.5%	\$22,222	\$16,802
- Investment Return of 8.0%	18,388	13,522

**Expected Employer Contribution for Fiscal 2008
(Pay-As-You-Go Funding or Employer Contribution
in relation to the ARC)**

9,012

Overview of Accounting Standards

In May of 1990, the Governmental Accounting Standards Board (GASB) provided rules in Statement 12 (Disclosure of Information on Postemployment Benefits Other Than Pension Benefits by State and Local Governmental Employers) that require governmental employers that provide postemployment benefits other than pension benefits to present certain disclosures.

In November of 1994, the GASB provided rules in Statement 26 (Financial Reporting for Postemployment Healthcare Plans Administered by Defined Benefit Pension Plans) that require defined benefit pension plans that administer postemployment healthcare plans to present certain disclosures and notes to the financial statements.

In June of 2004, the GASB issued Statement 45 (Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions), which requires accrual accounting for other postemployment benefit plans, which may result in accounting cost recognized different than actual cash or "pay-as-you-go" contributions made to such plans. The effective date of Statement 45 is fiscal periods beginning after December 15, 2006 for phase 1 governments (those with total annual revenues of \$100 million or more for GASB Statement 34 implementation); after December 15, 2007 for phase 2 governments (those with total annual revenues between \$10 million and \$100 million for GASB Statement 34 implementation); and after December 15, 2008 for phase 3 governments (those with total annual revenues of less than \$10 million for GASB Statement 34 implementation). Earlier implementation of Statement 45 is encouraged. **Statement 45 does not require advance funding but rather accrual accounting of the obligations associated with other postemployment benefit plans.**

The magnitude of the accounting cost and any obligation of the other postemployment benefit plans will depend upon the benefit structure and projected participant population. The results are directly dependent upon the projected claims costs for participants expected to receive benefits in the future. The obligations recognized are based upon current and future generations of retired participants.

This report will determine the annual required contribution, annual OPEB cost, net OPEB obligation and related obligations according to GASB Statement 45 based on the current other postemployment benefit plans.

Overview of Accounting Standards (continued)

GASB Statement 45 introduced new terms defining the accrual basis of accounting for other postemployment benefit plans including the Annual Required Contribution, Annual OPEB Cost, and Net OPEB Obligation.

Annual Required Contribution

The Annual Required Contribution, or ARC, is actuarially determined in accordance with the parameters of Statement 45. The Annual Required Contribution is based on the following three components:

Normal Cost—The portion of the actuarial present value of future benefits allocated to the fiscal year by the actuarial cost method, plus

Amortization Payment—An amortization of the unfunded actuarial accrued liability over a period of no more than thirty years, plus

Interest—Interest at the assumed investment return on the Normal Cost and Amortization Payment

A more detailed description of certain actuarial terms, including the actuarial present value of future benefits, actuarial accrued liability and normal cost, is contained on page 12.

Annual OPEB Cost

The Annual OPEB Cost is an accrual basis measure of the annual periodic accounting cost of the employer's OPEB plans. The Annual OPEB Cost is based on the following three components:

Annual Required Contribution—The employer's periodic required contribution actuarially determined in accordance with the parameters of Statement 45, plus

Interest on Net OPEB Obligation—Interest at the assumed investment return on the beginning of year Net OPEB Obligation, minus

Adjustment to ARC—Amortization of the discounted present value of the balance of the beginning of year Net OPEB Obligation

Net OPEB Obligation

The Net OPEB Obligation is the sum of (a) the OPEB liability or cost already booked at transition to Statement 45 and (b) the cumulative difference between the Annual OPEB Cost and the employer's contributions to the OPEB plans since the effective date of Statement 45.

Plan Assets

Future plan benefits may be derived from plan assets on the valuation date, future contributions and investment income on these amounts. The actuarial value of plan assets must be based on the market value. Changes in the actuarial value of plan assets during the latest year and the current valuation date are displayed below.

Actuarial Value of Plan Assets on January 1, 2008		\$ 0
Plus Increases		
Expected Employer Contributions*	9,012	
Interest and Dividends	0	
Realized and Unrealized Gain/(Loss)	<u>0</u>	
		9,012
Less Decreases		
Expected Benefit Payments*	(9,012)	
Investment Expenses	<u>0</u>	
		(9,012)
Actuarial Value of Plan Assets on December 31, 2008		0

*These are to be determined using actual employer contributions and actual benefit payments of the retirees for the period. For fully insured plans, this is the difference between the age-adjusted total premium and collected retiree contributions for the retirees covered during the period. For self-insured plans, this is the difference between actual retiree claims/expenses and collected retiree contributions for the retirees covered during the period.

Plan Funded Status

	As of January 1, 2008	
	4.5% Investment Return	8.0% Investment Return
1. Actuarial Present Value of Future Benefits		
Retired – Employees	\$ 33,580	\$ 31,706
Retired – Spouses/Dependents	176	173
Actives – Employees	236,260	145,499
Actives – Spouses/Dependents	<u>3,903</u>	<u>2,262</u>
Total	\$ 273,919	\$ 179,640
2. Actuarial Accrued Liability		
Retired – Employees	\$ 33,580	\$ 31,706
Retired – Spouses/Dependents	176	173
Actives – Employees	151,132	100,804
Actives – Spouses/Dependents	<u>2,567</u>	<u>1,606</u>
Total	\$ 187,455	\$ 134,289
3. Actuarial Value of Plan Assets	0	0
4. Unfunded Actuarial Accrued Liability (2) – (3)	187,455	134,289
5. Funded Ratio (3) / (4)	0.0%	0.0%
6. Covered Payroll	\$4,992,396	4,992,396
7. Unfunded Actuarial Accrued Liability as a Percentage of Covered Payroll (4) / (6)	3.8%	2.7%

Annual Required Contribution, Annual OPEB Cost and Net OPEB Obligation

Annual Required Contribution	Fiscal Year Ending December 31, 2008			
	<u>4.5% Investment Return</u>		<u>8.0% Investment Return</u>	
	Level Dollar	Level Percent	Level Dollar	Level Percent
1. Normal Cost				
Actives – Employees	\$ 10,100	\$ 10,100	\$ 5,900	\$ 5,900
Actives – Spouses/Dependents	152	152	81	81
Total	10,252	10,252	5,981	5,981
2. Actuarial Accrued Liability	187,455	187,455	134,289	134,289
3. Actuarial Value of Plan Assets	0	0	0	0
4. Unfunded Actuarial Accrued Liability (2) – (3)	187,455	187,455	134,289	134,289
5. Amortization Factor	17.022	32.1774	12.158	20.5379
6. Amortization Payment (4) / (5)	11,013	5,826	11,045	6,539
7. Interest on Normal Cost and Amortization Payment	957	724	1,362	1,002
8. Annual Required Contribution (1) + (6) + (7)	22,222	16,802	18,388	13,522
Annual OPEB Cost				
9. Annual Required Contribution	22,222	16,802	18,388	13,522
10. Interest on Net OPEB Obligation	0	0	0	0
11. Adjustment to Annual Required Contribution	0	0	0	0
12. Annual OPEB Cost (9) + (10) – (11)	22,222	16,802	18,388	13,522
Net OPEB Obligation				
13. Net OPEB Obligation – Beginning of Year	\$ 0	\$ 0	\$ 0	\$ 0
14. Annual OPEB Cost	22,222	16,802	18,388	13,522
15. Expected Employer Contributions Made*	9,012	9,012	9,012	9,012
16. Expected Net OPEB Obligation – End of Year* (13) + (14) – (15)	13,210	7,790	9,376	4,510

* These are to be re-determined using actual employer contributions for the period January 1, 2008 to December 31, 2008. For fully insured plans, this is the difference between the age-adjusted total premium and collected retiree contributions for the retirees covered during the period.

Summary of Plan Provisions

All plan provisions summarized below are effective January 1, 2008

Covered Individual	An individual who is employed by the City of Prairie Village and participates in the health insurance plan.
Eligibility	<p>A Covered Individual who retires from the City with at least 10 years of service. A Covered Individual can retire depending on if they are a General Employee or a Police & Fire Employee as follows:</p> <p>General Employee – Retire from KPERS based on earlier of:</p> <ol style="list-style-type: none">Any age when age plus years of service equal or exceed 85Age 55 with 10 years of serviceAge 65 with 1 year of service <p>Police & Fire Employee – Retire from City based on earlier of:</p> <ol style="list-style-type: none">Any age when years of service equal or exceed 20Age 55 with 5 years of service
Benefit Options	Either a Base Plan or Buy-up Plan option are available
Health Insurance Benefits	
<i>–Physician Visit Copayments</i>	Base Plan – \$20 per visit Buy-up Plan – If in network, \$20 per visit. If out of network, 20% of cost
<i>– Deductible</i>	Base Plan – \$250 per person, but maximum of \$500 per family Buy-up Plan – If in network, none. If out of network, \$2,500 per person, but maximum of \$5,000 per family
<i>– Coinsurance</i>	Base Plan – Generally 80% Buy-up Plan – If in network, generally 0%. If out of network, generally 20%

Summary of Plan Provisions (continued)

- Lifetime Maximum	<p>Base Plan – None Buy-up Plan – If in network, none. If out of network, \$1,000,000 per person</p>
- Annual Maximum	<p>Base Plan – \$2,000 per person per year, but \$4,000 maximum per family. Buy-up Plan – If in network, none. If out of network, \$5,000 per person per year, but \$10,000 maximum per family.</p>
Dental Insurance Benefits	
- Deductible	<p>Base Plan – \$50 per person, but maximum of \$150 per family. Buy-up Plan – \$50 per person, but maximum of \$150 per family.</p>
- Coinsurance	<p>Base Plan – Diagnostic & Preventative Services—80% Basic Services—60% Major Services—40% Orthodontia Services—0%</p> <p>Buy-up Plan – Diagnostic & Preventative Services—100% Basic Services—90% Major Services—50% Orthodontia Services—50%</p>
- Annual Maximum	<p>Base Plan – \$1,000 per person Buy-up Plan – \$1,500 per person (separate \$1,500 limit on orthodontia)</p>

Actuarial Methods

Actuarial Cost Method

The Projected Unit Credit Actuarial Cost Method was used to determine the annual required contribution.

The **actuarial present value of future benefits** is the present value necessary today to provide for a benefit payment or series of benefit payments in the future. It is determined by discounting the future benefit payments at the assumed investment return and reflect the probability of payment.

The **normal cost** is determined as the sum of the individual normal costs for each active participant. A normal cost is determined for each active participant and is equal to the actuarial present value of future benefits allocated to the current year.

The **accrued liability** is the sum of the individual accrued liabilities for all plan participants. An accrued liability is determined for each plan participant and is equal to the actuarial present value of future benefits allocated to years of service prior to the current year.

The **unfunded accrued liability** equals the total accrued liability less the actuarial value of plan assets.

Asset Valuation Method

The actuarial value of assets must be determined based on some recognition of the fair market value of assets. Initially, the actuarial value of assets is to be equal to the fair market value of assets. This method will be formally adopted after decisions regarding the OPEB Plan's funding and investment policy are made.

Amortization Method

The unfunded accrued liability was amortized as either a level dollar amount or a level percentage of pay on an open basis over a period of 30 years.

Actuarial Assumptions

Annual Claims Cost (including administrative expenses)	Age Under Age 65 Age 65 and Over	2008 Per Participant \$6,448 N/A
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The assumed claims costs were determined from a manually derived rate from plan provisions and overall claim experience of actives and retirees.

Plan Selection

All future retirees are assumed to elect the Base Plan option.

Health Care Cost Trend Rates

Year	Claims Rate
2008	10.0%
2009	9.5
2010	9.0
2011	8.5
2012	8.0
2013	7.5
2014	7.0
2015	6.5
2016	6.0
2017	5.5
After 2017	5.0

Investment Return

4.5% and 8.0% per Year

Salary Increases

5.0% per Year

Mortality

RP 2000 Mortality Table

Actuarial Assumptions (continued)

Retiree Participation Rate 40%

Initial Spouse Participation Rate Male Employees: 25%
Female Employees: 25%

Turnover Rates based on Scale T-9 of the Actuary's Pension Handbook. Sample rates varying by age:

Age	Rate
20	17.9%
25	17.2
30	15.8
35	13.7
40	11.2
45	8.4
50	5.1
55	1.7
60	0.2

Disability None

Retirement Sample rates varying by age and if a general employee or police and fire employee:

Age	General Employee	Police & Fire Employee
50	0.0%	5.0%
51	0.0	5.0
52	0.0	5.0
53	5.0	5.0
54	5.0	5.0
55	5.0	100.0
56	5.0	100.0
57	10.0	100.0
58	10.0	100.0
59	15.0	100.0
60	15.0	100.0
61	15.0	100.0
62	30.0	100.0
63	20.0	100.0
64	25.0	100.0
65 or Over	100.0	100.0

However, in the year a police and fire employee first becomes eligible to retire, a rate of 20.0% is assumed.

**Participant Data
As of January 1, 2008**

Active Employees

Age at Valuation Date	Male	Female	Total
Less than 25	1	1	2
25-29	12	3	15
30-34	13	4	17
35-39	21	2	23
40-44	10	5	15
45-49	9	2	11
50-54	4	5	9
55-59	5	6	11
60-64	0	2	2
65 & Over	<u>1</u>	<u>1</u>	<u>2</u>
Total	76	31	107

Average Age 40.1
 Average Service 8.6
 Average Pay \$46,658

Retired Employees, Spouses and Dependents

Age Group	Retirees	Spouses	Dependents
Less than 65	4	1	0
65 and Over	<u>0</u>	<u>0</u>	<u>0</u>
Total	4	1	0

July 10, 2008

Ms. Karen Kindle
Finance Director
City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208

RE: Additional Requests Related to GASB 45 Valuation

Dear Karen:

As you requested in your e-mail dated June 23, we have completed the assembly of responses to your questions related to the initial GASB 45 actuarial valuation completed for the City. Below are our responses to your questions as contained in your June 23 e-mail.

Alternative Retiree Premiums

You requested us to determine the impact on the GASB 45 valuation results if the retirees would pay either 110% or 125% of the premium. As you know, currently the retirees pay 100% of the premium and also, under Kansas statute Chapter 12-5040, the maximum amount the retirees can be required to pay is 125% of the premium. Shown below are select results of the January 1, 2008 GASB 45 valuation assuming the retirees would pay either 110% or 125% of the premium, using a 4.5% investment return and level dollar amortization method.

	Current Premiums	110% of Premiums	125% of Premiums
Actuarial Accrued Liability	\$187,455	\$126,873	\$35,990
Fiscal 2008			
- Annual Required Contribution	22,222	15,027	4,234
- Annual OPEB Cost	22,222	15,027	4,234
- Expected Pay-as-you-go Funding	9,012	6,029	1,553

Amortization Methods Discussion

Under GASB 45, a component of the annual OPEB cost (the accounting cost) is an amortization of the unfunded actuarial accrued liability. Allowable amortization methods include a level dollar amount or as a level percentage of payroll. Under the level dollar method, the amortization results in a fixed dollar amount constant for the entire amortization period while under the level percentage of payroll method, the amortization results in an amount that increases yearly in relation to the covered payroll. Therefore, under the level dollar amount this results in a higher initial amortization payment and annual OPEB cost as compared to the level percentage of payroll method. However, the level percentage of payroll method produces a higher ultimate amortization payment and also produces a higher amount of annual OPEB

Ms. Karen Kindle
July 10, 2008
Page -2-

cost to be accrued in the later years than the level dollar amount method. For example, shown below is select information based on the initial valuation results comparing the two amortization methods.

Amortization Payment of Unfunded Accrued Liability	Amortization Method	
	Level Dollar	Level % of Pay
- Year 1	\$ 11,013	\$ 5,826
- Year 30	11,013	23,981
Total Amortization Payments	330,390	387,073

Funding Factors and Decisions

You had asked what we are seeing with our other clients as far as deciding to prefund or not the postretirement liability and also what factors were involved in making the decision. Currently, no client of ours has decided to begin prefunding the postretirement liability. In addition, we have not heard of any regional governmental entity in the states of Nebraska, Iowa or Kansas that have decided to prefund. The following are factors and reasons given by our current clients to not prefund the postretirement liability:

- Cash is not available
- Materiality of annual OPEB cost as compared to current pay-as-you-go cost is not significant
- Administrative issues / legality of implementing prefunding relating to trusts

Cost Management Techniques

Finally, you had asked what options, other than charging the retirees a higher premium, are available or are taken by other clients to reduce the postretirement liability and resulting annual OPEB cost. The following are options available or actions taken by other clients to reduce the postretirement liability (recognizing some may violate Kansas statute Chapter 12-5040):

- Move retirees to separate coverage with lesser benefits
- Eliminate availability of benefits for future retirees
- Implement defined contribution design to limit anticipated future medical inflation
- Eliminate spousal coverage

Please call me if you have any questions or if we can be of additional assistance.

Sincerely,



Michael S. Ehmke, ASA, EA
Principal

MSE/dm



ADMINISTRATION

Council Committee Meeting Date: August 18, 2008
City Council Meeting Date: September 2, 2008

COU2008-63: Consider Revisions to the Transportation Cooperation Interlocal Agreement.

RECOMMENDATION

Staff Recommends the Council review the attached revised Transportation Cooperation Interlocal Agreement.

SUGGESTED MOTION

The City Council rescind the Transportation Cooperation Agreement approved on March 3, 2008 and approve the revised Interlocal Cooperation Agreement with Johnson County and other Johnson County cities to form a Johnson County Transportation Cooperation Council (TCC) and direct the Mayor to execute the agreement.

BACKGROUND

In March of 2008, the City Council approved an Interlocal Cooperation Agreement with Johnson County and other Johnson County cities to participate in the Johnson County Transportation Cooperation Council (TCC). In addition, the City Council appointed Council Member David Belz as the representative and Bob Pryzby, Public Works Director, as the alternative member of the TCC.

Since that time, the TCC has been working to address some concerns of other member cities regarding the original agreement. The TCC has recently approved a revised Transportation Cooperation Interlocal Agreement for consideration by cooperating cities.

The proposed changes include removal of all references to "land use" and changes to the voting provisions of the agreement. The new voting model differs from the original agreement in four areas:

- Cities are grouped by the three classes of cities in Kansas
- Voting would take place by class
- A quorum is defined as a majority of the cities in each class being represented by the official or alternative representative
- For a motion to pass, a majority of the official or alternative representatives in attendance by class must vote affirmative for the motion

ATTACHMENTS:

- Excerpts from the TCC minutes regarding this issue
- The revised Interlocal Cooperative Agreement with annotations regarding changes from the originally approved agreement.

FUNDING SOURCE

N/A

PREPARED BY

Dennis J. Enslinger
Assistant City Administrator
Date: August 14, 2008

Presentation, discussion, and recommendation on amending the TCC ILA (voting model changed, land use references removed) and sending it to all cities for consideration and approval.

Commissioner Segale noted that the latest version (version 3) of the Interlocal Agreement (ILA) has the land use section removed and the adjusted the voting model (page 7). The TCC is currently operating under "majority rules". The TCC voting model described in the ILA version 3 is as follows:

1. Cities are grouped by the three classes of cities in Kansas
2. Voting takes place by class.
3. A quorum is defined as a majority of cities in each class being represented by the official or alternate representative.
4. For a motion to pass, a majority of the official or alternative representatives in attendance by class must vote affirmative for the motion.

If this is approved tonight, each city will need to approve the ILA.

Commissioner Segale asked for a vote on the TCC ILA version 3. The version 3 TCC ILA passed with no dissenting votes.

The TCC ILA version 3 can be accessed at: http://www.kan.gov/transportation/interlocal_agreements/20080625Meeting/20080625MeetingOverview.pdf

Adjourn

The next meeting will be Wednesday September 10, 2008

With nothing further to come before the meeting, it was adjourned at 8:05pm

INTERLOCAL COOPERATION AGREEMENT

This INTERLOCAL COOPERATION AGREEMENT (Agreement) is entered into on this ___ day of _____, 2008, by and among the Board of County Commissioners of Johnson County, Kansas (herein-after referred to as "COUNTY") and the CITY COUNCIL for each and all of the following designated CITIES located within Johnson County, Kansas: City of Bonner Springs; City of DeSoto; City of Edgerton; City of Fairway; City of Gardner; City of Lake Quivira; City of Leawood; City of Lenexa; City of Merriam; City of Mission; City of Mission Hills; City of Mission Woods; City of Olathe; City of Overland Park; City of Prairie Village; City of Roeland Park; City of Shawnee; City of Spring Hill; City of Westwood; and City of Westwood Hills, (each hereinafter referred to as CITY and collectively as CITIES).

RECITALS

WHEREAS, Johnson County, Kansas is a vibrant and growing community, and the CITIES and COUNTY share many common and mutual interests in serving residents of the County; and

WHEREAS, one of the primary shared interests for the COUNTY and the CITIES is transportation planning which is necessary to maintain and improve mobility throughout the community and to ensure coordination in regional transportation programs and projects; and

WHEREAS, the COUNTY and the CITIES deem it to be in the best interests of the public and the citizens and residents of the County and the Cities to cooperate in transportation planning; to pursue a unified vision of transportation for the entire

community; and to work together on transportation issues in relations with regional planning organizations, adjacent municipalities, and with federal and state government agencies; and

WHEREAS, by statute, K.S.A. 12-2901 et seq., the COUNTY and CITIES have the authority to enter into this Interlocal Cooperation Agreement and to undertake cooperative efforts to attain the advantages and mutual benefits of an integrated, collaborative approach to transportation planning within and throughout the entire community.

NOW, THEREFORE, in consideration of the above recitals and the mutual considerations contained in this Agreement, the COUNTY and the CITIES agree to the following terms and conditions:

1. PURPOSE AND INTENT

The purpose of this Agreement is to establish a council of local government representatives for the purpose of addressing transportation planning issues in and throughout the area of Johnson County and to promote intergovernmental cooperation by providing a forum and operating structure through which local elected and appointed policymakers can discuss and create a unified vision of transportation ~~and complimentary~~ ~~land use plans~~ within Johnson County to preserve and enhance mobility and transportation- related environmental stewardship.

This Agreement is not intended to create a separate or independent legal entity. It is intended to establish an advisory council which can and will provide consultation and make recommendations to the County and to individual cities on public investments in transportation, or plans and proposals related to transportation issues, ~~and/or land use~~

~~planning that impacts transportation issues.~~ Nothing in this Agreement, however, is intended to limit or prevent, in any way, the authority or ability of the County or a City to plan, manage, approve, build or maintain any transportation route, resource, or project.

2. TRANSPORTATION COOPERATION COUNCIL

A. FORMATION. The COUNTY and CITIES, as participating members, hereby form and establish the Johnson County Transportation Cooperation Council (TCC), which shall be organized and have the functions and responsibilities designated in this Agreement.

B. STRUCTURE AND PURPOSE. The Transportation Cooperation Council shall be organized and exist as an advisory body, serving in an advisory capacity to the COUNTY and to each or all of the participating member CITIES. The Council shall have no conferred powers or authorities and shall not be considered as a municipal or quasi-municipal entity. The Council shall not have authority to limit or extend actions by any CITY or the COUNTY nor to control the dispersal or expenditure of any public funds.

The purpose of the Council is to promote collaboration in transportation planning through the pursuit of a unified vision of transportation and providing a resource to review and comment upon transportation plans, proposals and issues as they affect the community of Johnson County.

C. MEMBERSHIP. The Transportation Cooperation Council shall be composed of representatives of each participating member, consisting of the COUNTY and the CITIES, and such further non-voting members as are identified in this Agreement or as may from time to time be approved by the Council.

D. PARTICIPATING MEMBERS. The Board of County of Commissioners for the COUNTY and the governing body for each CITY which is and remains a signatory to this Agreement shall have and appoint one official representative and one alternate representative to serve as participating members of the Council. Each representative appointed, whether by the COUNTY or CITY, shall serve at the pleasure of the governing body appointing them, and such governing body shall be responsible to notify the Council in writing of its appointments, their status, and any changes.

The official representative, as designated by the appointing governing body, shall be the member authorized to participate in all proceedings and discussions and to vote on official actions or recommendations of the Transportation Cooperation Council. The alternate representative, as designated by the appointing governing body, may attend and participate in all proceedings and discussions but shall only vote on official actions or recommendations of the Council in the absence of the official representative.

Non-voting members or other agency representatives, other than the alternate representatives of the CITIES and COUNTY, may attend all meetings and, subject to approval of the Council, may participate in the proceedings, but they shall not have a vote on any matter before the Council.

No person may be appointed to serve as a member of the Council if participation on the Council would create a direct or apparent conflict of interest, whether due to business interests, family interests, or other duties and obligations.

E. FUNCTIONS AND REPORTS. The Transportation Cooperation Council will, as it deems advisable, perform the following functions and issue the following reports:

1. Identify, recommend, promote, and support transportation goals, proposals, projects and issues for the whole community, giving due recognition to the diverse needs within the community, the independent authority of the participating jurisdictions, and the environmental and economic impacts of transportation issues;
2. Encourage partnering among the CITIES and with the COUNTY on transportation design and planning, ~~on related matters of land use and zoning,~~ on financing and funding opportunities _____ for projects, and on other _____ matters related to the goal of maintaining and _____ improving the community's _____ shared transportation systems;
3. Assist local entities in securing and maximizing transportation related resources;
4. On its own initiative or at the request of a participating member CITY or the COUNTY, or by appropriate official request of an agency stakeholder, review and provide comment upon any proposals, plans, projects or other issues, consistent with the goals and objectives of this Agreement and the Council, but such review and comment shall not regulate, permit, restrict or limit any authority of the CITY or COUNTY with respect to such proposal, plan or project;
5. Establish and maintain cooperative work relationships with key community stake-holders, with the identified Agency Stakeholders, and with the Transportation related advisory bodies now functioning within CITIES and the COUNTY, including the Transportation Council and the

Technical Review Committee of the County Assisted Roads System
(CARS) program.

Any recommendations by the Council or any official findings or conclusions reached as the result of a study conducted by or for the Council shall be presented in a written report format, and copies of the report shall be provided to each participating CITY and the COUNTY.

F. MEETINGS AND PROCEDURES.

1. MEETINGS. The Transportation Cooperation Council shall establish regular times and dates for the regular meetings of the Council as a whole and for each of its standing committees. The meetings shall be conducted, notices shall be provided, and agendas shall be prepared and posted in conformance with Kansas laws and the Kansas Open Meetings Act.

2. SPECIAL MEETINGS. The Chairman of the Transportation Cooperation Council may call special meetings when necessary or advisable by causing notice of the date, time, and location to be given to all members at least 48 hours in advance of the meeting or according to such other process as the Council may establish in its By- Laws.

3. BY-LAWS. The Transportation Cooperation Council shall prepare and adopt by-laws to govern its meetings, methods for voting and taking action, and the procedures it will employ to perform its functions. The by-laws shall be in conformance with this Agreement and applicable Kansas Laws.

4. ATTENDANCE. The Council shall adopt and adhere to attendance requirements for its participating members at its meetings, and members who cannot or

do not comply with those requirements shall be replaced on the Council by their appointing governing body.

5. QUORUM AND VOTING. A majority of the ~~Transportation Cooperation Council membership by of~~ each class of each class of city as designated within the city charter of each member city, with the County counted ~~represented~~ as a city of the second class, shall constitute a quorum for the conduct of any official business or action of the Council, although any number of the Council, subject to Open Meetings requirements, may meet for purposes of conducting informal sessions of the Council. A majority of the appointed members of any Committee shall constitute a quorum for the conduct of any business, official or informal, of the committee.

~~A~~ Action on any matter before the Council shall be taken by roll call vote upon a motion and second from among the membership. The vote ~~Affirmative action on any the~~ motion shall be taken by counting the affirmative votes of by eligible voting members in attendance for each by city class, and ~~The motion shall be approved when a majority vote in the affirmative of these members in attendance for each by city legal class shall be required to approve any have voted in the affirmative on the motion. Committee recommendations to the Council shall be developed through consensus, or any committee may be taken by consensus, with the concurrence of sufficient members. If a formal vote is requested by a voting member in attendance, then a roll call vote shall be conducted, with each official member, or eligible alternate, voting by voice vote. Unless the duly adopted by laws provide otherwise, (The affirmative vote of a majority of the members present and eligible to vote, together with a tie or affirmative vote of the members casting votes for each class of City, shall be required to pass any measure. Any member may~~

abstain on a formal vote by declaring the abstention and stating a brief explanation of the reason for the abstention.

Only those members present and eligible to vote on any proposition shall be allowed to vote, and there shall not be any vote by proxy nor through telephonic or other electronic means.

6. MINUTES. Minutes shall be kept for each meeting of the Council and of any Committee meeting.

G. OFFICERS. The Transportation Cooperation Council shall have, as officers, a Chairman and Vice-chairman, selected in the manner and with the duties hereafter described, and such other positions as the Council may specify in its By-Laws:

1. CHAIRMAN. The Board of County Commissioners of the COUNTY shall designate the Chairman of the Transportation Cooperation Council, who shall participate and have a voice, but no vote, in all proceedings. That appointment shall be in addition to the members appointed by the County under Part 2 of this Agreement. The Chairman shall have and perform the following duties:

- a. Convene all meetings of the Council and preside over its proceedings, ensuring orderly procedures in the conducting of business and maintaining decorum to ensure that business is not disturbed or disrupted;
- b. When appropriate and necessary or advisable, call special meetings of the Council in accordance with the By-Laws and applicable legal requirements;
- c. Appoint members to committees and ad hoc task forces approved by the Council and provide appropriate, authorized direction on behalf of the Council;

- d. In consultation with the membership, define an annual work plan for the Council and provide leadership in communicating the plan and related priorities to the CITIES, to the COUNTY, to agency and community stakeholders, and to the general public;
- e. Sign documents, records and reports, when authorized, on behalf of the Council;
- f. Provide leadership and coordination necessary to ensure that the Council has an effective administrative system in place to support its work; and
- g. Perform such other and additional duties as are incidental to or customary for such office or which are prescribed or approved by the Council.

2. VICE-CHAIRMAN. The official representatives of the participating CITIES shall select from their membership a person to serve as the Vice-Chairman of the Council for a period of one year, with no limit on the number of successive terms any individual may be selected to serve as Vice-Chairman. The Vice-Chairman shall have and perform the duties and responsibilities of the office of Chairman during the absence of the Chairman and such other duties as may from time to time be prescribed by the Council or delegated by the Chairman. The Vice-Chairman shall remain a full voting member of the Council during service as Vice-Chairman and while serving in the capacity of the Chairman.

3. TEMPORARY CHAIRMAN. In the absence of both the Chairman and the Vice-Chairman, the Council may, for the necessity of conducting a meeting or other business, select a member to serve as Chairman pro tempore until the proceeding is concluded or until either the Chairman or Vice-Chairman are present. The temporary chairman shall remain a full voting member of the Council while serving in the capacity of Chairman.

H. COMMITTEES. The Transportation Cooperation Council may, by official action, establish committees, standing or otherwise, and assign them such tasks or functions as the Council deems prudent for the efficient conduct of Council business. The Council shall prescribe the composition, tasks, and other operational matters as may be advisable for the Committee. All committees shall comply with all applicable legal and procedural requirements, including the Kansas Open Meetings Act.

I. AGENCY STAKEHOLDERS. The Council shall identify and recognize the stakeholder interests that many community and regional organizations may have in transportation planning and shall designate those with key interests as Agency Stakeholders, which shall be eligible for non-voting membership with the Transportation Cooperation Council. The Agency Stakeholders shall include the Mid-America Regional Council (MARC); the Kansas Department of Transportation (KDOT); the Johnson County Transportation Council; and the Technical Review Committee of the County Assisted Roads System (CARS) program; as well as other federal, state, county, municipal, regional, or local entities.

J. FUNDING. The Transportation Cooperation Council shall have no authority to raise funds or to incur expenditures.

J. ADMINISTRATION. The COUNTY shall organize and provide administrative support systems required for the effective operation of the Transportation Cooperation Council.

3. DURATION OF AGREEMENT

This agreement shall be and remain in effect until terminated.

4. FINANCING AND ADMINISTRATION OF AGREEMENT

The COUNTY shall administer the terms, conditions, and proceedings under this Agreement, and funding, if necessary, to support this Agreement shall be provided, upon

approval, by the COUNTY and the CITIES. This Agreement does not authorize the levy of any tax or charge, the raising of any funds or the incurring of any debt or expense, and no funding appropriations have been made or are required to implement this Agreement.

5. ACQUIRING, HOLDING AND DISPOSITION OF PROPERTY

This Agreement does not contemplate nor authorize the acquisition, holding or disposition of any real or personal property. Any property, real or personal, intended for use in the performance of this Agreement shall be property owned and held by the COUNTY and/or the CITIES, and such property shall remain the property of those entities.

6. METHODS FOR TERMINATION AND WITHDRAWAL FROM AGREEMENT.

This Agreement may be terminated by the mutual consent of the COUNTY and the CITIES which are then signatories to the Agreement. The Agreement shall terminate upon the adoption of a resolution of the Board of County Commissioners of the COUNTY which withdraws the COUNTY from participation in this Agreement and the Transportation Cooperation Council. This Agreement will automatically terminate for all parties upon notice that the membership of the Council contains less than six of the CITIES or no longer contains at least one member of each class of identified CITY parties.

The Board of County Commissioners, on behalf of the COUNTY, and the governing body of any CITY signatory to this Agreement may withdraw from the Agreement and the Council at anytime upon an affirmative vote of its governing body.

7. PLACING AGREEMENT IN FORCE

This Agreement shall be and become effective upon its approval and execution by the Board of County Commissioners of Johnson County, Kansas and the governing body of six or more of the identified CITY parties, with at least one of each class of City located in Johnson County; provided, however, that if the requisite number or combination of CITIES have not executed this agreement prior to January 1, 2009, then this Agreement shall be null and void and not effective. If the requisite number and combination of CITIES do execute this agreement, then other CITY parties may approve and execute this Agreement after its effective date, and the Agreement shall be effective as to each such CITY upon its separate approval and execution.

Approval of the Attorney General of the State of Kansas shall not be required for this Agreement to be effective since it is an Agreement establishing a council for the study of common issues and thus an exception to the requirement for approval.

IN WITNESS WHEREOF, the COUNTY and the separate CITY parties have authorized this Agreement to be executed by their duly authorized representatives on the dates shown.



ADMINISTRATION

Council Meeting Date: September 2, 2008
Committee Meeting Date: August 18, 2008

COU2008-65: Consider Establishing Grant Fund

RECOMMENDATION

The Council approve the establishment of a grant fund.

COUNCIL ACTION REQUESTED ON SEPTEMBER 2, 2008

SUGGESTED MOTION

Move that the Council adopt an ordinance establishing a grant fund.

BACKGROUND

The City has applied for and received several grants, and as departments research funding sources the trend is likely to continue. As grant activity increases, it becomes more difficult to isolate the related revenues and expenditures for grant reporting/compliance purposes. In addition, the grants generally cross budget years, making budgeting for them difficult. To address these two issues, Kansas statutes allow the City to establish a fund to account for grant activity (KSA 12-101). Staff would like to establish a grant fund in 2008 as the City already has two active grants.

Staff discussed establishing a grant fund with the Finance Committee at their July 17, 2008 meeting. The Finance Committee supported staff's recommendation.

FUNDING SOURCE

Money in the fund is provided by grants from external agencies or other city funds in accordance with the budget when matching funds are required.

PUBLIC NOTICE: Publication of the adopted ordinance.

ATTACHMENTS: Proposed ordinance.

Prepared By:
Karen Kindle, Finance Director
Date: August 14, 2008

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A GRANT FUND IN THE CITY OF PRAIRIE VILLAGE

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

SECTION I. Fund Established

In accordance with K.S.A. 12-101 there is hereby established a grant fund which shall be used by the City to account for revenues and expenditures related to grants the City receives. For grants requiring matching funds from the City, the Governing Body shall provide for the transfer of moneys from other City funds lawfully available for the City's match in accordance with the adopted budget.

SECTION II. Policy Objective

It is the policy objective of the Governing Body that the grant fund shall be used to account for grant monies received by the City.

SECTION III. Take Effect. That this ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED AND APPROVED THIS _____ DAY OF _____.

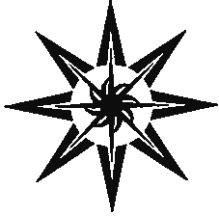
Ronald L. Shaffer, Mayor

ATTEST:

APPROVED AS TO FORM:

Joyce Hagen Mundy
City Clerk

Catherine Logan
City Attorney



Council Committee Meeting Date: August 18, 2008
Council Meeting Date: August 18, 2008

COU2008-66: Consider Approval of the 2009 Mission Hills Contract and the 2009 Mission Hills Budget

RECOMMENDATION

The Prairie Village Police Department recommends the City Council formalize its law enforcement relationship with the City of Mission Hills for the 2009 calendar year by approving the attached 2009 Mission Hills Contract and the 2009 Mission Hills Budget.

COUNCIL ACTION REQUESTED ON: AUGUST 18, 2008

BACKGROUND

Each year the Cities of Prairie Village and Mission Hills formalize their law enforcement relationship with an agreement between the municipalities.

The Mission Hills City Council has agreed with the contents of the attached 2009 Mission Hills Contract, as well as the 2009 Mission Hills Budget.

ATTACHMENTS: 2009 Mission Hills Contract and 2009 Mission Hills Budget.

Prepared By:

Wes Jordan
Chief of Police
Date: August 8, 2008

MISSION HILLS AGREEMENT - 2009

THIS AGREEMENT, made this ____ day of _____, 2008, between the City of Prairie Village, Kansas, a municipal corporation, hereinafter referred to as "Prairie Village," and the City of Mission Hills, Kansas, a municipal corporation, hereinafter referred to as "Mission Hills."

WHEREAS, Prairie Village and Mission Hills are adjoining cities and share many of the same problems and concerns for police protection; and

WHEREAS, in the opinion of the governing bodies of Prairie Village and Mission Hills, the consolidated operation of law enforcement and policing of the two cities will be to the mutual benefit and the general welfare of the persons and properties of both municipalities; and

WHEREAS, K.S.A. 12-2908, and amendments thereto, authorize the parties hereto to enter into a contract with respect to performance of government services; and

WHEREAS, the governing bodies of said cities have determined to enter into an agreement as authorized and provided by K.S.A. 12-2908 and amendments thereto,

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein made and contained, it is mutually agreed as follows:

A. Services Provided. Prairie Village shall furnish to Mission Hills during the term of this agreement, the following items:

1. Police Cars. It is agreed and understood that Mission Hills has previously paid for four police cars that are currently being used primarily in the City of Mission Hills and said cars are identified as:

847 - 2008 Ford Crown Victoria
Identification Number 2FAHP71V78X163085
registered to the City of Prairie Village, Kansas;

848 - 2008 Ford Crown Victoria
Identification Number 2FAHP71V58X163084
registered to the City of Prairie Village, Kansas;

849 - 2008 Ford Crown Victoria
Identification Number 2FAHP71V88X123176
registered to the City of Prairie Village, Kansas,
and

Unit 648 - 2006 Ford Crown Victoria
Identification Number 2FAFP71W56X128798
registered to the City of Prairie Village, Kansas.

During the terms of this agreement, Mission Hills shall be responsible for the replacement costs of any new vehicles needed. The Chief of Police shall notify the Mission Hills City Administrator when fleet bids are being offered. Replacement vehicles for Mission Hills will be offered as part of the fleet purchase, above the costs of this contract, if desired and approved by Mission Hills. New vehicles will be titled to the City of Prairie Village. Collision and liability insurance on the vehicles purchased by Mission Hills shall be maintained and paid for by Prairie Village.

Mission Hills shall pay all expenses relating to the maintenance of said vehicles, including, but not limited to, gasoline, oil, lubrication, tires, repairs and equipment changeover. Maintenance of said vehicles shall be under the direction and supervision of the Chief of Police. Routine maintenance will be provided by a vendor agreed upon by the Mission Hills City Administrator and the Chief of Police. Labor provided by the Prairie Village Public Works Department will be at no charge for labor, plus all costs of parts. Gasoline shall be provided through the Prairie Village gasoline pump. A monthly itemized bill shall be prepared and forwarded to Mission Hills for payment, which shall be above the costs of the contract agreement listed in Paragraph B. Major repair items such as engine or transmission overhaul shall be approved by the Mission Hills City Administrator prior to work being performed and will be billed directly to Mission Hills. If a Mission Hills police unit is inoperable for a period of time - as determined by a Police Department Shift Supervisor or Command Staff member, due to the vehicle being unable to be operated safely, or where further use may cause damage to the vehicle - Prairie Village shall provide a replacement vehicle and may bill Mission

Hills at the rate equal to the 2009 IRS standard mileage rate per mile for a car used for business purposes for its use, above the costs of this contract.

It is agreed and understood that if both parties agree to terminate the conditions of this contract, those vehicles purchased by the City of Mission Hills, but titled to the City of Prairie Village, shall be transferred back to the ownership of Mission Hills for the sum of \$1.00.

2. **Police Personnel.** Prairie Village shall provide to Mission Hills the services of police officers, detectives, and other personnel as adopted by budget formulas to provide efficient and effective law enforcement services. The Chief of Police will approve staffing/scheduling in consultation with the Mission Hills City Administrator. With respect to the additional officers, Prairie Village shall not be required to provide a replacement officer or effect a reduction in the amount due Prairie Village by Mission Hills under this Agreement when such an officer is unavailable due to an excused absence. An "excused absence" is an absence provided for under Prairie Village's personnel policies and for which the officer receives monetary compensation or compensatory time directly from Prairie Village for the absence, but does not include any such absence for which the officer is receiving monetary compensation for the absence from Workers' Compensation or other insurance. If any additional officer is unavailable for any reason other than an excused absence, Prairie Village shall either assign a replacement officer for the position or effect an appropriate reduction in the amount due Prairie Village by Mission Hills under this Agreement. Prairie Village shall use its best efforts to ensure that excused absences of police officers assigned to Mission Hills shall not be disproportionately higher than excused absences of police officers assigned to Prairie Village.

Prairie Village shall provide the services of such supervisory and support personnel as shall be necessary for the operation of said police cars and to provide normal police services.

Prairie Village shall pay the salaries, payroll taxes, Workers' Compensation and related benefits and shall bear all expenses and liabilities with

respect to said police personnel, which may accrue from or be attributable to the employer-employee relationship.

All Prairie Village Police officers, and all cars used by such police officers, including the cars designated as the Mission Hills police cars, shall be subject to the jurisdiction of the Prairie Village Chief of Police, whether operating in Mission Hills or Prairie Village. The Prairie Village Chief of Police shall have exclusive supervision of the operation of the police cars designated as the Mission Hills cars and the personnel operating same, and shall handle all complaints or calls for services through the Police Department's Offices at the Public Safety Center, Prairie Village, Kansas. The Chief of Police will consult and cooperate with Mission Hills in scheduling and supervising the operation of Mission Hills cars and personnel operating same.

Mission Hills will designate an individual who shall serve as its representative to consult with the Chief of Police. All Prairie Village Police officers shall be deputized to act as police officers in Mission Hills and all Prairie Village personnel, in carrying out the police functions for Mission Hills as contemplated by this Agreement, shall be deemed to be acting for, and as the police arm of, Mission Hills.

It is further mutually agreed by the governing bodies of the respective cities hereto that each will respectively do all acts necessary and proper as provided in K.S.A. 19-2645 and K.S.A. 19-2646, and acts amendatory and supplemental thereto, for carrying out the applicable provisions of this Agreement.

3. **Court Personnel.** Prairie Village shall also provide a Clerk of the Court for the Mission Hills Municipal Court for two court sessions per month. Said Clerk shall be assigned by the Court Administrator of the Prairie Village Municipal Court. Said Clerk of the Court shall perform all duties as required by law and shall be deemed to be acting for and on behalf of the City of Mission Hills while performing said duties. Prairie Village shall not be liable in any manner for the actions of said clerk of the Court in the performance or nonperformance of said duties. Prairie Village shall be reimbursed for the costs of providing said Court personnel, which amount is included in the total contract amount as provided in Paragraph B of this Agreement.

4. **Humane Officer.** For purposes of animal control, Prairie Village shall provide to Mission Hills the services of a humane officer, when such services are needed. Said humane officer shall be under the supervision of the Chief of Police. It is agreed that when on duty, the humane officer shall respond to calls for service within Mission Hills that are the normal function of this service. In addition, the Mayor or City Administrator of Mission Hills can request scheduled hours in Mission Hills on a regular basis, which shall be provided if personnel are available. The cost of this service is not included in the contract amount as provided in Paragraph B, and shall be documented and billed at the rate of \$30.87 per hour.

It is further agreed that Prairie Village has entered into a contract agreement with Animal Medical Center for the professional care and boarding of animals taken into custody by the Police Department. This service is not included in the contract amount as provided in Paragraph B, and shall be billed to Mission Hills by Prairie Village as required by the service provided by Animal Medical Center.

5. **General Law Enforcement Services.** Prairie Village shall provide to Mission Hills law enforcement services necessary to efficiently maintain public safety in the City of Mission Hills. These services include, but are not limited to, administration of the Police Department; 9-1-1 and non-emergency PSAP for communications to the Police Department and police vehicles; Records for maintaining law enforcement files; Crime Prevention Program for education to reduce community vulnerability to crime and establish "community-oriented policing," Investigations function that provides for the investigation of Part I and Part II crimes perpetrated by adults and youths; D.A.R.E. to provide a prevention aspect to adolescent drug use; the Property Room and evidence system, and the Department's comprehensive training.

B. **Reimbursement Costs.** Mission Hills shall reimburse Prairie Village for the cost of services and equipment provided to the City of Mission Hills as heretofore provided, the total amount of One Million, One Hundred and Eighty Four Thousand, Eight Hundred and Thirty Six and 00/100 Dollars (\$1,184,836.00), said amount to be paid by Mission Hills at the rate of Ninety Eight Thousand, Seven Hundred and Thirty Six

and 33/100 Dollars (\$98,736.33), per month during the term of this Agreement, said payment to be made not later than the 15th day of each month.

Said amount is based on the standard employee work schedule of the City of Prairie Village and includes the cost of supervision and insurance, radio dispatching, officer supplies, uniform replacement, salary of personnel, overhead and other costs which will be incurred by Prairie Village in fulfilling the obligations of this Agreement. The estimated costs of services and equipment to be provided under this Agreement have been compiled in a proposed budget for the year 2009, previously furnished to Mission Hills by Prairie Village. This budget was used in determining the costs to be reimbursed by Mission Hills; however, the parties recognize that the actual costs for the items furnished may differ from those estimated.

In the event of a difference which results from a change in the wage structure of Prairie Village personnel from that contemplated in the proposed budget, or pursuant to Paragraph A., 2., any additional officer is unavailable for any reason other than an excused absence and Prairie Village elects not to assign a replacement officer, an appropriate increase or decrease will be made in the amount due Prairie Village by Mission Hills hereunder. However, the parties agree that no other difference, if any, in the actual costs of the services and equipment provided from that contemplated in the proposed budget will be cause for increasing or decreasing the amount due Prairie Village from Mission Hills hereunder.

C. **Reports.** The Chief of Police of Prairie Village shall at least once a month submit to Mission Hills a complete written report of the police activity and protection provided within said city.

D. **Liability Insurance and Uninsured Claims.** The parties recognize that actions (or omissions) in connection with services to be provided by Prairie Village under this Agreement may result in, or give rise to, claims against Mission Hills or Prairie Village, or both, for alleged damages or injuries. For the purpose of limiting financial exposure with respect to such claims, Prairie Village has obtained liability insurance relating to the operation of the Police Department and relating to the operation of

vehicles used in providing the services contemplated by this Agreement. Part of the cost of these policies is allocated to Mission Hills and included in the total contract amount as provided in Paragraph B of this Agreement. Mission Hills shall at all times be named as an insured party on both such insurance policies.

In addition, both Prairie Village and Mission Hills carry general liability insurance and both parties agree that they will use their best efforts to cause the insurance companies providing such insurance coverage to waive any subrogation rights, which such companies may have against Prairie Village or Mission Hills, as the case may be, with respect to expenses incurred and amounts paid under such policies on behalf of the party carrying such insurance.

The parties also recognize that claims may be made against Mission Hills or Prairie Village or both for alleged injuries or damages which are not covered by any of such insurance policies. With respect to such uninsured claims: The parties agree that Mission Hills should bear all or most of the costs related to such claims (including defense costs and payments for settlement or judgment) in those situations in which the action or omission which gives rise to the claim relates primarily to a risk that would not have been incurred by Prairie Village, if Prairie Village were not providing services to Mission Hills under this Agreement; and Prairie Village should bear all or most of the costs related to such claims (including defense costs and payments for settlement or judgment) in those situations in which the action or omission which gives rise to the claim relates primarily to the operation or policies of the Prairie Village Police Department and services provided to Mission Hills under this Agreement are only incidental to the situation.

Accordingly, the parties agree that the circumstances surrounding any claim, which is not covered by insurance and which relates to or arises from actions (or omissions) in connection with services provided or to be provided by Prairie Village under this Agreement, will be examined at the time such claim is made for the purpose of determining the appropriate percentage of the costs related to such claim, which are to be paid by Mission Hills and the appropriate percentage of such costs, which are to be paid by Prairie Village.

E. **Effective Date.** This Agreement shall be in effect from January 1, 2009, through December 31, 2009, and shall not be assigned. It is agreed that during the term of this Agreement neither party may terminate or modify the Agreement without the consent of the other, except as otherwise provided by this Agreement.

IN WITNESS WHEREOF, the Mayor of Prairie Village, Kansas, has signed this Agreement on behalf of the City of Prairie Village, as such mayor, and the City of Prairie Village has caused these presents to be attested by its Clerk and the seal of said city to be hereto attached; and the Mayor of Mission Hills, Kansas, has signed this Agreement on behalf of the City of Mission Hills, as such mayor, and the City of Mission Hills has caused these presents to be attested by its Clerk, and the seal of said city to be hereto attached, the day and year first above written.

THE CITY OF PRAIRIE VILLAGE, KANSAS

By: _____
Ronald L. Shaffer - Mayor

ATTEST:

Joyce Hagen Mundy - City Clerk

THE CITY OF MISSION HILLS, KANSAS

By: _____
David J. Fromm - Mayor

ATTEST:

Jill Clifton - City Clerk

Technical Review Committee of the County Assisted Roads System
(CARS) program.

Any recommendations by the Council or any official findings or conclusions reached as the result of a study conducted by or for the Council shall be presented in a written report format, and copies of the report shall be provided to each participating CITY and the COUNTY.

F. MEETINGS AND PROCEDURES.

1. MEETINGS. The Transportation Cooperation Council shall establish regular times and dates for the regular meetings of the Council as a whole and for each of its standing committees. The meetings shall be conducted, notices shall be provided, and agendas shall be prepared and posted in conformance with Kansas laws and the Kansas Open Meetings Act.

2. SPECIAL MEETINGS. The Chairman of the Transportation Cooperation Council may call special meetings when necessary or advisable by causing notice of the date, time, and location to be given to all members at least 48 hours in advance of the meeting or according to such other process as the Council may establish in its By- Laws.

3. BY-LAWS. The Transportation Cooperation Council shall prepare and adopt by-laws to govern its meetings and the procedures it will employ to perform its functions. The by-laws shall be in conformance with this Agreement and applicable Kansas Laws.

4. ATTENDANCE. The Council shall adopt and adhere to attendance requirements for its participating members at its meetings, and members who cannot or do not comply with those requirements shall be replaced on the Council by their appointing governing body.

5. QUORUM AND VOTING. A majority of the Transportation Cooperation Council shall constitute a quorum for the conduct of any official business or action of the Council, although any number of the Council, subject to Open Meetings requirements, may meet for purposes of conducting informal sessions of the Council. A majority of the appointed members of any Committee shall constitute a quorum for the conduct of any business, official or informal, of the committee.

Action on any matter before the Council or any committee may be taken by consensus, with the concurrence of sufficient members. If a formal vote is requested by a voting member in attendance, then a roll call vote shall be conducted, with each official member, or eligible alternate, voting by voice vote. The affirmative vote of a majority of the members present and eligible to vote shall be required to pass any measure. Any member may abstain on a formal vote by declaring the abstention and stating a brief explanation of the reason for the abstention.

Only those members present and eligible to vote on any proposition shall be allowed to vote, and there shall not be any vote by proxy nor through telephonic or other electronic means.

6. MINUTES. Minutes shall be kept for each meeting of the Council and of any Committee meeting.

G. OFFICERS. The Transportation Cooperation Council shall have, as officers, a Chairman and Vice-chairman, selected in the manner and with the duties hereafter described, and such other positions as the Council may specify in its By-Laws:

1. CHAIRMAN. The Board of County Commissioners of the COUNTY shall designate the Chairman of the Transportation Cooperation Council, who shall

participate and have a voice, but no vote, in all proceedings. That appointment shall be in addition to the members appointed by the County under Part 2 of this Agreement. The Chairman shall have and perform the following duties:

- a. Convene all meetings of the Council and preside over its proceedings, ensuring orderly procedures in the conducting of business and maintaining decorum to ensure that business is not disturbed or disrupted;
- b. When appropriate and necessary or advisable, call special meetings of the Council in accordance with the By-Laws and applicable legal requirements;
- c. Appoint members to committees and ad hoc task forces approved by the Council and provide appropriate, authorized direction on behalf of the Council;
- d. In consultation with the membership, define an annual work plan for the Council and provide leadership in communicating the plan and related priorities to the CITIES, to the COUNTY, to agency and community stakeholders, and to the general public;
- e. Sign documents, records and reports, when authorized, on behalf of the Council;
- f. Provide leadership and coordination necessary to ensure that the Council has an effective administrative system in place to support its work; and
- g. Perform such other and additional duties as are incidental to or customary for such office or which are prescribed or approved by the Council.

2. VICE-CHAIRMAN. The official representatives of the participating CITIES shall select from their membership a person to serve as the Vice-Chairman of the Council for a period of one year, with no limit on the number of successive terms any individual may

be selected to serve as Vice-Chairman. The Vice-Chairman shall have and perform the duties and responsibilities of the office of Chairman during the absence of the Chairman and such other duties as may from time to time be prescribed by the Council or delegated by the Chairman. The Vice-Chairman shall remain a full voting member of the Council during service as Vice-Chairman and while serving in the capacity of the Chairman.

3. TEMPORARY CHAIRMAN. In the absence of both the Chairman and the Vice-Chairman, the Council may, for the necessity of conducting a meeting or other business, select a member to serve as Chairman pro tempore until the proceeding is concluded or until either the Chairman or Vice-Chairman are present. The temporary chairman shall remain a full voting member of the Council while serving in the capacity of Chairman.

H. COMMITTEES. The Transportation Cooperation Council may, by official action, establish committees, standing or otherwise, and assign them such tasks or functions as the Council deems prudent for the efficient conduct of Council business. The Council shall prescribe the composition, tasks, and other operational matters as may be advisable for the Committee. All committees shall comply with all applicable legal and procedural requirements, including the Kansas Open Meetings Act.

I. AGENCY STAKEHOLDERS. The Council shall identify and recognize the stakeholder interests that many community and regional organizations may have in transportation planning and shall designate those with key interests as Agency Stakeholders, which shall be eligible for non-voting membership with the Transportation Cooperation Council. The Agency Stakeholders shall include the Mid-America Regional Council (MARC); the Kansas Department of Transportation (KDOT); the Johnson County Transportation Council; and the Technical Review Committee of the County Assisted Roads System (CARS) program; as well as other federal, state, county, municipal, regional, or local entities.

J. FUNDING. The Transportation Cooperation Council shall have no authority to raise funds or to incur expenditures.

J. ADMINISTRATION. The COUNTY shall organize and provide administrative support systems required for the effective operation of the Transportation Cooperation Council.

3. DURATION OF AGREEMENT

This agreement shall be and remain in effect until terminated.

4. FINANCING AND ADMINISTRATION OF AGREEMENT

The COUNTY shall administer the terms, conditions, and proceedings under this Agreement, and funding, if necessary, to support this Agreement shall be provided, upon approval, by the COUNTY and the CITIES. This Agreement does not authorize the levy of any tax or charge, the raising of any funds or the incurring of any debt or expense, and no funding appropriations have been made or are required to implement this Agreement.

5. ACQUIRING, HOLDING AND DISPOSITION OF PROPERTY

This Agreement does not contemplate nor authorize the acquisition, holding or disposition of any real or personal property. Any property, real or personal, intended for use in the performance of this Agreement shall be property owned and held by the COUNTY and/or the CITIES, and such property shall remain the property of those entities.

6. METHODS FOR TERMINATION AND WITHDRAWAL FROM AGREEMENT.

This Agreement may be terminated by the mutual consent of the COUNTY and the CITIES which are then signatories to the Agreement. The Agreement shall terminate upon the adoption of a resolution of the Board of County Commissioners of the

COUNTY which withdraws the COUNTY from participation in this Agreement and the Transportation Cooperation Council. This Agreement will automatically terminate for all parties upon notice that the membership of the Council contains less than six of the CITIES or no longer contains at least one member of each class of identified CITY parties.

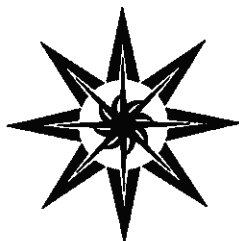
The Board of County Commissioners, on behalf of the COUNTY, and the governing body of any CITY signatory to this Agreement may withdraw from the Agreement and the Council at anytime upon an affirmative vote of its governing body.

7. PLACING AGREEMENT IN FORCE

This Agreement shall be and become effective upon its approval and execution by the Board of County Commissioners of Johnson County, Kansas and the governing body of six or more of the identified CITY parties, with at least one of each class of City located in Johnson County; provided, however, that if the requisite number or combination of CITIES have not executed this agreement prior to January 1, 2009, then this Agreement shall be null and void and not effective. If the requisite number and combination of CITIES do execute this agreement, then other CITY parties may approve and execute this Agreement after its effective date, and the Agreement shall be effective as to each such CITY upon its separate approval and execution.

Approval of the Attorney General of the State of Kansas shall not be required for this Agreement to be effective since it is an Agreement establishing a council for the study of common issues and thus an exception to the requirement for approval.

IN WITNESS WHEREOF, the COUNTY and the separate CITY parties have authorized this Agreement to be executed by their duly authorized representatives on the dates shown.



City Council Policy: CP204 - Sidewalks

Effective Date: April 3, 2006

Amends: CP204 dated September 5, 2000

Approved By: Governing Body

I. PURPOSE

- A. To establish a Public Works policy for the construction, reconstruction, maintenance and repair of City sidewalks.**

II. RESPONSIBILITY

- A. Director of Public Works**

III. POLICY

- A. All arterial streets will have sidewalks constructed on both sides of the street.**
- B. All collector streets will have sidewalks constructed on both sides of the street**
- C. All local streets will have sidewalks constructed on one side of the street.**
- D. Sidewalks may be constructed one side of street as part of a street resurfacing project**
- E. Sidewalks installed by the City will be financed by the City**
- F. A notice of intent to construct a sidewalk will be sent to property owners before design work is begun.**
- G. The City of Prairie Village will repair or replace and pay the entire cost for sidewalks on public streets within the City limits of Prairie Village that have deteriorated due to natural conditions, except as otherwise provided by Prairie Village Municipal Code Chapter XIII Article 1 SIDEWALKS.**

IV. CONSTRUCTION

- A. All constructed sidewalks shall have a minimum width of five feet**
- B. When a sidewalk terminates at a street pavement, a ramp shall be constructed in accordance with the latest provisions of the American with Disabilities Act.**



Proposed sidewalk
8200 Rosewood Ln.

ROSEWOOD LN

W 83RD ST

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
August 18, 2008
7:30 p.m.**

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. RECOGNITION OF SISTER CITY DOLYNA DIGNITARIES AND PRESENTATION**
- V. PUBLIC PARTICIPATION**
- VI. 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 – August 4, 2008
- 2. Approve Special Council Meeting Minutes - July 28, 2008
- 3. Approve Claims Ordinance 2650
- 4. Approve the adoption of an Ordinance establishing a stormwater utility fund for the City of Prairie Village, Kansas, by adding to Chapter XIV Stormwater, a new article 4 entitled "Stormwater Utility" consisting of new sections 14-401 through 14-410.

By Committee:

- 5. Approve Engineering Change Order #1 with George Butler Associates for Project 190721: 2009 Storm Drainage Repair Program in the amount of \$65,000. (Council Committee of the Whole Minutes – August 4, 2008)
- 6. Approve establishing a fee for Fiscal Year 2009 of \$13.93 per month/per household for the collection of solid waste, recyclable material, yard waste and bulky item pick-up and a fee of \$8.00 per year/per household for those subdivisions/homes associations which wish to be exempted from city provided solid waste services (Council Committee of the Whole Minutes – August 4, 2008)
- 7. Approve the 2009 Stormwater Utility Fee of \$0.037 per square foot of impervious area. (Council Committee of the Whole Minutes – August 4, 2008)
- 8. Approve the amendment of the City's fee schedule on file in the Office of the City Clerk with the fees as listed to become effective on January 1, 2009 or with the issuance of 2009 Licenses/Permits. (Council Committee of the Whole Minutes – August 4, 2008)

VII. STAFF REPORTS

VIII. COMMITTEE REPORTS

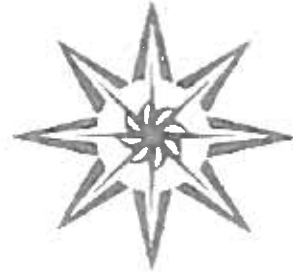
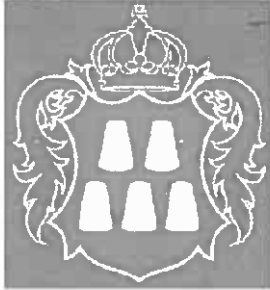
**Council Committee of the Whole – David Voysey
COU2008-57 Revisions to City Council Policy 046**

COU2008-66 Consider Approval of the 2009 Mission Hills Contract and the 2009 Mission Hills Budget

- IX. OLD BUSINESS
 - Adoption of 2009 Budget
- X. NEW BUSINESS
- XI. EXECUTIVE SESSION
- XII. ANNOUNCEMENTS
- XIII. 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



Sister City Agreement

**An agreement for the establishment of a Sister City Relationship
Between**

Dolyna, Ukraine

and

Prairie Village, Kansas USA

The Sister City Program was initiated by the President of the United States of America in 1956 to encourage greater friendship and understanding between the United States and other nations through direct personal contact.

In order to foster those goals, the people of Dolyna and Prairie Village, in a gesture of friendship and goodwill, agree to collaborate for the mutual benefit of their communities by exploring educational, economic, and cultural opportunities.

Dolyna and Prairie Village, sharing a common interest in education, youth, arts and culture, sound government, and business and commerce, and with the desire to promote mutual understanding among the citizens of each city, do hereby proclaim themselves Sister Cities, effective upon execution of this document by the Mayors of both cities.

Dated August 18, 2008

(Seal)

**Volodymyr Garazd, Mayor
Dolyna, Ukraine**

**Ronald L. Shaffer, Mayor
Prairie Village, Kansas USA**

Statement of Commitment

In the spirit of friendship and goodwill, the sister cities of Prairie Village, Kansas USA and Dolyna, Ukraine agree:

- 1. To support and encourage visits, both official and unofficial, between representatives and the citizens of each city;**
- 2. To establish affiliations between schools and organizations of both cities;**
- 3. To promote cultural exchanges in fields of interest to citizens of both cities;**
- 4. To develop a mutual understanding of the citizens of both cities by exchanging various information and material;**
- 5. To foster official and casual communication between representatives and citizens of both communities.**

The success of this endeavor will be the responsibility of the Sister City Organizations of each city with the support of the citizens of both Prairie Village and Dolyna.

The foregoing instrument is acknowledged before us, on behalf of our two communities on this 18th day of August, 2008, in the city of Prairie Village, Kansas, USA, by the Mayors of Prairie Village, Kansas, USA and Dolyna, Ukraine.

(Seal)

**Ronald L. Shaffer, Mayor
Prairie Village, Kansas, USA**

**Volodymyr Garazd, Mayor
Dolyna, Ukraine**

Нотатка про розуміння

В дусі дружби та доброї волі, міста-побратими Преріє Вілладж, Канзас, США та Долина, Україна погоджуються :

1. Підтримувати та заохочувати відвідини як офіційні так і неофіційні між представниками та мешканацями обоїх міст.
2. Установлювати зв'язки між школами та організаціями обоїх міст.
3. Сприяти культурному обміну в області інтересів громадян обоїх міст.
4. Розвивати взаємне розуміння громадян обоїх міст обмінюючись різной інформацією та матеріалами.
5. Заохочувати офіційні та повсякденні зв'язки між представниками та мешканцями обоїх суспільств.

Успіх цих намагань залежать від відповідальності Організації Міст-Пібратимів кожного міста разом з підтримкою громадян Преріє Вілладж та Долини.

Поінформовани з документом що є перед нами, від імені наших обоїх міст 18 Серпня 2008 року в Преріє Вілладж , Канзас, США , Мерами Преріє Вілладж, Канзас, США та Долини, Україна.

(Печатка)

Рональд Шаффер, Мер
Преріє Віладж, Канзас, США

Володимир Гаразд, Мер
Долина, Україна

CONSENT AGENDA

CITY OF PRAIRIE VILLAGE, KS

August 18, 2008

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
August 4, 2008**

The City Council of Prairie Village, Kansas, met in regular session on Monday, August 4, 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, Charles Clark, David Morrison and Diana Ewy Sharp.

Also present were: Dennis Enslinger, Assistant City Administrator; Katie Logan, City Attorney; Wes Jordan, Chief of Police; Bob Pryzby, Director of Public Works; Steve Horner, Assistant City Attorney; Karen Kindle, Finance Director; Chris Engle, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

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

PUBLIC PARTICIPATION

John Hayde, 5219 West 69th Terrace, addressed the Council requesting a remedy to an error made by the City during the construction of curbs in his neighborhood. Full curbing was poured in front of his driveway eliminating his existing drive-in access and causing damage to his vehicles in attempting to

enter his driveway over the curbing. Mr. Hayde entered into the record a letter dated June 12, 2008 to Bob Pryzby, Director of Public Works, requesting action to correct this error. Mr. Hayde stated he is seeking a remedy to this error, not an improvement to be made at a later date.

Mayor Shaffer recognized five boy scouts from Troop 98 and their leaders in attendance at the meeting. The scouts were working on their Communications Merit Badge requirements.

Casey Housley, 4900 West 89th Street, urged the City Council to adopt a moratorium on consideration of cell tower applications which would allow the Planning Commission sufficient time to review existing regulations and make any desired changes. Mr. Housley encouraged the City to form a sub-committee, noting there have been several individuals interested in participating on such a committee, to research and evaluate cell tower regulations. He encouraged the City to take a pro-active rather than re-active stance. Mr. Housley suggested exploring with commercial and institutional property owners the possibility of housing towers.

Garth Adcock, with T-Mobile, advised the Council that both the cities of Olathe and Kansas City have recently revised their cell tower ordinance without putting into place a moratorium on applications. He stated moratoriums are highly irregular. He encouraged informed meetings and discussions with staff, providers and residents to develop appropriate regulations. Mr. Adcock stated if the Council felt it necessary to set a moratorium, he recommended the moratorium exclude applications for roof top applications or on existing structures.

CONSENT AGENDA

David Voysey moved the approval of the Consent Agenda for Monday, August 4, 2008:

1. Approve Regular Council Meeting Minutes - July 21, 2008
2. Approve disposal of asset 0613 trailer and asset 1308 water pump by auction.
3. Adopt Resolution 2008-04 proclaiming the week of September 22-26, 2008 as Prairie Village Peanut Butter Week.
4. Adopt Ordinance 2172 granting a Telecommunications Franchise to Everest Midwest and authorize the Mayor to send the proposed letter requesting video service fees, and approve the video service provider Right of Way Agreement.
5. Approve the City's participation in the Kansas City Power & Light M-Power Program at the Municipal Offices and Public Works Facility and authorize the Mayor to execute the necessary agreements.
6. Adopt Ordinance 2071 amending Chapter XI of the Prairie Village Municipal Code entitled "Public Offense and Traffic" by adding a new Article 5 entitled "Criminal Littering"

2009 BUDGET HEARING - 8:00 p.m.

Mayor Shaffer stated at 8 p.m. the Council would stop discussion of agenda items and hold the scheduled public hearing on the proposed 2009 budget.

STAFF REPORTS:

Public Works

- Bob Pryzby reviewed a report of his activities as ADA Coordinator for the City during the first half of 2008. The primary activities involved the replacement of ADA ramps, improvements to parks and sidewalks.
- 75th street intersection is going through the curing process and should be able to be blacktopped shortly. Crews will then begin work on the 77th and 79th Street intersections. This work should begin by the end of the week
- Public Works sent out 194 letters to property owners on the proposed stormwater utility fee. Mr. Pryzby has received 16 e-mail responses and 7 telephone calls in response. Most of the questions have been in regard to how the fee was computed. The first reading on the Stormwater Utility Fund Ordinance was held on July 21, 2008 and comments received. This is the second reading. No one was present to speak on the proposed ordinance.

- The entrances to Shawnee Mission East are nearly complete, pavement markings are completed and signage will be installed shortly.

Bill Griffith confirmed work on Mission Road was completed a relatively short time ago. Mr. Pryzby noted it was done about four to five years ago. They have done extensive testing to determine what has caused the roadway concrete problems. It has been identified as a problem with the sulfate that may have caused the early decay. He noted the City's settled law suit against the contractor prohibits the City from collecting any further damages.

Public Safety

- Chief Jordan briefly reviewed the City's crime report for the first six months of 2008. Overall crime is down or flat; however, there was a spike in residential burglaries as fuel prices increased.
- The crime lab was recently working on site at 8400 Roe assisting in the gathering of evidence on a robbery. With the evidence gathered and the testimony of a witness they were able to make an arrest and recover the stolen materials.
- Chief Jordan stated his staff will be assisting with traffic flow at Shawnee Mission East as school opens helping drivers with the new traffic patterns and flow. He noted the map sent out to parents was not very clear and he anticipated a lot of confusion initially. They will initially assist traffic, then issue warnings and at some point will begin to ticket violators.

City Attorney

- Nothing to report

Administration

- Dennis Enslinger announced the Planning Commission would be considering an amendment to the Special Use Permit for Kansas City Christian School and a revision to their site plan. This will probably come before the City Council on August 18th.

Laura Wassmer stated, due to past history on this permit and the emotional issues involved, she would like to see this come to the Council Committee of the Whole. She noted this has been a very big issue in Ward 4 for many years.

Ruth Hopkins asked for clarification on the routing of Planning Commission items to the City Council.

Katie Logan responded that on zoning matters the Council sits in a quasi-judicial position. There is nothing for the Council to do at the committee level. The staff recommendation is that items from the Planning Commission go directly to the City Council. Mrs. Hopkins expressed concern with getting the necessary information for her to make an informed decision as she does not attend the Planning Commission meetings. Ms Logan stated the Council has the ability to table action if they feel additional information is needed just as the Commission tables application when they do not feel they have sufficient information.

Dennis Enslinger stated by State Statute the Planning Commission makes the recommendation to the City Council. Ms Logan added the decision made by the Council must be based on the record. Bill Griffith noted the applicant needs to be made aware that just because an application is on the agenda, it does not guarantee Council action will be taken.

Dale Beckerman asked if the action on the Kansas City Christian application will impact the opening of school. Mr. Enslinger responded the sooner action can be taken the better; however, he noted that as the applicant is acting in good faith to address the issues, thusly operations can be allowed to continue.

PUBLIC HEARING

Mayor Shaffer, noting it was 8 p.m., recessed the Council meeting to hold the scheduled public hearing on the proposed 2009 budget for the City of Prairie

Village. He called upon Finance Director, Karen Kindle to present the proposed budget.

Karen Kindle stated the notice of hearing for the City's proposed 2009 budget was published on July 22, 2008. The published budget amount is \$24,192,860.00 with an estimated mill levy of 18.166, which is the same as the current rate. However, the total dollars levied in the General Fund are higher than allowed by the state's formula; therefore the adoption of an ordinance is required.

The primary goals and objectives on which the budget was based are as follows

- Maintain quality level of service
- Sustainable budget impact
- Expenditures less than or equal to revenues
- Identify and meet technology needs
- Attend to infrastructure needs
- Be mindful of tax burden
- Continue implementation of Village Vision

Ms Kindle noted, to present a balanced budget, staff had to close a gap of \$2.3 million and did so by taking the following actions:

Revenue Adjustments

- Accept an increase in assessed valuation
- Increased user/permit/license fees
- Include proposed public safety sales tax funds
- Implement a stormwater utility fee

Expenditure Adjustments

- Conducted a thorough review of operating expenditures
- Decreased CIP expenditures
- Used CIP reserve funds

The budget challenges faced by the City included flat revenues, high cost increases in the areas of fuel, pavement, ammunition, rock salt, etc. and large

use tax refunds issued by the State of Kansas creating a loss of revenue of \$135,000.

Karen Kindle highlighted major changes found in the 2009 budget:

- Creation of Stormwater Utility Fund dedicated to the stormwater management program in the amount of \$1,443,413 through a fee of 3.7 cents per square foot of impervious area charged on all properties within the City.
- Inclusion of the 35% of the .25% proposed Public Safety Sales Tax that will be distributed to cities to pay for one-time technology/security upgrades. Ms Kindle noted if this tax does not get approved, adjustments will need to be made to the proposed budget.
- Cost of the large item pick-up moved to the solid waste management fund and included in the assessment amount for 2009 as an additional fee of \$5 per year/per household
- Court & Council Security expenditures (\$16,000) were included in the budget.
- Added only one new position - traffic officer with anticipated costs to be offset by increased ticket revenue
- Equipment replacement schedules were reviewed.
- Facility and park maintenance projected to be \$79,000
- Centralized the administration of some costs such as Legal services, IT, building maintenance and operations, pool and tennis maintenance and operations.
- Reviewed fee schedule and proposed increases to several fees
- The proposed CIP budget is \$5,609,000.

Karen Kindle noted the formal adoption of the budget will occur at the August 18, 2008 City Council meeting. The budget must be submitted to the County Clerk before August 25, 2008.

Mayor Shaffer acknowledged the work of Ms Kindle and City staff in the preparation of this budget. He thanked the Council members for the many hours spent reviewing and discussing the budget and stressed the importance of this role.

Mayor Shaffer opened the floor to public comment on the proposed budget. With no one present to speak, the public hearing was closed.

COMMITTEE REPORTS

75th Street Committee

Laura Wassmer reported that the committee met last Thursday and had an excellent brainstorming session. Mr. Bennion and Mr. Enslinger will meet with representatives of HNTB on Friday. The Steering Committee will meet again on August 11th to determine the next step in this process.

OLD BUSINESS

Resolution of Denial

Dennis Enslinger stated at the July 21st City Council meeting, the City Council directed staff to prepare written findings documenting the Council's acceptance of the Planning Commission recommendation to deny the requested Special Use Permit for the construction of a Communications Tower and related equipment at 4805 West 67th Street, for the record. These have been reviewed and approved by legal counsel.

Steve Horner, Assistant City Attorney, stated Scott Beeler, attorney for the applicant, asked to receive a copy of the findings and provide comments. He has requested the City Council continue this item to allow him time to review and comment on the findings. He noted the staff prepared the findings based on comments made at the meeting and the record. The Council needs to review them and determine if they are accurate.

Bill Griffith asked if members not in attendance at that meeting can vote on the findings. City Attorney Katie Logan stated those members could vote but her recommendation would be for them to abstain due to their absence.

Dale Beckerman asked what Mr. Beeler's reasons were for wanting to comment. Mr. Horner responded the e-mail he received from Mr. Beeler indicated that he did not feel the findings were accurate in that they stated the application did not have staff support and the recommendation of the Planning Consultant was for approval. Mr. Beeler also noted the lack of opportunity to get answers to questions raised during the meeting. Mayor Shaffer stated he does not recall an applicant reviewing Council findings in the past.

Al Herrera moved the City Council adopt Resolution 2008-05 a written record of denial as the basis for denial of Special Use Permit application No. PC2008-05/COU2008-49 in accordance with the Telecommunications Act of 1996. The motion was seconded by Michael Kelly.

Ruth Hopkins stated she will be voting against the resolution because she does not agree with the findings of the Council.

Andrew Wang asked if it would be better to only state those findings the Council felt mostly strongly about, noting each Council member may have made their decision based on different factors. Bill Griffith stated he felt listing all the findings rather than limiting them to a few would be more effective if the decision is challenged. Michael Kelly stated it would be difficult to narrow the findings down and supported the way they were presented by staff.

Al Herrera stressed this is not a denial of all towers but only of this particular application for this specific area.

Dale Beckerman stated he would be supporting the resolution as he felt the findings were an accurate reflection of the Council's actions, although he did not support the decision made by Council.

Charles Clark stated the motion is a vote on whether the findings are an accurate representation of the meeting. City Attorney Katie Logan stated the findings are the minutes or record of the Council's discussion and decision. Mr. Enslinger noted written findings are required by the Federal regulations when an application is denied.

Diana Ewy Sharp stated she does not remember doing this previously. Mr. Horner responded this is the first application that has been denied by the City. The earlier application at McCrum Park was withdrawn by the applicant before it reached the City Council. The application at Homestead Country Club died when the property owner withdrew their agreement to allow construction of the tower on their property.

The motion adopting by resolution the findings of the City Council on Special Use Permit Application PC2008-05 was voted on with the following votes cast: "aye" Herrera, Voysey, Kelly, Wang, Wassmer, Beckerman, Morrison and Clark; "nay" Hopkins; with Ewy Sharp and Griffith abstaining.

NEW BUSINESS

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 ten minutes for the purpose of consulting with the City Attorney on a matter which could involve litigation and which is privileged in the attorney-client relationship.

Present will be the Mayor, City Council, Police Chief, Public Works Director, Assistant City Administrator, Finance Director, City Clerk, Asst. to the

City Administrator and Assistant City Attorney. The motion was seconded by Michael Kelly and passed unanimously.

Mayor Shaffer reconvened the meeting at 8:55 p.m.

Consider Cell Tower Moratorium

Dennis Enslinger stated at the July 21, 2008, City Council meeting staff was directed to prepare an ordinance enacting a moratorium on applications for a Special Use Permit related to wireless communications towers and antennas. He noted the comment made by Mr. Adcock earlier in the meeting suggesting that applications on rooftops or existing structures be excluded from the moratorium.

Bill Griffith confirmed that staff has already begun work with the Planning Commission undertaking a review of the current policy. Mr. Enslinger responded the Commission has already received copies of other city's regulations and have given Mr. Williamson some preliminary input. It is expected to be included on the Commission's September 9th agenda.

Laura Wassmer stated that given the Commission is already reviewing the existing policy she does not feel a moratorium is needed. Dale Beckerman agreed and also expressed some concern with the impact and ramifications of putting into place a moratorium. Diana Ewy Sharp agreed with Mr. Beckerman stating she felt moratoriums are to be used very sparingly. She does not support the proposed moratorium.

Al Herrera stated at this time he feels the City should step back and take a look where there are appropriate locations for cell towers as other cities have

done and incorporate that into the Code. Michael Kelly stated he felt this could be done without enacting a moratorium.

Bill Griffith moved the City Council approve an ordinance declaring a moratorium on applications for a Special Use Permit related to wireless communications towers and antennas constructed or installed for use by commercial carriers. The motion was seconded by Al Herrera.

A roll call vote was taken with the following votes cast: "aye" Herrera, Griffith, Morrison; "nay" Hopkins, Voysey, Kelly, Wang, Wassmer, Beckerman, Clark and Ewy Sharp. Mayor Shaffer declared the motion failed by a vote of 3 to 8.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Board of Zoning Appeals	08/05/2008	6:30 p.m.
Planning Commission	08/05/2008	7:00 p.m.
Sister City Committee	08/11/2008	7:00 p.m.
Council Committee of the Whole	08/18/2008	6:00 p.m.
City Council	08/18/2008	7:30 p.m.

=====

The Prairie Village Arts Council is pleased to announce an exhibit of Botanical Art by Venus Auxier during the month of August. The artist reception will be held from 6:30 - 7:30 p.m. on August 8, 2008.

Remember to vote in tomorrow's election!!!

Please RSVP to Jeanne Koontz by August 15th if you plan to attend the employee's appreciation event at the Royals game.

Reduced hours for the Prairie Village Pool begin on August 11th. The pool will open at 4:30 p.m. on weekdays. The pool closes for the season on September 1st at 6:00 p.m.

The City offices will be closed in observance of Labor Day on September 1st. Deffenbaugh also observes this holiday and trash pick-up will be delayed one day.

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.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned 9:10 p.m.

Joyce Hagen Mundy
City Clerk

**SPECIAL CITY COUNCIL
CITY OF PRAIRIE VILLAGE
JULY 28, 2008**

The City Council of Prairie Village, Kansas, met in special session on Monday, July 21, 2008, at 7:30 p.m. in the Council Chambers of the Municipal Building to consider the rezoning of the property at 91st & Nall (Meadowbrook Country Club) from R-1a (Single Family Residential Zoning District) to MXC (Mixed Use Zoning District).

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, Diana Ewy Sharp and David Belz.

Also present were: Quinn Bennion, City Administrator; Katie Logan, City Attorney; Wes Jordan, Chief of Police; Bob Pryzby, Director of Public Works; Dennis Enslinger, Assistant City Administrator; Karen Kindle, Finance Director; Chris Engel, Assistant to City Administrator and Joyce Hagen Mundy, City Clerk.

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

Mayor Shaffer stated this meeting was called pursuant to K.S.A. 13-510 and all appropriate notifications have been made. He reviewed the procedures to be followed for the meeting, noting that although this is not a public hearing; comments will be taken from individuals present. The comments are only to address the issue

of rezoning this property. Mayor Shaffer called upon Ron Williamson, City Planning Consultant to present the recommendation of the City's Planning Commission.

Mr. Williamson stated the Planning Commission considered this application on April 1st and May 6th and voted unanimously to recommend the requested MXD "Planned Mixed Use District" rezoning and preliminary development plan be approved by the City Council.

The application is for a mixed residential project combined with the rebuilding of the Meadowbrook Golf Course, swimming pool, tennis and clubhouse facilities. The swimming pool pavilion will remain in its existing area. The new clubhouse, however, will be built near the proposed condominiums on the north side of the lake.

The proposed project includes two housing types: condominiums and senior living. The proposed condominiums will be located near the lakes on the interior part of the site on 5.33 acres. There will be approximately 96 units in two five-story buildings. The units will be one to three bedrooms with an average unit size of 1,750 square feet. Parking will be provided underground for 162 cars and 30 surface spaces will be provided for visitors, for a total of 192 spaces.

The proposed senior living building (Stratford) will be located at the southwest corner of the site on 8.68 acres. The proposed building will be three and four stories high and contain 232 units which include 172 independent living units; 20 Alzheimer's living units (24 beds) and 40 assisted living units (48 beds). This will be a full service facility with wellness, spa, restaurant and lounge facilities. It will be similar in operation to Claridge Court. Parking will be provided underground for 174 spaces and on the surface for 161 spaces, for a total of 335 spaces. Required parking is 104 spaces for the units plus one space for each employee.

The two residential uses will occupy 14.01 acres. The golf clubhouse and parking will occupy 2.84 acres, including 156 parking spaces. The swimming pool/tennis center, including 77 parking spaces, will occupy 3.80 acres. The gross area of the site is 138.70 acres; after all the developed area is deducted (20.65 acres), the net area of the actual golf course including drainage areas will be 118.05 acres.

The Planning Commission in its review of the application made findings of fact based on the "Golden Factors" which are listed as follows:

- A. The character of the neighborhood;
- B. The zoning and uses of property nearby;
- C. The suitability of the property for the uses to which it has been restricted under its existing zoning;
- D. The extent that a change will detrimentally affect neighboring property;
- E. The length of time of any vacancy of the property;
- F. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners;
- G. City staff recommendations; and
- H. Conformance with the Comprehensive Plan

The Commission identified factors A, B, F and H to be important in this application.

Their findings on those factors were as follows:

- A. The existing neighborhood is characterized by low density single-family development to the east, north and west with office and commercial property to the south. The golf course is a large open space that contains a significant amount of mature trees and water features.
- B. This application area is zoned R-1a with a Special Use Permit for a country club. The property to the east, north and west is zoned single family residential and the property to the south is zoned CP-1 and CP-0 and developed for office and commercial uses which are commonly found in areas surrounding senior living areas.
- F. The Commission found the relative gain to public health, safety and welfare in the provision of a variety of housing choices to residents of Prairie Village and the reservation of the golf course as open space for the future as a significant gain for the public.
- G. The Commission felt the proposed rezoning was in conformance with the Comprehensive Plan. The Village Vision specifically addressed the

redevelopment of the Meadowbrook Country Club. The recommendation was to develop a planned neighborhood with a mix of residential uses, open space and higher density.

Mr. Williamson stated the Commission felt that although the plan was not the perfect plan, it was a realistic plan. They reviewed the preliminary development plan in detail and added several stipulations to the development plan to the recommendation for approval.

City staff has added the following two additional stipulations for approval: 10) The applicant shall file a final Development Plan within 18 months of the approval of the Preliminary Development and the ordinance approving the rezoning and Preliminary Development Plan shall not be published until such time as the Final Development Plan is approved: and 11) The applicant shall be responsible for the construction of all necessary public improvements related to the approved development plan.

Mr. Williamson stated the City Council must make its action based on the zoning factors. The Council has four options for action:

- Approve the recommendation of the Planning Commission - requires a super majority vote (10 votes) because of the protest petition filed
- Override the recommendation of the Planning Commission - requires a two-thirds vote (9 votes)
- Return the application to the Planning Commission with direction for further consideration - requires a majority vote (7 votes)
- Continue to a later date - requires a majority vote (7 votes)

Al Herrera confirmed the applicant has 18 months to file with the Planning Commission for approval of the final development plan. Mr. Williamson added the rezoning will not become effective until the final development plan is approved by the Planning Commission.

Bill Griffith asked the status of a covenant giving the condominium owners control over the future development of the golf course if the Country Club fails. Mr. Williamson stated a covenant is being created to address concerns to preserve the green space and address the responsibility for maintenance of the green space. The covenants will be submitted as part of the final development plan and will come before the City Council in conjunction with the Governing Body's approval of the final plat prior to their filing with the County.

David Voysey confirmed that the final development plan will be approved by the Planning Commission. The final plat will come before the Governing Body for acceptance of easements and rights-of-way.

Mayor Shaffer called upon City Attorney Catherine Logan to answer earlier questions raised by Council members regarding development agreements, possible restrictions and assurances.

Ms Logan stated the creation of a development agreement is not appropriate on a purely rezoning matter and noted at this time that is what is before the City. An agreement would be appropriate if public financing were involved and there is no application for such financing. Staff has recommended that if public infrastructure needs to be created or improved, these improvements will be the responsibility of the developer. The City can not require the applicant to maintain a non-profit status.

Questions have been raised as to how the City can ensure the development is built out as presented. Ms Logan stated this can not be ensured. The stipulation that the rezoning not become effective until the approval of the final development plan is approved is as close to an insurance that the City can require.

Bill Griffith confirmed there would be a development agreement if the city would issue funds or grant any financing and that infrastructure includes streets, sewers, stormwater improvements etc.

David Morrison confirmed the Council's action should be based on the Golden Factors.

David Harrison, 4407 West 92nd Terrace, and Rich Muller, 8600 Mohawk, addressed the Council as representatives of OPUS. Mr. Harrison stated their presentation would be short and designed in response to a flyer mailed to Prairie Village residents.

Mr. Harrison noted the City Council was not being asked whether or not they liked the country club; to approve any incentive package; to consider any alternate plans; to waive any future approval process or to give up the largest green space in the City.

OPUS is asking the City Council to vote in favor of:

- A plan that would create 300+ new residential units in Prairie Village
- A plan that would mandate the preservation of over 100 acres of green space
- A plan with less density than single family housing
- A plan that exceeds the past 15 years of cumulative development value invested in Prairie Village.
- A plan that would act as a catalyst for the future redevelopment of 95th & Nall
- A plan that the City's professional staff and all affiliated entities helped to shape
- A plan the City's appointed Planning Commission spent months deliberating upon.
- A plan that involved extensive community outreach, involvement and multiple public meetings.
- A plan that OPUS and Stratford spent thousands of dollars reworking to meet City Staff and Planning Commission requirements.
- And most importantly, a plan that received unanimous recommendation from the City's Planning Commission.

The mailed flyer referenced the construction of high rises and commercial buildings. Mr. Harrison stated the proposed plan does not include high rise structures as defined by the BOMA or IBC 2006 building codes. The Stratford's active living facility is a residential building, not a commercial structure, as defined by the Johnson County Assessor's Office.

The comparison to Arrowhead stadium, which is designed to accommodate 79,000 spectators and has surface parking in excess of 19,000 vehicles would require each and every Stratford resident to have 330 simultaneous guests in their respective living units to equal Arrowhead's magnitude.

As it relates to the proposed project "rivaling" Corinth, PV Shops and Leawood Town Center's combined size, Mr. Harrison stated those three centers cover 108.82 acres with 1,249,000 square feet of buildings. The total proposed development of this property covers 138.70 acres with 638,500 square feet of buildings.

Mr. Harrison stated they are unaware of any adjacent property owners having legal ownership rights or easements of record related to the Meadowbrook property. The notion that homeowners and business owners could never reasonably anticipate changes to the Club's property is undermined by the existence of the building at 5300 West 94th Terrace, which was former Club property. Mr. Harrison questioned the "certified professional real estate consultant's" report claiming the development would result in a 5 % to 30% decline in property values. He also noted the not for profit Claridge Court entity makes payments to various taxing authorities.

The statements made, that once zoning is approved any type of development can occur is false, ignoring the characteristics of a planned development which has to be constructed as approved by the Planning Commission. Mr. Harrison stated the

agreement between OPUS and the Club contains no provisions for phasing of the development. The redesigned golf course is comparable to others in Kansas City and nationally and will not hasten the demise of the club, but has already resulted in increased membership.

Mr. Harrison stated references made to the financial status of the country club are not relevant to the zoning question being considered by the City Council. He noted that the club nationally distributed a request for proposal to which Opus responded and was selected. This area and its potential for redeveloped has been well known throughout the area for many years. This plan, which is the result of over two years of work, has not been haphazardly assembled on a piecemeal basis.

Mr. Harrison responded there are no guarantees or crystal balls that can foretell the future. He noted the maintenance of the green space and the construction of a high level golf course is vital to the success of their development. Their Mission statement is to create great real estate, and this project will do that. He urged the City Council to ratify the Planning Commission's unanimous recommendation to approve the requested rezoning and preliminary development plan. Mr. Harrison noted several individuals involved with different parts of the project are present and available to answer any questions.

Mayor Shaffer reviewed the rules of conduct for the public comment portion of the meeting. He announced public comment will be taken first from those individuals waiting outside the Council Chambers. Because of the number of individuals present, he asked that comments be limited to three to five minutes and not be repetitive.

Fred & Tina Greenbaum, 4861 West 90th Street, stated they want to keep the golf course in their backyard and support the proposed development. Mr. Greenbaum stated he has attended both the neighborhood and Planning Commission meetings. The proposed development will preserve 90% of the green space while providing alternative living spaces for residents. He asked the Council to work toward a long-term solution that will preserve this green space for residents of the City.

Beverly Worrall, 4824 West 85th Street, stated she was appalled by the flyer and is opposed to the redevelopment of this property. She stated the Meadowbrook property is a jewel for the City and urged the Council to proceed with caution and wisdom. She does not feel the golf course can remain viable if they continue to sell off land.

Jori Nelson, 4802 West 69th Terrace, noted there were more than 80 people in the hallway that were not able to get into the chambers to hear the presentation with most of them opposing the application as she does.

A resident asked if the applicant could go talk with them. Quinn Bennion stated the Assistant City Administrator Dennis Enslinger is talking with residents in the hallway, answering questions and providing them information.

David Nordquist, 5501 West 92nd Terrace, Overland Park, expressed his objection to the size of the proposed buildings and its negative impact on the single family residential neighborhood.

Jeff Anthony, 8431 Cedar, stated the population of Prairie Village has been declining, schools are closing and this project provides an opportunity to mitigate these problems. Mr. Anthony stated leadership mandates making difficult decisions

and noted the Council has the power to be visionary leaders and urged them to vote with their heads, not their hearts, based on what is best for the City.

Peter Sowden, 4400 West 91st Street, spoke in support of the plan. He stated he had received the flyer and had a difficult time believing its statements. Mr. Sowden encouraged the Council to check the facts and expressed appreciation for their work.

Aaron McKee, 4404 West 91st Street, stated the flyers presented inaccurate information. He strongly supports the application which will have the least amount of impact on the green space. He urged Council to focus on the facts and not emotions.

Shannon McKee, 4404 West 91st Street, noted that if this application fails it would be easy for a developer to build several single family homes on the property causing the loss of this significant open green space. She also noted the need for alternative housing options for the elderly residents of the City who want to remain in Prairie Village.

Chris Kirley, 2425 West 71st Street, stated there were lots of angry people in the hallway. He strongly feels more consideration should be given to the rights of residents than of businesses. He added there is considerable interest in what will follow this application and asked the Council to consider all alternatives before taking action.

John Byram, 4415 West 74th Terrace and owner of two of the office buildings adjacent to this project. His tenants are threatening to leave if this development is approved which will result in them looking out upon a huge building less than fifteen feet away. The office vacancy rate is 29% and this development will make matters worse.

Carol Pisano, 5500 West 92nd Place, Overland Park, stated the construction of a building the size of The Stratford will negatively impact the community, including the country club. Residents to the west, as well as golfers, will no longer have scenic green space to look at, but a huge massive brick building. This is the last piece of open land in Prairie Village and she does not want to see the course diminished to a B level course to allow construction of private condominiums.

Daniel McIntyre, 5508 West 92nd Place, noted that historically the selling off of pieces of land have not been successful in maintaining the country club in the past and the selling of more land and placing buildings slightly smaller than Arrowhead is not a good use of green space.

Billy Knabbe, 5100 West 91st Street, partial owner of the bank building adjacent to the golf course, spoke in support of the application which will maintain significant green space while bringing more residents into the City. He stated he has seen the plans for the new golf course and noted it will be better than the existing course.

Frances Cortes, corner of Mission and 90th Terrace, stated his concern with the negative impact on traffic creating even more traffic problems on 90th Terrace and Nall. He stated there are many unanswered questions by Opus and would like to have more information and more complete plans.

Bob Reese, 7913 Roe, stated more than two years have been spent in the development of this plan. He expressed concern with the number of items unanswered and asked how the City can approve long-term plan when it is presented one course at a time. He asked if residents can be ensured there will be no

subsidization of this private entity with City funds. If the project can not be completed without financing by the City, he feels the Council should vote no.

Wayne Vennard, 7921 Bristol Court, stated this application is in the early stages of the process and he does not feel the City should kick out a \$139 million dollar potential investment at the zoning approval level. The zoning approval is a technicality. The flyer indicated the developer wants \$15 million in financing. There has been no request to the City for any financing. He feels the only accurate information in the flyer was the telephone numbers of Council members.

Mr. Vennard stated the City has a very knowledgeable Finance Committee that will evaluate any financial requests if presented. As a former member of the Kansas Board of Tax Appeals, he stated property values do not decline 5% to 30% by a project of this caliber. The City has been losing population for 30 years. This project represents an opportunity to increase the city's population immediately by 2%.

Mike Bray, 12108 West 141st Street, President of the Board of Directors for the Meadowbrook Country Club gave his word to the Council that the club will be forthcoming with facts and will work to keep the City informed. He noted Village Vision did not specify this plan for the redevelopment of this property; however, this is a feasible plan that allows for the long-term retention of a Class A golf course.

Leon Patton, P.O. Box 8047, stated he was one of the 39 residents surrounding this property. He reminded the Council this is a simple yes or no vote on this application. It is not about some perceived alternative plan. He does not see the Federal Government giving out grant money for purchase of this property for park land. The most likely outcome if this application fails will be the development of the property as single family homes. He noted he paid a premium to be located on a

scenic golf course and individuals will pay a premium for condominiums on a golf course. He strongly supports the application. He acknowledged the property owners to the west and office buildings to the south are going to have a greater impact by this development; however, he stated this land will be redeveloped one way or another. Mr. Patton stated he was upset by the "Official Notice" flyer he received and noted the "Meadowbrook Neighborhood Alliance" is a registered political action committee. The Chairman Wolfgang Troost and the treasurer reside in other cities. He noted a lot of people have been misled and expressed his appreciation to both the Planning Commission and City Council for their deliberate consideration of the application. He asked the Council not to vote against this application unless they have a better plan. This plan is not perfect, but it has a reasonable chance to succeed.

Connie Patton, P.O. Box 8047, noted misinformation that has been distributed since the first meeting representing these buildings as high rise buildings. She stated only 1 of the 39 property owners on the east side of the golf course are opposed to this application and is resentful of the petition which requires a super majority for approval of this project. She feels there has been misinformation and intimidation.

Terry Rozell, 5700 West 86th Street, Overland Park, addressed the Council as a member and past president of the Meadowbrook Country Club. He stated since 1986 the club has seen plans A through Z with none of them being viable until the presentation by Opus which allows the golf course and country club to remain. The club membership has unanimously approved this plan. He stated there is no reason to believe the golf course will be less than a Class A course based on the design submitted to the club.

Brad Hansen, addressed the Council representing the Bel Aire Heights Homes Association on the west side of Nall directly across from the proposed development. This development will negatively impact the property value of their homes, create safety issues and increase traffic. Mr. Hanson asked the application to be denied.

Robert Wayne, 12723 Cedar Lane, a former Prairie Village resident and country club member, stated area country clubs have experienced declining memberships in the past year; however, their membership has increased by 60 members with most of them joining with the hope of the Opus project receiving approval. He is confident that if the project is not approved they will lose memberships.

Mark Ledom, 8845 Mission Road and owner of the office building at 5200 West 94th Terrace, stated he has room on his property to expand; but with the uncertainty of this application, he has no interest to do so. He noted his receipt of his stormwater fee assessment and feels the City will continue to increase taxes and fees. Mr. Levin has been a member of Meadowbrook three time and feels this application will provide the stabilization the club needs and if approved, he plans to add another office building on his property.

Nick Hulsing, 4104 West 94th Street, stated he has reviewed the senior living plans for the Stratford and stated they were fantastic. Currently there is no place for seniors wanting to stay in the City and downsize. It feels it is important that the City provide an opportunity for these residents who developed the City to remain.

Heather Calvert, 7420 Delmar, stated she is not directly impacted by the proposed development and has openly researched the application and listened to the presentation and comments made this evening. She stated she supports the plan in

presentation and comments made this evening. She stated she supports the plan in general, but would like to see the applicant continue to work with the City on the final development to address concerns with height, size and location of the buildings. Just because a building is large does not mean it has to be ugly.

David Harrison, 4407 West 92nd Terrace, stated as a Prairie Village resident he supports the application.

Mayor Shaffer closed the public comment portion of the meeting and asked the applicant if they had any closing comments. Mr. Muller and Mr. Harrison stated they did not; however, they would answer any questions from the Council.

Al Herrera stated this is an excellent opportunity as a gateway to Prairie Village. He is totally in favor of this project and of saving green space. He noted Opus has demonstrated its good faith in meetings with neighbors, the club, staff and the Planning Commission making adjustments to the plan to address concerns raised.

Mr. Herrera stated in regard to the "Official Notice" distributed. He stated he was proud of the Mayor and City Council and he takes misstatements made in that publication very personally and is upset with the release of private information. He is a business owner who relies on his phone, his father was in intensive care; however he took every telephone call he could. We all have our rights to voice opinions and he is not upset with those individuals present; however, he is upset with the "Meadowbrook Neighborhood Alliance" and its leaders Wolfgang Troost and C. Owens for the dissemination of this inflammatory and inaccurate information. This is not part of politics in Prairie Village.

Mr. Herrera encouraged the Council to support this project which will allow the county club to continue to operate, bring new residents to the City and preserve a majority of green space.

Diana Ewy Sharp spoke as an individual who served for two years on the Village Vision Steering Committee. She feels this project keeps with the Village Vision objective for the following reasons: it maintains the green space while bringing new development to Prairie Village. The architecture is in keeping with the residential character of the surrounding area. LEED principles are being followed in this design and finally, there is an alternative housing stock being developed which will address future market demand. Prairie Village is an aging community and needs to keep residents in the City. Something is going to happen at this location. With the approval of this project, the Council is controlling some of that destiny and maintaining 118 acres of green space with deed restrictions that it must remain a golf course.

Ruth Hopkins moved that based information presented at the Public Hearing and findings of fact contained in the Planning Commission Staff Report, the Governing Body approve the recommendation of the Planning Commission to rezone the property legally described in Case #PC2008-03 from R-1a to MXD and approve the associated preliminary development plan with the following conditions:

1. The applicant submit an outdoor lighting plan in accordance with the outdoor lighting regulations with the final development plan;
2. The applicant submit detailed plans for the monument sign façades with the final development plan;
3. The applicant obtain approval from the City of Prairie Village Public Works Department and the City of Overland Park for the Stormwater Management Plan prior to submitting the final development plan;

4. The applicant submit a copy of the final covenant documents preserving the open space and guaranteeing maintenance of improvements with the final development plan;
 5. The applicant submit a detailed landscape plan with the final development plan for review and approval by the Planning Commission and Tree Board;
 6. The applicant provide better pedestrian access to the commercial area to the south.
 7. The golf course entrance road be a private street;
 8. The split rail fence along Nall Avenue be relocated so that it does not cause sight problems for traffic exiting on Nall Avenue;
 9. The applicant meet with emergency service providers to be sure that the golf course entrance road is adequate to accommodate emergency vehicles;
 10. The applicant shall file a final Development Plan within 18 months of the approval of the Preliminary Development Plan and the ordinance approving the rezoning and Preliminary Development Plan shall not be published until such time as the Final Development Plan is approved; and
 11. The applicant shall be responsible for the construction all necessary public improvements related to the approved development plan.
- and furthermore, the Governing Body authorizes the Mayor to sign the effectuating ordinance. The motion was seconded by Dale Beckerman.

David Morrison stated that selling off of the parts of the country club will not necessarily save the country club noting this has been done twice before. Mr. Morrison quoted from the transcript of November, 1985, when property was sold off from Meadowbrook. "When the club first sold the initial 11 acres of land they thought that would supply them with funds to do the things they wanted to do in improving the club and the golf course. Over a period of years it turned out that wasn't the case. They now wish to continue with more improvements of the golf course and frankly this will be the only and last property they could sell if they wish to maintain the integrity of both the club and the golf course. Therefore, all things being equal this is the last sale that would occur on that property as far as the club is concerned." Mr. Morrison noted this is the third time they have asked to sell off property. He noted most of the individuals speaking in favor of this application were affiliated with the country club. The protest petition was signed by Prairie Village residents and business owners,

many Prairie Village residents in opposition to this application have been left outside the Council chamber. The proposed development is huge and does not fit in with the character of the three sides of residential development. It has been stated the development will be detrimental to residential property values. This is not less density than a comparable single family development. There are several other options for the development of this property. This is an incremental approach to the project. The developer has stated to Council and city staff that it can not proceed without tax money and that is his biggest objection to this project. The developer should present all the facts on the table, but did not because they knew it would not be approved with the expenditure of city money. He does not feel these huge structures as a gateway to Prairie Village is appropriate and does not support the project.

David Voysey has been on the Council for three years, and that entire time the discussion has been how do we get developers to Prairie Village. We have someone wanting to do this and the city is running them through this circus. He feels anyone associated with the "Official Notice" has discredited themselves. Mr. Voysey stated to Mr. Morrison that even if you don't like the use of financing mechanisms, that is the place to shut the project down - not at this point. Give this application a chance and the club, who has been excellent neighbors and stewards to the City, a chance. This is what they want to do with their land, it meets code and has the approval of the Planning Commission. Mr. Voysey stated the Council needs to support this.

Dale Beckerman is hearing from people that they want to preserve the green space, which is a legitimate point; however, he feels many of those people want to

also preserve the status quo and he does not think that is a viable option. What the Council is being asked to do is reject this project for alternatives that do not really exist and he feels that would be a disservice to the City.

Michael Kelly commended the applicant for their excellent presentation. He is not in favor of this project and it is not the result of the "Official Notice". He does not support the plan for the following reasons: 1) They are asking the property to be rezoned to "Mixed Use"; however, the planned development does not meet the criteria established for "Mixed Use". 2) Village Vision throughout the document is clear as to what type of development should be undertaken. The Village Vision calls for a comprehensive redevelopment plan for the entire area of 95th & Nall - "any thoughtful redevelopment of the Meadowbrook Country Club must include the shops at 95th and Nall." The plan presented does not live up to the spirit, goals or objectives of the city's strategic development. He asked that regardless of the outcome of this meeting, the City Council would direct staff to begin the process of looking at this area for a comprehensive redevelopment plan. He agreed with Mr. Voysey's comments about the process being followed and stressed the need for a redevelopment plan to prevent this from happening again.

Andrew Wang agreed with Mr. Kelly's comments and stated this is a difficult decision and noted he has spoken with several people over the past few weeks. He doesn't feel the process has been a circus that the City created. The City goes through the comprehensive plan process talking about land that doesn't belong to the City, talking with residents who for the most part are content and happy with their surroundings. We do that so when developers come to the City they know what the Council and residents want - those documents reflect the voice of the city. The

regulations for a “Mixed Use Zoning District” are pretty specific. The Comprehensive Plan talks about the city wants to see on the property, the character of the property, and what should happen should something different come to it, most of it on land the City does not own. He doesn’t think the process Opus has gone through, the time and money spent, has been anything to regret. It is the process followed to gain approval of projects that will be beneficial to them and the community. Nor is the time and effort spent by the Council and Commission members have invested in meetings to be regretted. It is the process used to gather information and make informed decisions for the benefit of the City of Prairie Village. He disagreed with Mr. Vennard’s earlier comment that this rezoning is a technicality. The use of property within the City is being changed, to evaluate and act on that request is the responsibility of the City Council. It is the change of that use and how it fits within the Comprehensive Plan is the question before Council members. He does not feel the proposed project does and will vote in opposition to the motion.

Laura Wassmer stated this has been the most difficult vote she has faced in her ten years on Council. She noted she sees benefits to both sides and is trying to find a win-win solution. She likes what Opus has put forward, the Stratford project, keeping the open space, maintaining the golf club. There are many positive things. What she is struggling with is the number of unknowns. She has received over 100 e-mails and over 100 phone calls and 90% were opposed to this project. The problem most people have is with the tax abatement, which is not on the table. They are saying if you have to vote yes on the project, don’t spend our tax dollars. She struggles not knowing if the development can go forward with tax dollars. The other unknown is the viability of the golf club such as financial incentives in the plan that

would insure long-term success of the country club. She does not want to see this again in five to fifteen years. Her biggest issue is with the relocation of the Straftord and feels it was a knee-jerk reaction to neighborhood opposition. She does not like it so close to Nall and to the neighboring office buildings. She wants to make sure whatever is placed on this property connects with or at least encourages redevelopment of the shops at 95th & Nall and its current location does not allow for that. She has major concerns with the impact on traffic noted by the comments of residents who have stated there is already a problem with traffic in this area. She feels it is a good plan, but it is not the best plan and would like to see more discussion and tweaking to see if it could be made better. She does not want to look back at this and say “why did I approve this?”

David Belz stated he does not have the luxury of having tunnel vision to the point where if he doesn't like this plan he can vote against it, because by voting against this plan it goes back to the drawing board and Meadowbrook has to decide what they are going to do. They have clearly stated there is no Plan B, which means this property will not have a chance to be green space. A number of people stated they were against the plan because they wanted to preserve green space and that is one of the things this project does. It also provides Prairie Village residents the opportunity to stay in Prairie Village and retire here. There is a need for this alternate housing. The only negatives he is hearing is that they would like to see a better plan; however, Mr. Belz noted there might never be another plan to consider. This is a good plan. They have 18 months to make adjustments to the base plan. It is about having something in place now that is workable, preserves the green space and gives

the opportunity for more revenue coming into the City. He does not see any negatives.

Charles Clark noted if it is not going to be 7 stories tall, the Stratford has to be a different place than 91st and Somerset to allow for the golf course to be designed. The first application was a 7-story building which the Planning Commission turned down unanimously. This plan was unanimously accepted by the Planning Commission and he feels the Council should follow their recommendation.

Mayor Shafer stated he agrees with Mr. Clark. He does not want to put the good work of the Planning Commission at risk. He was involved in most of the Planning Commission meetings', the Planning Commission put Opus through quite a bit to get to this point. The Commission is a group of good people who have been entrusted to make these decisions and he feels their recommendation should be followed.

Al Herrera stated he ran for re-election because exciting things are coming down the pike. He feels this is a great plan for the City; however, if the Council can not get together on this as a whole, the 75th Street development should be scrapped right now. If this does not go through, he feels the City will be missing a great opportunity.

Ruth Hopkins stated she struggled with the plan when Stratford came in because there are other retirement communities in the City. However, unlike Ms Wassmer's comment, when she looks back ten years from now she does not want to ask "why didn't I approve that plan?" She does feel this is the City's last chance to preserve the green space and if the club only survives twenty years, she will be proud her vote allowed that to happen.

Diana Ewy Sharp echoed Mrs. Hopkins comments and added that both Opus and Stratford are top-notch companies and the city would be foolish to turn down a \$139 million investment with two excellent developers.

Hearing no further comments, Mayor Shaffer reminded the Council prior to the vote that a protest petition has been filed that requires a super-majority vote of the Governing Body including the Mayor. Ten yes votes are required to approve the rezoning, four no votes will deny the project. City Attorney Katie Logan confirmed the necessary vote.

Laura Wassmer asked Opus and the golf course manager if there is any other solution in terms of the location of the Stratford building. She has no objection to the proposed uses. David Harrison stated they looked at a lot of different possible locations for the building and had a lot of input from the neighbors. They looked at good planning processes as how to transition from commercial to residential. This is not the final development plan and many people have said there are too many unknowns. He noted at this point, there will be as they have to do an infinite amount of development planning over the next eighteen months for their final plan submittal. They will keep working with staff to adjust the location if possible. This is the location the Planning Commission approved, but yes they will meet with the club and see if it can be moved ten feet. The building was pushed down and spread out as much as possible and while still maintaining a first-class golf course. Good planning says that kind of use ought to be next to a commercial use as a buffer. They can absolutely continue to tweak the plan.

In response to the question, if the influence of this plan needs to go all the way to 95th & Nall, Mr. Harrison stated if it doesn't, they have made a huge mistake. They

can not have this type of development and have empty restaurants on the corner. They do not have contracts on that land. The Village Vision clearly stated the need to develop the entire area of 95h & Nall; however, they can only control what happens on their property. The development of this project will have an impact on the development of surrounding properties. He noted the business owner who spoke earlier, stating if this project is approved, he would be adding another office building on his property. They have talked to the largest property owner in that quadrant and presented him the components of the Village Vision plan that relate to this area and the tool box. He stated the City needs to use the appropriate tools to make this happen. One of the tools in that tool kit is an NRA (Neighborhood Revitalization Act). Five cities in the greater Kansas City area utilize that. They have asked him if he would be interested in applying with Opus, which would take the impetus for redevelopment all the way to 95th Street and Nall. They want that more than the City for protection of their development. They will embrace the redevelopment of property all the way to 95th Street. He noted activity begets activity, capital markets dictate investment. This is a great piece of property.

Mr. Harrison gave his assurance that when they come to the Council with the financial package, once it is defined, guaranteed that their request will involve everything to 95th & Nall. The connectivity and Village Vision will take place if they have the opportunity go to the next step.

Laura Wassmer asked about the long-term viability of the golf course. Mr. Harrison stated what is lacking in the condominium market in the Kansas City area is lifestyle, and noted this will be the most unique product within the area as a project constructed on a first-class golf course. He stated there are no guarantees and noted

there are too many golf courses in the Kansas City area. However, how many of them are within the Kansas City loop, have a new clubhouse, a newly redesigned golf course and a financial mandated agreement to make sure they are fiscally responsible. For them to be able to sell the condos, they have to have a first class course and called upon Dick Clark, president of Clark Enterprise Golf Design to speak specifically to the redesign of the golf course.

Dick Clark spoke on behalf of his son Todd who designed the course. The design of the golf course is incredible for the amount of land available. It will be a top-rate, first-class golf course on more acreage than the current course. It will also provide a complete full driving range that they do not currently have. They have incorporated one of the top golf course contractors in the country. Mr. Clark stated the course at Mission Hills is a comparable course. He noted Todd did the redesign of the St. Andrews Golf Course, Wolff Creek and the Lawrence Country Club.

Bill Griffith stated he feels this project is already driving membership at the club and potential residents for this project. David Voysey agreed, stating he feels there will be a huge drive for persons wanting a club membership to play on this course. He feels the City needs to keep this amenity in Prairie Village.

Mike Bray, president of the Board of Directors, stated he feels it is incumbent upon the club, the city and Opus to ensure financial stability. He feels additional Stratford setback can be adjusted as long as it allows for correct redesign of the golf course.

David Harrison noted it is difficult to reflect scale on a 138 acre project on a piece of paper. They are providing in excess of city and industry standards with the proposed setbacks. They have consulted with traffic engineers to address the traffic

and safety concerns and as the final plan is prepared they will continue to review these issues. However, the fundamental decision is to approve a plan recommended unanimously by the Planning Commission subject to approval of a final development plan.

Dale Beckerman asked Mr. Harrison to comment on a potential plan submitted to the Council with the location of the Stratford on the corner of Nall and Somerset. Mr. Harrison replied when you look at the elevations of the building the land at that corner does not provide the ability to lower the height of the building and diminish its impact. To have the minimal impact on curb line, the location must be along Nall or Somerset. Kevin Hardin, architect for the project, reviewed the problems they encountered in trying to design the buildings and the course at the northwest corner relative to location, grades, water travel and the course design.

The motion was voted on with the following votes cast: "aye" Herrera, Griffith, Hopkins, Voysey, Wassmer, Beckerman, Clark, Ewy Sharp, Belz and Shaffer; and "nay" Kelly, Wang and Morrison. Mayor Shaffer declared the motion to have passed by a vote of 10 to 3.

ADJOURNMENT

With no further business to come before the City Council, Mayor Shaffer adjourned the meeting at 10:40 p.m.

Joyce Hagen Mundy
City Clerk

CITY TREASURER'S WARRANT REGISTER

DATE WARRANTS ISSUED:

Warrant Register Page No. 1

 August 12, 2008

**Copy of Ordinance
2650**

Ordinance Page No.

An Ordinance Making Appropriate for the Payment of Certain Claims.

Be it ordained by the governing body of the City of Prairie Village, Kansas.

Section 1. That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of funds in the City treasury the sum required for each claim.

NAME	WARRANT NUMBER	AMOUNT	TOTAL
EXPENDITURES:			
Accounts Payable			
89937-89940	7/3/2008	2,585.84	
89941-90041	7/11/2008	935,346.00	
89942-90045	7/16/2008	1,933.19	
90046-90143	7/25/2008	339,747.03	
90144-90151	7/29/2008	20,471.53	
Payroll Expenditures			
7/3/2008		252,941.47	
7/18/2008		282,238.30	
Electronic Payments			
Intrust Bank -credit card fees (General Oper)		366.72	
State of Kansas - sales tax remittance		1,514.85	
Marshall & Ilsley - Police Pension remittance		6,742.91	
Intrust Bank - fee		429.31	
KCP&L		14,961.81	
CBIZ - Section 125 admin fees		471.26	
Intrust Bank - purchasing card transactions		15,224.33	
United Health Care		75,702.45	
Kansas Gas		1,561.65	
M& I Police Pension Yearly		240,000.00	
TOTAL EXPENDITURES:			\$ 2,192,238.65
Voided Checks			
Miller Marley	#89775	(100.00)	
TOTAL VOIDED CHECKS:			(100.00)
GRAND TOTAL CLAIMS ORDINANCE			2,192,138.65

Section 2. That this ordinance shall take effect and be in force from and after its passage.

Passed this 18th day of August 2008.

Signed or Approved this 18th day of August 2008.

(SEAL)

ATTEST: _____



PUBLIC WORKS DEPARTMENT

Council Meeting Date: August 18, 2008
Consent Agenda

CONSIDER ADOPTION OF AN ORDINANCE ESTABLISHING A STORMWATER UTILITY FUND FOR THE CITY OF PRAIRIE VILLAGE, KANSAS, BY ADDING TO CHAPTER XIV, STORMWATER, A NEW ARTICLE 4 ENTITLED "STORMWATER UTILITY" CONSISTING OF NEW SECTIONS 14-401 THROUGH 14-410.

RECOMMENDATION

Staff recommends the City Council approve the adoption of an Ordinance establishing a stormwater utility fund for the City of Prairie Village, Kansas, by adding to Chapter XIV Stormwater, a new article 4 entitled "Stormwater Utility" consisting of new sections 14-401 through 14-410.

BACKGROUND

This new municipal code provides for the establishment of a dedicated fund for stormwater activities undertaken by the City.

FUNDING SOURCE

No funding is required to approve the new municipal code.

RELATION TO VILLAGE VISION

CC1 Attractive Environment

CC1b Evaluate street cleaning and sanitation practices to identify potential gaps in service provision. Offer supplementary services as necessary to keep streets clean.

CCS2 Parks and Green Space

CC2a Preserve and protect natural areas.

CFS3 Streets and Sidewalks

CCF3a Ensure streets and sidewalks are in good condition by conducting maintenance and repairs as needed.

TR3 Traffic Calming

TR3c Ensure the quality of the transportation network with regular maintenance as well as efficient responses to seasonal issues such as snow removal.

PUBLIC NOTICE

The new municipal code will be published by the City Clerk as required by State of Kansas law.

ATTACHMENTS

Ordinance No. 2171

PREPARED BY

S Robert Pryzby, Director of Public Works

Date July 16, 2008

ORDINANCE NO. 2171

AN ORDINANCE ESTABLISHING A STORMWATER UTILITY FUND FOR THE CITY OF PRAIRIE VILLAGE, KANSAS, BY ADDING TO CHAPTER XIV, STORMWATER, A NEW ARTICLE 4 ENTITLED "STORMWATER UTILITY" CONSISTING OF NEW SECTIONS 14-401 THROUGH 14-410.

WHEREAS, THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES), AS PART OF THE UNITED STATES CLEAN WATER ACT, HAS RAISED THE AWARENESS AND THE VISIBILITY OF STORMWATER REQUIREMENTS.

WHEREAS, THE LANDS AND WATERS OF THIS MUNICIPALITY ARE GREAT NATURAL RESOURCES; THE MANAGEMENT OF STORMWATER RUNOFF IS NECESSARY TO REDUCE POLLUTION, SILTATION, SEDIMENTATION, LOCAL FLOODING AND STREAM CHANNEL EROSION, ALL OF WHICH HAVE AN ADVERSE IMPACT OF LAND AND WATER RESOURCES, AND PUBLIC HEALTH, SAFETY AND WELFARE; THE REPAIR, REPLACEMENT AND REGULATION OF THE EXISTING STORMWATER MANAGEMENT SYSTEM IS NECESSARY TO PREVENT.

WHEREAS, THE MUNICIPALITY MAINTAINS A SYSTEM OF STORMWATER MANAGEMENT FACILITIES, INCLUDING, BUT NOT LIMITED TO, INLETS, CONDUITS, MANHOLES, CHANNELS, IT IS NECESSARY AND IN THE BEST INTERESTS OF THE MUNICIPALITY, ITS CITIZENS AND THE USERS OF THE STORMWATER SYSTEM TO ESTABLISH A SPECIAL CHARGE FOR THE MUNICIPALITY'S STORMWATER FACILITIES, SYSTEMS AND SERVICES; THE MUNICIPALITY NEEDS TO UPGRADE ITS CAPABILITY TO MAINTAIN EXISTING AND FUTURE STORMWATER MANAGEMENT FACILITIES AND MEASURES; OWNERS OF IMPROVED REAL PROPERTY SHOULD FINANCE THE STORMWATER MANAGEMENT SYSTEM TO THE EXTENT THEY CONTRIBUTE TO THE NEED FOR THE SYSTEM

WHEREAS, THE STORMWATER MANAGEMENT PROGRAM OF THIS MUNICIPALITY IS MEANT TO BE COMPREHENSIVE IN THE SENSE OF ADDRESSING ALL ELEMENTS - NOT JUST DRAINAGE OR CONVEYANCE, BUT ALSO WATER QUALITY AND NATURAL RESOURCE CONSIDERATIONS RELATED TO STORMWATER.

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

SECTION 1. A NEW ARTICLE 4 OF CHAPTER XIV OF THE CITY OF PRAIRIE VILLAGE MUNICIPAL CODE IS HEREBY ADDED TO READ AS FOLLOWS:

Article 4
STORMWATER UTILITY

Sections:

- 14-401. Purpose and Findings.
- 14-402. Definitions.
- 14-403. Administration.
- 14-404. Budget.
- 14-405. Stormwater Service Fee.
- 14-406. Appeal Procedure.
- 14-407. Stormwater Service Fee Collection.
- 14-408. Stormwater Utility Fund.
- 14-409. Flooding Liability
- 14-410. Severability.

14-401 PURPOSE AND FINDINGS

- A. Pursuant to K.S.A. 12- 3101, et seq., as modified by CITY Charter Ordinance No.23, the CITY does hereby create a STORMWATER MANAGEMENT PROGRAM and does hereby establish a STORMWATER UTILITY and declares its intention to operate the same.
- B. A STORMWATER MANAGEMENT PROGRAM will provide both general and specific benefits to all property within the CITY and will include the provision of adequate systems of collection, conveyance, detention, retention, treatment and release of Stormwater; the reduction of hazards to property and life resulting from Stormwater runoff; improvement in general health and welfare through reduction of undesirable Stormwater conditions; improvement of water quality in the STORMWATER SYSTEM and its receiving waters; the provision of a planned and orderly system for managing and mitigating the effects of new development on Stormwater and appropriate balancing between development and preservation of the natural environment.
- C. The STORMWATER MANAGEMENT PROGRAM will also initiate innovative and proactive approaches to Stormwater management within the CITY to address problems in areas of the CITY that currently are prone to frequent major flooding, protect property in the CITY from stream bank erosion and the attendant loss of natural resources and the reduction of property values, conserve natural stream assets within the CITY, enhance water quality, and assist in complying with the mandates of the National Pollutant Discharge Elimination System as created under the Federal Clean Water Act and associated state and federal laws and their supporting regulations.
- D. Both standard and innovative stormwater management is necessary in the interest of the public health, safety and general welfare of the residents, businesses and visitors of the CITY.
- E. Implementation of the STORMWATER MANAGEMENT PROGRAM will require the expenditure of significant amounts of public money.
- F. All DEVELOPED PROPERTY in the CITY will benefit from the STORMWATER MANAGEMENT PROGRAM
- G. The CITY desires to distribute fairly costs of the STORMWATER MANAGEMENT PROGRAM implementation among all DEVELOPED PROPERTY.
- H. The CITY has determined that the establishment of a STORMWATER UTILITY is an appropriate method of funding the costs of implementing the STORMWATER MANAGEMENT PROGRAM.
- I. The CITY has adopted Charter Ordinance No. 23, which grants to the CITY the authority to adopt, by ordinance, rules and regulations providing for the management and operation of a STORMWATER UTILITY, fixing a STORMWATER SERVICE FEE, requiring security for the payment thereof, providing methods and rules relating to the calculation and collection of the fees and for credits against the fees, and providing for the disposition of the REVENUES derived therefrom.
- J. The STORMWATER SERVICE FEE imposed by this Ordinance, is calculated by calculating the IMPERVIOUS AREA on the property multiplied by square footage rate, and such fee is neither a tax nor a special assessment, but a charge (in the nature of tolls, fees or rents) for services rendered or available.
- K. The CITY has researched collection options and hereby determines that in order to promote efficiency, eliminate duplication of services, and utilize the most economically feasible method of fee collection, the STORMWATER SERVICE FEE should be included on City of Prairie Village ad

valorem real property tax bills issued by Johnson County, in accordance with an agreement to be negotiated with the County, which will be placed on file in the office of the CITY clerk.

14-402 DEFINITIONS

- A. In addition to the words, terms and phrases elsewhere defined in this ordinance, the following words, terms and phrases, as used in this ordinance, shall have the following meanings:
- a. "BONDS" means obligations of the CITY, for which the principal of and the interest on is paid in whole or in part from special assessments, service fees, sales tax, general ad valorem taxes, or any available CITY or STORMWATER UTILITY Fund REVENUES heretofore or hereafter issued to finance the COSTS OF CAPITAL IMPROVEMENTS.
 - b. "BUILDING PERMIT" means a permit issued by the Building Official of the City of Prairie Village that permits structure construction.
 - c. "CERTIFICATE OF OCCUPANCY" means a certificate issued by the Building Official of the City of Prairie Village that permits a newly constructed or a new addition to real property to be occupied.
 - d. "CITY" means the City of Prairie Village, Kansas.
 - e. "COSTS OF CAPITAL IMPROVEMENTS" means costs incurred by the STORMWATER UTILITY in providing capital improvements as part of the STORMWATER MANAGEMENT PROGRAM, including, without limitation, alteration, enlargement, extension, improvement, construction, reconstruction, and development of the STORMWATER SYSTEM, professional services and studies connected therewith; principal and interest on BONDS heretofore or hereafter issued, including payment of any delinquencies; studies related to the operation of the system; costs related to water quality enhancements, costs related to complying with federal, state or local regulations; acquisition of real and personal property by purchase, lease, donation, condemnation or otherwise; and for the costs associated with purchasing equipment, computers, furniture and all other items necessary or convenient for the operations of the STORMWATER UTILITY.
 - f. "DEBT SERVICE" means an amount equal to the sum of all issuance costs, any interest payable on BONDS during any FISCAL YEAR or years, and any principal installments payable on the BONDS during such FISCAL YEAR or years.
 - g. "DEVELOPED PROPERTY" means real property, other than Undeveloped Land.
 - h. "DIRECTOR" means the Director of Public Works Department of the City of Prairie Village or the DIRECTOR's designee.
 - i. "EXTENSION AND REPLACEMENT" means cost of extensions, additions and capital improvements in, or the renewal and replacement of capital units of, or purchasing and installing of equipment for, the STORMWATER MANAGEMENT PROGRAM, or land acquisition for the STORMWATER MANAGEMENT PROGRAM and any related costs thereto, or paying extraordinary maintenance and repairs, including the COSTS OF CAPITAL IMPROVEMENTS or any other expense that is not costs of operation and maintenance or DEBT SERVICE.
 - j. "FISCAL YEAR" means a twelve-month period commencing on the first day of January of any year.
 - k. "GOVERNING BODY" means the governing body of the City of Prairie Village.
 - l. "IMPERVIOUS AREA" means the total number of square feet of hard surface area on a given property that either prevents or retards the entry of water into the soil matrix, and/or causes water to run off the surface in greater quantities or at an increased rate of flow, than it would enter under conditions similar to those on UNDEVELOPED LAND. IMPERVIOUS AREA includes but is not limited to, roofs, roof extensions, driveways, pavement, swimming pools and athletic courts.

- m. "NON-SINGLE FAMILY RESIDENTIAL PROPERTY" means all property that is not classified as SINGLE FAMILY RESIDENTIAL PROPERTY by the Johnson County, Kansas Appraiser's Office.
- n. "OPERATING BUDGET" means the annual budget established for the STORMWATER UTILITY for the succeeding FISCAL YEAR.
- o. "OPERATIONS AND MAINTENANCE" means, without limitation, the current expenses, paid or secured, of operation, maintenance and repair and replacement of the STORMWATER MANAGEMENT PROGRAM or for implementing the STORMWATER MANAGEMENT PROGRAM, as calculated in accordance with generally accepted accounting practices, and includes, without limiting the generality of the foregoing, insurance premiums, administrative expenses including professional services, equipment costs, labor costs, and the cost of materials and supplies used for current operations.
- p. "PERSON" shall mean any person, firm, corporation, association, partnership, political unit, or organization.
- q. "REVENUES" means all rates, fees, assessments, rentals, or other charges or other income received by the STORMWATER UTILITY in connection with the management and operation of the STORMWATER MANAGEMENT PROGRAM, including amounts received from investment or deposit of monies in any fund or account, as calculated in accordance with sound accounting practices.
- r. "SERVICE FEE RATE" means the fee rate per square foot of IMPERVIOUS AREA as determined by the resolution of the GOVERNING BODY.
- s. "SEWER", "SEWER SYSTEM" shall mean STORMWATER SYSTEM that exist at the time this Charter Ordinance is adopted or that are hereafter.
- t. "SINGLE FAMILY RESIDENTIAL PROPERTY" means property used primarily for one-family intended for occupancy as separate living quarters for one (1) family, with a kitchen plus sleeping and sanitary facilities in single family detached residential unit located thereon within the CITY limits, as established by the GOVERNING BODY of the CITY.
- u. "STORMWATER MANAGEMENT PROGRAM" means all aspects of work necessary to perform and provide storm and surface water services in the CITY, including but not limited to administration, planning, engineering, operations, maintenance, best management practices, control measures, public education, citizen participation, regulation and enforcement, protection, and capital improvements, plus such non-operating expenses as reserves and bond DEBT SERVICE coverage as are associated with provision of the Stormwater Management Program.
- v. "STORMWATER SERVICE FEE" means a fee authorized by Charter Ordinance 23 and this ordinance, charged to owners of property served and benefited by the STORMWATER UTILITY, and shall be the product of multiplying the IMPERVIOUS AREA by the SERVICE FEE RATE.
- w. "STORMWATER SYSTEM" means surface water and storm SEWERS and all appurtenances necessary in the maintenance, operation, regulation, and improvement of the same, including, but not limited to, pumping stations; enclosed storm SEWERS; outfall SEWERS; surface drains; street, curb and alley improvements associated with storm or surface water improvements; natural and manmade wetlands; channels; ditches; rivers; streams; detention and retention facilities; and other flood control facilities and works for the collection, conveyance, pumping, infiltration, treating, controlling, managing and disposing of water carried pollutants or storm or surface water.
- x. "STORMWATER UTILITY" means the utility created by this ordinance for the purpose of implementing and funding the STORMWATER MANAGEMENT PROGRAM.

- y. **"UNDEVELOPED LAND"** means land that has not been built upon or altered from its natural condition in a manner that disturbed or altered the topography or soils on the property to the degree that the entrance of water into the soil matrix is prevented or retarded.

14-403 ADMINISTRATION

- A. The Public Works DIRECTOR shall manage the STORMWATER UTILITY. Public Works DIRECTOR shall be responsible for developing and implementing stormwater management plans and solely managing facilities STORMWATER SYSTEMS and storm SEWERS. This utility shall charge a STORMWATER SERVICE FEE based on individual contribution of runoff to the system, benefits enjoyed and service received. The STORMWATER UTILITY shall be administered by the Stormwater Coordinator under the direction and supervision of the DIRECTOR and shall have the power to undertake the following activities to implement the STORMWATER MANAGEMENT PROGRAM:
 - a. Advise the GOVERNING BODY on matters relating to the STORMWATER MANAGEMENT PROGRAM and to make recommendations to the GOVERNING BODY concerning the adoption of ordinances, resolutions, policies, guidelines and regulations in furtherance of the objectives of the STORMWATER MANAGEMENT PROGRAM.
 - b. Undertake studies, acquire data, prepare master plans, analyze policies or undertake such other planning and analyses as may be needed to address concerns related to Stormwater within the CITY and to further the objectives of the STORMWATER MANAGEMENT PROGRAM, and to undertake activities designed to communicate, educate and involve the public and citizens in addressing these issues or in understanding and abiding by the elements of the STORMWATER MANAGEMENT PROGRAM.
 - c. Acquire, design, construct, operate, maintain, expand, or replace any element or elements of the STORMWATER SYSTEM, including funding the acquisition of easements by eminent domain, and obtaining title or easements (or real property) other than by eminent domain, over any real or personal property that is part of, will become part of or will protect the STORMWATER SYSTEM, or is necessary or convenient for the implementation of the STORMWATER MANAGEMENT PROGRAM.
 - d. Regulate, establish standards, review, and inspect the design, construction or operation and maintenance of any STORMWATER SYSTEM that is under the control of private owners, whether or not such systems are required or intended for dedication to the Public Storm SEWER SYSTEM, when such systems have the potential to impact, enhance, damage, obstruct or affect the operation and maintenance of the STORMWATER SYSTEM or the implementation of the STORMWATER MANAGEMENT PROGRAM.
 - e. Regulate, establish standards, review and inspect land use or property owner activities when such activities have the potential to affect the quantity, timing, velocity, erosive forces, quality, environmental value or other characteristics of Stormwater which would flow into the STORMWATER SYSTEM or in any way effect the implementation of the STORMWATER MANAGEMENT PROGRAM.
 - f. Undertake any activities related to stormwater management when such activities are recommended by applicable federal, state or local agencies or when such activities are required by any permit, regulation, ordinance, or statute governing Stormwater or water quality concerns.
 - g. Analyze the cost of services and benefits provided by the STORMWATER UTILITY and the structure of fees, service charges, credits, and other REVENUES on an annual basis and make recommendations to the GOVERNING BODY regarding the same.
 - h. Undertake expenditures as required to implement these activities, including all COSTS OF CAPITAL IMPROVEMENTS, OPERATIONS AND MAINTENANCE, DEBT SERVICE, and other costs as required.

14-404 BUDGET

- A. The CITY shall, as part of its annual budget process, adopt capital and OPERATING BUDGET for the STORMWATER UTILITY. The OPERATING BUDGET shall conform to State law, CITY policy and generally accepted accounting practices. The initial OPERATING BUDGET will commence January 1, 2009.

14-405 STORMWATER SERVICE FEE

- A. Subject to the provisions of this ordinance, a STORMWATER SERVICE FEE is imposed on all real property located within the CITY. CITY owned property and CITY maintained property that is constructed and/or located on public right-of-way, public trails, public streets, public alleys, and public sidewalks will be exempt from the imposition of the STORMWATER UTILITY Fee. The GOVERNING BODY, upon recommendation of the DIRECTOR, shall, from time to time, by resolution establish SERVICE FEE RATE for each square foot of IMPERVIOUS AREA consistent with the benefits to be provided.
- B. The STORMWATER SERVICE FEE for SINGLE FAMILY RESIDENTIAL PROPERTY shall be the product of the SERVICE FEE RATE multiplied by the number of impervious square feet calculated by the sum of the building roofs, roof extensions and driveways.
- C. STORMWATER SERVICE FEE for NON-SINGLE FAMILY RESIDENTIAL PROPERTY shall be the product of the SERVICE FEE RATE multiplied by the number of impervious square feet calculated by the sum of the building roofs, roof extensions, driveways, parking lots, swimming pools, athletic courts and other impervious area.
- D. In the event of a newly constructed unit, the charge for the STORMWATER SERVICE FEE attributable to that unit shall commence upon the issuance of the BUILDING PERMIT for that unit, or additional development to property that is already developed, or if construction is at least fifty percent (50%) complete and is halted for period of three (3) months, then that unit shall be deemed complete and the STORMWATER SERVICE FEE shall commence at the end of the three-month period.
- E. Any increase or decrease in the impervious square feet associated with new or remodeling construction shall commence upon the issuance of the CERTIFICATE OF OCCUPANCY. The STORMWATER SERVICE FEE shall be based on the status of the property on May 31.
- F. In performing this calculation, the numerical factor for the impervious square feet shall be rounded to the nearest hundred square feet.
- G. For common property, the DIRECTOR shall calculate and allocate the STORMWATER SERVICE FEE pro-rata among the owners of record of the common property.
- H. The DIRECTOR shall make the initial calculations in accordance with the methods established in this section to determine the number of impervious square feet is located on all property and may from time to time change this calculation from the information and data deemed pertinent. With respect to new construction, the DIRECTOR may require that the applicant for development approval submit square footage IMPERVIOUS AREA calculations.
- I. The GOVERNING BODY may establish a system of credits, which may reduce the STORMWATER SERVICE FEE that is imposed above.
- J. If the owner of property, for which a STORMWATER SERVICE FEE has been imposed, disagrees with the calculation of the STORMWATER SERVICE FEE imposed upon such owner's property, the owner may request a recalculation of the fee to the DIRECTOR.

14-406 APPEAL PROCEDURE

- A. Owners of property, for which a STORMWATER SERVICE FEE has been imposed, who disagree: (1) with the calculation of the STORMWATER SERVICE FEE; or (2) with the decision that their property is entitled to a credit or the continuation of a credit or on the amount of a credit, may appeal the calculation or finding to the CITY Administrator.
- B. The appellant, who must be the property owner, must file a written notice of appeal, including the basis of the appeal, with the CITY Clerk within 30 days following distribution of Johnson County ad valorem tax bills. The appellant shall provide information including a land survey prepared by a surveyor registered in the State of Kansas showing total property square foot area, type of surface material, and impervious square foot area. Based on the information provided, the CITY Administrator shall make a determination as to whether the STORMWATER SERVICE FEE should be adjusted or eliminated for the subject property. The CITY Administrator shall notify the appellant in writing of the decision.
- C. A PERSON shall have the right to appeal the decision of the CITY Administrator to the CITY Council. Such appeal shall be made within 10 days of the date of the CITY Administrator's written decision and shall be presented in the same manner as the original appeal. The CITY Council shall consider the appeal and issue a written decision on the appeal within 30 days of the receipt of the presented appeal.
- D. The burden of proof shall be on the appellant to demonstrate, by clear and convincing evidence, that the determination of the STORMWATER SERVICE FEE is erroneous.
- E. The filing on a notice of appeal shall not stay the imposition, calculation or duty to pay the fee. The appellant shall pay the STORMWATER SERVICE FEE to Johnson County as stated in the billing. If either the CITY Administrator or the CITY Council determines that the appellant should pay a fee, pay a fee amount less than the amount appealed, or receive a credit, the CITY shall issue a check to the appealing party in the appropriate amount within 10 days of the date of the applicable written decision.
- F. The decision of the CITY Council shall be final and any further appeal of this decision shall be to the Tenth Judicial District Court of the State of Kansas by way of the K.S.A. 60-201 et seq.

14-407 STORMWATER SERVICE FEE COLLECTION

- A. The STORMWATER SERVICE FEE shall be billed by the Johnson County Clerk and collected by the Johnson County Treasurer. The STORMWATER SERVICE FEE shall be shown as a separate item on the County's annual ad valorem real property tax statement, in accordance with the procedures established in an agreement, pursuant to K.S.A. 12-2908, between the CITY and the County, as hereby authorized. The payment of STORMWATER SERVICE FEE bills for any given property shall be the responsibility of the owner of the property.
- B. To the extent permitted by applicable law, A STORMWATER SERVICE FEE shall be subject to interest for late payment at a rate that is the same as the rate prescribed in K.S.A. 79-2004, as amended and K.S.A. 79-2968, as amended, shall constitute a lien on the applicable property, and shall be collected in the same manner as ad valorem real property taxes collected by the County, regardless of whether the STORMWATER SERVICE FEE was incurred when a property owner was in possession of the property or a non-owner was in possession of the property.

14-408 STORMWATER UTILITY FUND

- A. STORMWATER SERVICE FEES, dedicated ad valorem taxes and other available REVENUES shall be paid into a fund that is hereby created and shall be known as the "STORMWATER UTILITY Fund." This fund shall be used for the purpose of paying the COSTS OF CAPITAL IMPROVEMENTS, EXTENSION AND REPLACEMENT, OPERATIONS AND MAINTENANCE, DEBT SERVICE and any other costs associated with the implementation and operation of the STORMWATER MANAGEMENT PROGRAM.

COUNCIL COMMITTEE OF THE WHOLE
August 4, 2008

The Council Committee of the Whole met on Monday, August 4, 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, Ruth Hopkins, Michael Kelly, Andrew Wang (arrived late), Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison (arrived late) and Diana Ewy Sharp. Staff members present: Dennis Enslinger, Assistant City Administrator; Wes Jordan, Chief of Police; Bob Pryzby, Director of Public Works; Karen Kindle, Finance Director; Chris Engel, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

PRESENTATION OF 2007 COMPREHENSIVE ANNUAL FINANCIAL REPORT

Karen Kindle introduced Brian Nyp with Lowenthal Singleton Webb and Wilson who conducted the city's 2007 financial audit. Mr. Nyp referenced the Audit Report stating the city has earned the highest opinion, which is an unqualified opinion. He reviewed briefly with the Council the balance sheet, debt notes and schedule of transfers found in the comprehensive annual financial report. The Management Letter referenced the following seven areas where internal controls could be strengthened:

- Capital Asset Accounting
- Test Counts of Petty Cash
- Swimming Pool Concession Stand Inventory Procedures
- Business License Reconciliation - dual recordkeeping
- Pool Deposit Worksheet Documentation - missing documentation
- City Purchasing Card Transactions - need for detailed documentation
- GASB #45

Mayor Shaffer asked how much money is contained in petty cash funds. Karen Kindle responded \$1500 including the base money in cash registers.

Mr. Nyp stated the City is keeping duplicate records of business licenses, one in an excel spreadsheet and one through the financial software. The deposit is reconciled with the financial software. He would also like to see a regular reconciliation between the two data bases being used, but noted this problem will be corrected with the proposed financial software to be purchased. Mr. Griffith asked if cities of similar size had this problem. Mr. Nyp many of their clients in smaller cities have overlapping systems because of the difficulty of integrating with their financial software. The city's software is relatively up to date; however, integration remains to be a problem.

Mr. Nyp stressed on credit card purchases detailed receipts should be submitted for documentation, not summary receipts. This provides clear identification of items purchased.

Mayor Shaffer confirmed Mr. Nyp's staff was given full access to staff and information requested. Mr. Nyp expressed appreciation to the staff and to the City. Mayor Shaffer commended Karen Kindle and the staff for their excellent work.

PRESENTATION ON PARKS MASTER PLAN

Chris Engle introduced Doug Pickert with Indigo Design, Inc. who would be preparing the City's Parks Master Plan. Mr. Pickert noted several different individuals will be working on this plan and noted Vance Repzka with Sports Facilities and Programming was also in attendance. The firm of Phillips & Associates will handle the Demographics and Community Planning portion of the plan; Aquatic Design Consultants will handle the review of the aquatic facilities and Research Services will conduct the Citizen Survey Administration.

Mr. Pickert noted interviews will be conducted with City Council members, Prairie Village staff, the Parks Master Plan Committee, Park & Recreation Committee, Prairie Village Municipal Foundation and input will be received from the Tree Board, Arts Council and Environmental Committee through staff and council liaisons. Mr. Pickert and Mr. Repzka will also be conducting face-to-face park surveys with individuals using the parks at peak usage.

Their expectations as they undertake this project are to keep Village Vision as a starting point to prepare an innovative and practical plan addressing the needs of families and groups using the park facilities. They will also address the possibility of a trail system, recreation programs beyond the current programming, and the potential for a community center and prepare a community wide and individual park plans.

The citizen survey will be mailed in the next few weeks to over 2000 households seeking a minimum return of 400 responses. Mr. Pickert reviewed the Project schedule which calls for the completion of the master plan by the end of the year. The plan will include specific plans with suggested improvements for each facility.

Diana Ewy Sharp commended Mr. Pickert for their strong efforts to meet individually with a large number of people. She thanked the City Council for their support of the master plan and stated they will be kept advised of progress on this project.

KOMA LEGISLATIVE UPDATE

City Attorney, Katie Logan, reviewed with the City Council recent amendments to the Kansas Open Meetings Act (KOMA). The first amendment will allow more latitude for members of the governing body to gather for the purpose of discussing the business or affairs of the City. In this amendment the term "meeting" is defined to mean "any gathering or assembly **in person or through the use of a telephone** or any other **medium** for interactive communication by a majority of the membership of a body or agency subject to this act for the purpose of discussing the business or affairs of the body or agency." Prior to the amendment, a "meeting" occurred only if attended by a majority of a quorum of the membership of a body or agency subject to the KOMA.

In Attorney General Opinion No. 86-110, the Kansas Attorney General concluded that the “membership of the body” in a mayor-council form of government does not include the mayor for purposes of determining the minimum number of persons that can constitute a meeting under KOMA. For Prairie Village this means the presence of or an interactive discussion among six council members and the Mayor does **not** constitute a “meeting” under KOMA.

The second amendment made is intended to limit the opportunity for non-public “serial meetings.” “Serial meetings” of the City Council are **not** required to be open to the public if (1) they do not collectively involve a majority of the members of the City Council, of (2) do not share a common topic of discussion concerning the business or affairs of the City, or (3) are not intended by any or all of the participants to reach agreement on a matter that would require binding action to be taken by the City Council. **All** of the elements must be present if “serial meetings” are required to be open to the public.

This differs from prior law in two respects:

- 1) Now the series of meetings collectively must involve a majority of the public body, i.e. seven members of the Council (before a majority of a quorum, i.e. five members of the Council); and
- 2) It adds a third element, i.e. the series of meetings must be “intended by any or all of the participants to reach agreement on a matter that would require binding action to be taken by the body or agency.”

Mayor Shaffer asked what the impetus for these changes was. Ms Logan responded they were the result of requests from the Kansas Press Association and noted the role of the League of Kansas Municipalities in securing a compromise in the changes.

COU2008-57: Consider Revisions to Council Policy 046 - Reservation of City Facilities

At the July 21, 2008 City Council Committee meeting, the Council directed staff to evaluate existing policy and code provisions related to the serving of wine in City Hall at specific city events. The request was initiated by the Prairie Village Arts Council which would like to serve wine at the annual State of the Arts event and possibly at R.G. Endres Gallery opening receptions.

Dennis Enslinger stated there are currently no ordinance provisions which prevent the serving of alcoholic beverages in City Hall. However, the City Council has adopted Council Policy 046, which restricts the serving of alcoholic liquor in all city owned structures and limits the serving of cereal malt beverages to only the Prairie Village Community Center with a valid permit issued by the City Clerk.

Mr. Enslinger reported neighboring cities have the following policies:

- Overland Park allows the serving of alcoholic beverages in their City Hall for city sponsored events with the issuance of a temporary license.
- Mission allows the servicing of alcoholic beverages at the Community Center with property security and at Community events which are identified by a resolution passed annually by the City Council.

- Leawood allows the serving of alcoholic beverages at the Ironhorse Golf Club, Ironwoods Park, City Hall (in specific locations) and the Leawood Community Center. Events are approved at the staff level by the City Administrator, Parks & Recreation Director or manager of the golf club.

Staff recommends the following changes to Section E of Council Policy 046:

E. Special Requirements

Park Facilities:

1. Possession and consumption of cereal malt and/or alcoholic beverages prohibited, except provided for in Ordinance 2010, which allows for sale and consumption of alcoholic beverages in Harmon Park in conjunction with an approved City function, upon the approval of the Governing Body.

City Hall and Municipal Courtyard:

1. Serving and consumption of beer and wine may be authorized in conjunction with an approved City function, upon the approval of the Governing Body by resolution.

Prairie Village Community Center:

1. Serving and consumption of beer and wine may be authorized by permit as approved by the City Clerk.

All other Facilities:

1. Amplified sound prohibited except by written permit from the City
2. Alcoholic liquor prohibited.

Mr. Enslinger noted the proposed policy would address the annual State of the Arts event as well as other gallery openings. He asked if there were other events that should be identified. Mayor Shaffer responded the Johnson/Wyandotte County Mayor holiday gathering and possibly chamber events.

Ruth Hopkins stated she felt the request was only for the State of the Arts event and questioned adding other openings and events. Dennis stated the Arts Council would like the ability to have wine served at some openings, but noted they can not be identified in advance. It is not expected at all openings. Mrs. Hopkins stated she is supportive of only allowing this at the State of the Arts event.

Bill Griffith stated his only concern is regarding city liability. The City must be responsible in how this is carried out; i.e. how it is distributed, to make sure it does not leave the facility, etc.

Laura Wassmer stated serving of wine at art gallery openings is customary. Diana Ewy Sharp said the Park & Recreation committee is looking at holding concerts in the parks but noted this is limited to Harmon Park.

Dennis Enslinger responded the proposed policy allows for the serving and consumption only. It does not allow for the sale and noted there are licensing and several other regulations

involved with the sale. The sale of beverages would also require the city's code to be changed.

Laura Wassmer asked why the list of events had to be published in advance and if events could be approved as they come up. Michael Kelly agreed with Ms Wassmer that events should be approved individually as they come up. Bill Griffith suggested setting up a procedure for application with a timetable established for submittal and also suggested approval by the Council may require more than a majority vote. Ruth Hopkins noted previously when short term special use permits came before Council, they were often coming to the Council for ratification after the event. People do not plan in advance. Mr. Griffith noted the policy is for City-sponsored events.

Diana Ewy Sharp asked what criteria would be used to deny a request and asked if off-duty officers would be required. Mr. Enslinger responded some cities do required off-duty officers present when alcohol is served at an event. He feels the Arts Council events would not need officers present and again stressed alcohol is not being sold, only served.

Chief Jordan stated if the event is outside the scope of the Arts Council and off-site officers should be required. Mr. Kelly asked how much noticed was needed. Chief Jordan responded it depends on the size of the event, but felt 30 days would be the minimum.

Al Herrera stated he did not support a super-majority vote, noting on some occasions there are only 8 council members present at a meeting. He would like events considered on a case by case basis. He noted the original request was for the State of the Arts event only.

Dale Beckerman agreed with Mr. Herrera and stated the Council should proceed to put the policy in place for its original purpose, the State of the Arts event. He does not want to take it any further at this time.

Ruth Hopkins noted the discussion has gone a long way from the original intent of the policy and advised council members they are going down a very slippery slope. She asked how the City would respond to a homes association request to serve alcohol at an event.

David Voysey reminded the Council the policy calls for the serving, not selling of alcohol. He would be concerned with any selling. Dale Beckerman suggested a police presence may be necessary to insure the alcohol remains on site.

It was the consensus of the Council to proceed with the revision of the policy as originally proposed for action at the next council meeting.

RECOMMEND THE CITY COUNCIL APPROVED REVISIONS TO CITY COUNCIL POLICY 046 ENTITLED "RESERVATION OF CITY FACILITIES" TO ALLOW FOR THE SERVING AND CONSUMPTION OF WINE AND BEER IN CITY HALL AND ADJACENT MUNICIPAL COURTYARD FOR CITY SPONSORED EVENTS AND FURTHER DIRECT STAFF TO DRAFT A RESOLUTION DESIGNATING 2008 CITY SPONSORED EVENTS COUNCIL ACTION REQUIRED

COU2208-58 Consider Project 190721: 2009 Storm Drainage Repair Program

Bob Pryzby advised the consultant, George Butler Associates, Inc. has completed the concept phase of this project. Engineering Change Order #1 is to begin phases for preliminary design, final design and bidding services. Funds are available in the Capital Infrastructure Program Project 190721 with a transfer of \$5,000.00 from Drainage Unallocated.

Bill Griffith asked for clarification on the high value of the change order. Mr. Pryzby explained the change order is the mechanism being used to authorize the next phase of the project. It is not a change order in the technical sense and is more an authorization to complete the design work for sub-projects selected in the concept phase.

Ruth Hopkins made the following motion, which was seconded by Michael Kelly and passed unanimously:

**RECOMMEND THE CITY COUNCIL APPROVE ENGINEERING CHANGE
ORDER #1 WITH GEORGE BUTLER ASSOCIATES FOR PROJECT 190721:
2009 STORM DRAINAGE REPAIR PROGRAM IN THE AMOUNT OF \$65,000.
COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2008-59: Consider FY2009 Solid Waste Management Fee and Solid Waste Exemption Fee

Since 1976, the City has provided collection of solid waste for residences in the City. Although some homes associations opt-out of the City program and obtain their own service, a vast majority of Prairie Village residents receive services through this city-sponsored program. Because not all resident are served by the program, it is funded through user fees in the form of special assessments placed on the property tax bills for each participating household. Revenues from these assessments and interest are accounted for in the Solid Waste Management Fund. The current assessment rate is \$13.10 per month/per household.

For FY 2009 Deffenbaugh plans to increase its cost of this service by 4% to \$13.47 per month, as permitted by the City's solid waste management contract (increases are capped at 4%). Mr. Enslinger noted as part of the 2009 budget discussion, it was decided to include the costs associated with the bulky item pickup program (\$40,125) in the household assessment. Previously this was covered from the general fund.

To cover the increase proposed by Deffenbaugh, the bulky item pick-up program costs and the administrative costs associated with the solid waste management program, staff is recommending an assessment of \$13.93 per month/per household or about a 6% increase.

Mr. Enslinger stated the Council also needs to establish a fee associated for those properties which opt-out of the weekly solid waste services provided by the City. The current fee is \$3.00 per household/per year. Staff recommends the fee be increased to \$8 per year/per household. This increase will cover the additional administrative costs and the costs associated with the bulky item pick-up program which is provided city wide.

Laura Wassmer confirmed the city's contract with Deffenbaugh will expire the end of 2009. Mr. Enslinger noted the City is likely to see a large increase at that time. He noted the City of Mission had a 22% increase along with limitations on the number of bags collected. These issues would be handled as part of the negotiation process.

Diana Ewy Sharp asked why the large increase in the home association exemption fee. Mr. Enslinger responded this includes the \$5 fee per household being assessed all residents for the cost of the Large Item Pick-up. It appears significant because the fee is stated as an annual fee, not monthly.

Al Herrera asked if the City has had any contact or discussions with Town & Country Disposal. Mr. Enslinger responded not at this time, but noted they do provide service for one of the city's exempted homes associations. The City will need to find out if they would be interested in providing coverage for the entire city.

Dale Beckerman asked if there was anyone besides Deffenbaugh to bid on city services. Bill Griffith stated that although most of the commercial companies prefer not to handle residential pick-up, he feels there would be interest in a contract that would cover the entire City.

Ruth Hopkins made the following motion, which was seconded by Dale Beckerman and passed unanimously:

**RECOMMEND THE CITY COUNCIL ESTABLISH A FEE FOR FY 2009 OF
\$13.93 PER MONTH/PER HOUSEHOLD FOR THE COLLECTION OF SOLID
WASTE, RECYCLABLE MATERIAL, YARD WASTE AND BULKY ITEM
PICK-UP AND A FEE OF \$8.00 PER YEAR/PER HOUSEHOLD FOR
THOSE SUBDIVISIONS/HOMES ASSOCIATIONS WHICH WISH TO BE
EXEMPTED FROM CITY PROVIDED SOLID WASTE SERVICES
COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2008-60: Consider 2009 Stormwater Utility Fee

Bob Pryzby stated as part of the Stormwater Utility Code, the City Council is required to set the Stormwater Utility Fee. After a thorough review of properties within the City, staff is recommending a fee of \$0.037 per square foot of impervious area. The Stormwater Utility Fee will collect \$1,443,413.00 based on 39,029,700 square feet of impervious area identified.

Laura Wassmer asked what the assessment would be for an average city home. Mr. Pryzby noted there was a wide range; however, the average assessment for a single-family residence is \$109.85 with the median assessment \$95.

Al Herrera confirmed these funds will be used for storm drainage repair, storm drainage work in conjunction with street repair, the operation and maintenance of the city's stormwater system and an administrative fee.

Ruth Hopkins made the following motion, which was seconded by Michael Kelly and passed by a vote of 10 to 1 with David Morrison voting "nay":

**RECOMMEND THE CITY COUNCIL APPROVE THE 2009 STORMWATER
UTILITY FEE OF \$0.037 PER SQUARE FOOT OF IMPERVIOUS AREA
COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COU2008-61: Consider 2009 Fee Schedule

Dennis Enslinger stated in conjunction with the proposed 2009 budget, several fees were revised and changes proposed. These fees are to become effective January 1, 2009 or with the issuance of 2009 licenses/permits.

Revenue Source	New Fee
Administrative/Retail >60,000 sq ft.	\$.05 per sq. ft.
Animal License - Non-neutered	\$25
Rental Property Apartment	\$.01 per sq. ft.
Rental Property	\$75
Arborist/Pesticide	\$65
Non-Domiciled	\$65
Security Police Company	\$100
Security Police Agent	\$25
Solid Waste Commercial	\$125
Solid Waste Residential	\$60
Solid Waste Fee per Truck	\$30
Solicitation Permit	\$12/day/person
Animal Boarding Fee - Dog	\$20/day
Animal Boarding Fee - Other	\$20/day
Ballfield Reservation	\$75/team
Ballfield Reservation Hourly	\$5/hour
Park Shelters	\$7.50 - Resident \$12 - Nonresident
<u>Residential and Commercial Building Permits</u>	
\$1-\$500	\$25
\$501 - \$2000	\$25 for first \$500 plus \$1.5 for each additional \$100
\$2,001 - \$25,000	\$47.5 for first \$2,000 plus \$5 for each additional \$1,000
\$25,001 - \$50,000	\$162.5 for first \$25,000 plus \$3.5 for each additional \$1,000
\$50,001 - \$100,000	\$250 for first \$50,000 plus \$2.5 for each additional \$1,000
\$100,001 - \$500,000	\$385 for first \$100,000 plus \$2.25 for each additional \$1,000
\$500,001 - \$1,000,000	\$1,285 for first \$500,000 plus \$2 for each additional \$1,000

\$1,000,001 and up	\$2,281 for first \$1,000,000 plus \$2 for additional each \$1,000
Residential Decks	\$40
Foundation Repair	\$30
Lawn Irrigation	\$30
Residential Re-Roof	\$45
Fences	\$45
Spas/Hot Tubs	\$40
Commercial Re-Roof	Based on Building Permit Fee Schedule
Sign Permits	Based on Building Permit Fee Schedule
Plan Review - Residential	10% of building permit - \$25 minimum
Plan Review - Commercial	65% of building permit - \$30 minimum
Certificate of Occupancy	\$20
Temporary Certificate of Occupancy	\$100
New Footing/Foundation	\$55
Demolition/Residential	\$50
Demolition/Commercial	\$100
Moving Structures	\$100 plus City Costs
Re-inspection	\$50
After Hours Inspection	\$50/hour - \$100 minimum
Administrative Court Fee	\$15
Police Reports	\$5/report
Finger Print Fees	\$5/card

Diana Ewy Sharp noted the Park & Recreation Committee has been discussing issues with the park shelters and the committee may bring another recommendation to the City Council.

Ruth Hopkins made the following motion, which was seconded by Bill Griffith and passed unanimously:

RECOMMEND THE CITY COUNCIL AMEND THE CITY'S FEE SCHEDULE ON FILE IN THE OFFICE OF THE CITY CLERK WITH THE FOLLOWING FEES TO BECOME EFFECTIVE ON JANUARY 1, 2009 OR WITH THE ISSUANCE OF 2009 LICENSES/PERMITS

**COUNCIL ACTION REQUIRED
CONSENT AGENDA**

COMMITTEE REPORTS

Sister City Committee

Michael Kelly announced the visiting delegation of the City's Sister City of Dolyna will be visiting the City from August 14th through August 19th. They want to work with the city's staff and Council to learn how our system works. This is the culmination of two years work by the Sister City Committee. Mayor Shaffer will host a dinner for Council and the visiting guests on Saturday evening August 16th. The Sister City Committee has raised \$2000 to cover costs of this visit and hope to raise more.

Ruth Hopkins confirmed there will be interpreters traveling with the group. Mr. Kelly added a peace corp. volunteer who assisted him and Mr. Simmonds during their visit last fall is coming to assist with interpreting.

The group will be meeting with city officials, people from Johnson County and attending the City Council meeting on August 18th.

Charles Clark noted during the recent significant rainfall 83rd & Delmar was over its banks and once again barricaded. Although funding is not available, the problem in this area still exists.

Wes Jordan confirmed the flood gates in Mission Hills were activated. He stated he would like to have their activation tied into the Code Red system to allow for immediate notification to residents in the area.

ADJOURNMENT

With no further business to come before the committee, Council President David Voysey adjourned the meeting at 7:30 p.m.

David Voysey
President



ADMINISTRATION DEPARTMENT

Council Committee Meeting Date: August 4, 2008

Council Meeting Date: August 18, 2008

COU2008-61: CONSIDER 2009 FEE SCHEDULE

RECOMMENDATION

Recommend the City Council amend the City's Fee Schedule on file in the office of the City Clerk to the fees listed below to take effect on January 1, 2009 or with the Issuance of 2009 Licenses/Permits.

Revenue Source	New Fee
Administrative/Retail >60,000 sq. ft.	\$.045 per sq. ft
Animal License - Non-neutered	\$25
Rental Property Apartment	\$.01 per sq. ft.
Rental Property	\$75
Arborist/Pesticide	\$65
Non-Domiciled	\$65
Security Police Company	\$100
Security Police Agent	\$25
Solid Waste Commercial	\$125
Solid Waste Residential	\$60
Solid Waste Fee per Truck	\$30
Solicitation Permit	\$12/day/person
Animal Boarding Fee - Dog	\$20/day + assessed vet fees
Animal Boarding Fee - Other	\$20/day + assessed vet fees
Ballfield Reservation	\$75/team
Ballfield Reservation Hourly	\$5/hour
Park Shelters	\$7.50 - Resident \$12 - Nonresident
<u>Residential and Commercial Building Permits</u>	
\$1-\$500	\$25
\$501 - \$2000	\$25 for first \$500 plus \$1.5 for each additional \$100
\$2,001 - \$25,000	\$47.5 for first \$2,000 plus \$5 for each additional \$1,000
\$25,001 - \$50,000	\$162.5 for first \$25,000 plus \$3.5 for each additional \$1,000
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\$1,000,001 and up	\$2,281 for first \$1,000,000 plus \$2 for additional each \$1,000
Residential Decks	\$40
Foundation Repair	\$30
Lawn Irrigation	\$30
Residential Re-Roof	\$45
Fences	\$45
Spas/Hot Tubs	\$40
Commercial Re-Roof	Based on Building Permit Fee Schedule
Sign Permits	Based on Building Permit Fee Schedule
Plan Review - Residential	10% of building permit - \$25 minimum
Plan Review - Commercial	65% of building permit - \$30 minimum
Certificate of Occupancy	\$20
Temporary Certificate of Occupancy	\$100
New Footing/Foundation	\$55
Demolition/Residential	\$50
Demolition/Commercial	\$100
Moving Structures	\$100 plus City Costs
Re-inspection	\$50
After Hours Inspection	\$50/hour - \$100 minimum
Administrative Court Fee	\$15
Police Reports	\$5/report
Finger Print Fees	\$5/card

BACKGROUND

The City has been notified by Animal Medical Center that all impounded animals will be given a capstar tablet upon impoundment to prevent the spread of possible disease and fleas. This additional cost of \$20 will be included in the cost of services charged the City. This pass-through fee should have been included on the proposed fee schedule and is reflected above.

The Administrative/Retail Fee for businesses with over 60,000 square feet was incorrectly reflected as an increase from .04 to .05 per square foot (25% increase) instead of .045 (12.5% increase).

As part of the 2009 budget discussion, staff recommended increases to 2009 fees. The recommended fee increases were presented at the June 9th Budget Worksession. The fee increases will not take effect until January 1, 2009 or Issuance of 2009 Licenses/Permits to coincide with the 2009 budget.

ATTACHMENTS

1. Council Committee of the Whole Minutes - August 4, 2008

PREPARED BY

Joyce Hagen Mundy, City Clerk
August 12, 2008



ADMINISTRATION

Council Committee Meeting Date: August 4, 2008
City Council Meeting Date: August 18, 2008

COU2008-57: Consider Revisions to Council Policy 046 - Reservation of City Facilities to Allow for the Serving of Cereal Malt Beverages (Wine and Beer) at Selective City Events.

MOTION

First Motion: The City Council approve a revised City Council Policy 046 - Reservations of City Facilities, to allow for the serving and consumption of wine and beer in City Hall and the Municipal Courtyard for City sponsored events.

Second Motion: The City Council approved Resolution # 2008-06 designating 2008 City Sponsored Events.

BACKGROUND

At the July 21, 2008 City Council Committee meeting, the Counsel directed staff to evaluate existing policy and code provisions related to the serving of wine in City Hall at specific city events. The request was initiated by the Prairie Village Arts Council which would like to serve wine at the annual State of the Arts event and possibly at R.G. Endres Gallery opening receptions.

Currently there are no ordinance provisions which prevent the serving of alcoholic beverages in City Hall. However, the City Council has adopted Council Policy 046 (Reservation of City Facilities) which restricts the serving of alcoholic liquor in all city owned structures and limits the serving of cereal malt beverages (as defined as beer and wine) to only the Prairie Village Community Center with a valid permit. This permit is issued by the City Clerk.

Staff has checked with surrounding communities to determine how they have addressed this issue. The following is a summary:

- Overland Park: Allows the serving of alcoholic beverages in their City Hall for city sponsored events with the issuance of a temporary license
- Mission: Allows for serving of alcoholic beverages at the Community Center with proper security and Community events such as Spirit of Mission Days. Each year the City Council passes a resolution which identifies which community events are officially sponsored by the city.
- Leawood: Allows for serving of alcoholic beverages at the Ironhorse Golf Club, Ironwoods Park, City Hall (in certain locations), and the Leawood Community Center. Events are approved at the staff level either by the City Administrator, Parks and Recreation Director, or manager of the golf club.

After reviewing the City's current policy and how other communities have addressed the issue of allowing wine and beer at city sponsored events, staff recommends Section E of Council Policy 046 be modified to read:

E. Special Requirements:

Park Facilities:

1. *Possession and consumption of cereal malt and/or alcoholic beverages prohibited, except provided for in Ordinance 2010, which allows for sale and consumption of alcoholic beverages in Harmon Park in conjunction with an approved City function, upon the approval of the Governing Body.*

City Hall and Municipal Courtyard:

1. *Serving and consumption of beer and wine may be authorized in conjunction with an approved City function, upon the approval of the Governing Body by resolution.*

Prairie Village Community Center:

1. *Serving and consumption of beer and wine may be authorized by permit as approved by the City Clerk.*

All other Facilities:

1. *Amplified sound prohibited except by written permit from the City.*
2. *Alcoholic liquor prohibited.*

ATTACHMENTS:

Strike-Through Version of Council Policy 046 - Reservations of City Facilities

FUNDING SOURCE

N/A

PREPARED BY

Dennis J. Enslinger
 Assistant City Administrator
 Date: July 31, 2008



City Council Policy 046 - RESERVATION OF CITY FACILITIES

Effective Date: February 6, 2006

Amends: COPOL 051 dated August 20, 2001

Approved By: Governing Body

I. SCOPE

II. PURPOSE

The City of Prairie Village maintains certain indoor and outdoor facilities for the purpose of conducting the business of the City and providing meeting and recreational opportunities for its residents. When these facilities are not scheduled for use by the Governing Body, or its committees, they may be made available at reasonable times and reasonable rates to groups which fall within the categories below.

III. RESPONSIBILITY

The City Clerk is delegated the authority and duty to consider and approve or disapprove the requests for the use of facilities, according to policies established herein, and previously established policies and applicable law. Reports will be made to the Governing Body annually by the City Clerk regarding the reservation of City facilities during the previous year. The City Administrator will report annually the amount of revenue received from such usage, estimated actual costs to the City and any recommended changes in this policy.

IV. DEFINITIONS

V. POLICY

VI. PROCEDURES

A. Rental Categories:

The City Clerk will determine which category applies to each application and charge the applicable fee according to the Fee Schedule on file.

Internal: Prairie Village Governing Body, Committees, Boards, City Personnel, and other governmental entities, residents and groups participating in City-Sponsored programs and homes association meetings.

Resident: A person residing within the City limits of Prairie Village or owning a business with a physical location in Prairie Village.

Non-Resident: An individual whose primary living domicile is outside City limits of Prairie Village.

B. General Rules:

Groups or organizations using the facility will comply with the laws and ordinances of the City of Prairie Village and the State of Kansas. In addition, they will comply with all requirements specifically set forth in the Application for Facility Reservation Permit.

No items may be sold by outside individuals/groups reserving City facilities.

Application for the reservation of a City facility must be made on the appropriate form available from the City Clerk's office. Applications must be signed by an adult who will be present and in charge while the facility is in use, and who will assume responsibility for payment of charges for use of the facility. The organization will be required to assume responsibility and pay for any damage or loss which may occur to the facility, equipment and grounds. In addition, the group will be required to sign a hold-harmless affidavit.

C. Facilities:

1. Community Center 28' x 31' (approx.) Occupant Load of 45 people

Prairie Village Community Center

Any person, group or organization making advance reservation for the Prairie Village Community Center may request a permit authorizing consumption of beer and/or wine on the premises. A permit may be issued by the City Clerk if it is determined that such use will not be detrimental to the City property or the health or safety of the citizens of Prairie Village.

2. Municipal Building

Council Chamber 30' x 50' (approx.) Occupant Load of 150 people

Multi-Purpose Room Occupant Load of 52 people

Reservations of the City Council Chamber to groups classified as Internal will be permitted under the following conditions:

1. The group makes its facility reservation request within 30 days of the date the group intends to use the City Council Chamber
2. Multiple reservations of the City Council Chamber will not be permitted (i.e. monthly meetings) on the same facility reservation request.
3. A City employee is on duty during the entire time the Council Chamber is being used by the group; or
4. A City Council member or City employee will be present at the meeting.

3. Park Facilities

Tennis Courts

Swimming Pool

Soccer Fields

Park Pavilions

Volleyball Courts

Baseball Diamonds

4. Park Pavilions

- a) All reservation requests for the use of the park pavilions must be made in writing.
- b) Reservations will be recognized by receipt of a Facility Use Permit.
- c) Groups of 20 or less may reserve part of the Harmon Park structure.
- d) Groups of 21 to 100 may reserve all of the Harmon Park structure.
- e) The park pavilions may be reserved throughout the year between the hours of 7:00 a.m. to 11:00 p.m. for a maximum of six hours except for special hours approved by the Park Board.
- f) A member of the sponsoring group must be responsible for the actions of group members.
- g) Cleanup after use shall be done by the group using the Pavilion.
- h) The City Clerk may require a Special Use Permit be issued by the Council for the use of the parks by large groups, which may require parking that would exceed normal park use.

D. Applications and Permits:

Applications should be completed and filed with the City Clerk. Upon approval, the organization/individual will be given a permit showing the hours and facilities approved. All fees are due at the time of the reservation.

E. Special Requirements:

All Facilities:

1. ~~Amplified sound prohibited except by written permit from the City.~~
2. ~~Alcoholic liquor prohibited.~~
3. ~~Cereal malt beverages prohibited, except at Prairie Village Community Center where beer and wine may be authorized by permit.~~

Park Facilities:

1. ~~Possession and consumption of cereal malt and/or alcoholic beverages prohibited.~~

Municipal Building:

1. ~~Possession and consumption of cereal malt and/or alcoholic beverages prohibited.~~

Park Facilities:

Marked Version COPOL046 - Reservation of City Facilities

1. *Possession and consumption of cereal malt and/or alcoholic beverages is prohibited except as provided for in Ordinance 2010 which allows for sale and consumption of alcoholic beverages in Harmon Park in conjunction with an approved City function upon the approval of the Governing Body.*

City Hall and Municipal Courtyard:

1. *Serving and consumption of beer and wine may be authorized in conjunction with an approved City function upon the approval of the Governing Body by resolution.*

Prairie Village Community Center:

1. *Serving and consumption of beer and wine may be authorized by permit as approved by the City Clerk.*

All other Facilities:

1. *Amplified sound prohibited except by written permit from the City.*
2. *Alcoholic liquor prohibited.*

RESOLUTION 2008-06

A RESOLUTION DESIGNATING 2008 CITY SPONSORED FUNCTIONS AS PER CITY COUNCIL POLICY 046 - RESERVATION OF CITY FACILITIES.

WHEREAS, the Governing Body has adopted City Council Policy 046 - Reservations of City Facilities which outlines the process for serving and consumption of beer and wine in City Hall and the Municipal Courtyard ; and

WHEREAS, Section E of City Council Policy 046 states that the serving and consumption of beer and wine in conjunction with a city sponsored function may occur in City Hall and the Municipal Courtyard upon the approval of a Resolution by the Governing Body.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the City of Prairie Village:

Section 1. Designates the Prairie Village State of the Arts 2008 Event, monthly Artist Receptions held in the R.G. Endres Gallery, and the Johnson and Wyandotte Mayor's Event as officially city sponsored events for 2008 allowing for the serving and consumption of wine and beer in City Hall and the Municipal Courtyard.

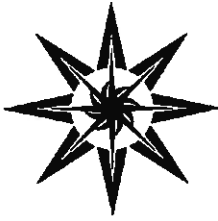
Section 2. Nothing herein shall authorize illegal activity prohibited by other provisions of the City Code or City Ordinances.

THIS RESOLUTION IS ADOPTED AND PASSED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS, THIS ____ DAY OF _____, 2008.

By: _____
Ronald L. Shaffer, Mayor

ATTEST:

Joyce Hagen Mundy, City Clerk



ADMINISTRATION

Council Meeting Date: August 18, 2008

Adopt the 2009 Budget and Adopt Ordinance No. 2170

RECOMMENDATION

The City Council adopt the 2009 Budget and adopt Ordinance No. 2170.

SUGGESTED MOTIONS

Move that the City Council adopt the 2009 Budget ordinance as certified in the amount of \$24,192,860 with ad valorem tax in the amount of \$5,316,020.

Move that the City Council adopt Ordinance No. 2170 attesting to an increase in the property tax dollars levied in the General Fund in excess of the amount allowed by the state formula.

Note: Both motions require a roll call vote with at least seven (7) votes needed for approval. If the budget is approved, each member of the Governing Body will need to sign the budget certificate.

BACKGROUND

State statutes require that the City submit the budget for 2009 to the County Clerk by August 25th. Prior to submission to the County Clerk, state statutes require that the City publish the budget and hold a public hearing. The budget was published in the Legal Record on July 22nd and the public hearing was held on August 4th. No changes have been made to the budget since the publication on July 22nd. The attached Certificate is the ordinance that officially appropriates funding for 2009.

The proposed budget maintains the mill rate of 18.166, which is comprised of the General Fund mill levy and the Bond & Interest Fund mill levy. State statutes require the City Council adopt an ordinance increasing the mill levy if the total dollars levied in the General Fund are higher than allowed by the state's formula. While the mill rate was maintained in the proposed budget, the total dollars levied in the General Fund exceed the limit established by the state's formula, so an ordinance is required. Ordinance No. 2170 is attached.

PUBLIC NOTICE

Ordinance 2170 will be published in the Legal Record after adoption in accordance with applicable law.

ATTACHMENTS:

2009 Budget Certificate Page
Ordinance 2170

Prepared By:

Karen Kindle

Finance Director

Date: August 14, 2008

ORDINANCE NUMBER 2170

AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2009 FOR THE City of Prairie Village.

WHEREAS City of Prairie Village must continue to provide services to protect the health, safety, and welfare of the citizens of this community; and

WHEREAS, the cost of providing essential services to the citizens of this city continues to increase.

NOW THEREFORE, be it ordained by the Governing Body of the City of Prairie Village:

Section One. In accordance with state law, the City of Prairie Village has scheduled a public hearing and has prepared the proposed budget necessary to fund city services from January 1, 2009 until December 31, 2009.

Section Two. After careful public deliberations, the governing body has determined that in order to maintain the public services that are essential for the citizens of this city, it will be necessary to budget property tax revenues in an amount exceeding the levy in the 2008 budget.

Section Three. This ordinance shall take effect after publication once in the official city newspaper.

Passed and approved by the Governing Body on this _____ day of _____, 2008.

/s/ _____
Mayor

ATTEST: /s/ _____
City Clerk

(SEAL)

MAYOR'S ANNOUNCEMENTS

Monday, August 18, 2008

Committee meetings scheduled for the next two weeks include:

Prairie Village Arts Council	08/20/2008	7:00 p.m.
Environmental/Recycle	08/27/2008	7:00 p.m.
Council Committee	09/02/2008	6:00 p.m.
Council	09/02/2008	7:30 p.m.

The Prairie Village Arts Council is pleased to announce an exhibit of Botanical Art by Venus Auxier during the month of August.

The Shawnee Mission Education Foundation Annual Fall Breakfast is Tuesday, September 23rd at the Overland Park Convention Center. RSVP to Jeanne by September 12th if you would like to attend.

Reduced hours for the Prairie Village Pool begin on August 11th. The pool will open at 4:30 p.m. on weekdays. The pool closes for the season on September 1st at 6:00 p.m.

The City offices will be closed in observance of Labor Day on September 1st. Deffenbaugh also observes this holiday and trash pick-up will be delayed one day.

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.

INFORMATIONAL ITEMS
August 18, 2008

1. Planning Commission Minutes - July 1, 2008
2. Board of Zoning Appeals Minutes - July 1, 2008
3. Board of Zoning Appeals & Planning Commission Actions - August 5, 2008
4. City of Prairie Village 1st Quarter 2008 Financial Report - Unaudited
5. City of Prairie Village 2nd Quarter 2008 Financial Report - Unaudited
6. Sister City Committee Minutes - July 14, 2008
7. Tree Board Minutes - August 6, 2008
8. Mark Your Calendars
9. Committee Agenda

**PLANNING COMMISSION MINUTES
MEETING OF JULY 1, 2008**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, July 1, 2008 in the Council Chamber, 7700 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Randy Kronblad, Bob Lindeblad, Marlene Nagel & Nancy Vennard.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, Planning Consultant; Andrew Wang, Council Liaison; Bob Pryzby, Director of Public Works; Chief of Police Wes Jordan, Jim Brown, City Building Official and Dennis Enslinger, Assistant City Administrator.

APPROVAL OF MINUTES

Ken Vaughn noted the date of the minutes should read June 3, 2008 rather than May 6, 2008. Bob Lindeblad moved the Planning Commission minutes of June 3, 2008 be approved as corrected. The motion was seconded by Nancy Vennard and passed by a unanimous vote.

PUBLIC HEARINGS

**PC2008-02 Request for Special Use Permit for a
Telecommunications Tower & Related Equipment
4805 West 67th Street
Zoning: R-1a**

Bob Lindeblad stated he has a conflict of interest on application PC2008-02 because he is a member of the church on which the tower is proposed to be located. He stated he would therefore recuse himself from this application and left the meeting.

Chairman Ken Vaughn reviewed the rules of procedures for the hearing.

Scott Beeler, 10851 Mastin Overland Park, attorney for the applicant and Cheri Edwards with Selective Site Consultants were present to present the application. Mr. Beeler noted the new application has been submitted to address the concerns raised by the neighboring residents regarding their previous submittal in May. Mr. Beeler noted that much of the documentation submitted in the earlier application is applicable to this application and in an effort to save time will not be restated. The earlier submittal of propagation as well as the testimony of residents, clearly demonstrated the holes in this area where T-Mobile residents are unable to receive calls.

The Planning Commission questioned the need in the original proposal for a 120' tower. It was stated at that time, 120' was necessary to provide for the co-location requirement of the City's policy. The proposed 85' tower will allow T-Mobile to address their needs with antenna on the top two bands. The remaining bands at 60 and 50 feet will be

significantly impacted by the surrounding trees and buildings. Thus most of the carriers contacted were not interested in co-locating on the proposed tower. Mr. Beeler stated T-Mobile has reduced the height of the tower 35 feet to address height concerns raised by both the Commission and residents.

The second issue raised by the Commission and residents on the initial application submittal was the location of the tower close to a residential property line. The applicant met with the Church's governing body to see if they would agree to the relocation of the tower to another area on their property. The church agreed and the tower and equipment compound have been relocated adjacent to the church. The equipment compound will be brick matching the existing brick on the church. Mr. Beeler noted at the request of staff, they have changed the tower color to a dipped bronze finish. However, he noted over the years steel gray has proven to blend into the sky from a distance better.

Mr. Beeler stated that in addition to these changes, they have revisited all of the sites in the area identified as potential locations. In particular, they revisited with Nall Avenue Baptist Church. The church was not interested and the area in which a tower could be located was not acceptable to T-Mobile engineers.

Mr. Beeler presented new photo simulations of the proposed tower to the Commission and those in attendance. They noted the difficulty in viewing the tower within the existing trees.

The relocation of the tower places it 101 feet from the Faerber home as opposed to the earlier submittal located 25 feet from their property line. In response to requests to locate the tower even closer to the church, Mr. Beeler stated they will have a foot to two foot separation to prevent any negative impact on the church's foundation by the pouring of the foundation for the tower.

Mr. Beeler closed his presentation stating they have addressed every point raised by the Commission and the public at the last hearing. T-Mobile wants to be in this community and wants to be a good corporate neighbor. To have effective service to their customers, they have to have a tower. They have to have them under their license and the City has to allow them. Mr. Beeler stressed the need to work together.

Ken Vaughn noted the elevation shows a minimum of 32-inch and maximum of 42-inch diameter and asked why it can't be 32-inch or something other than the 42-inch maximum. Mr. Beeler responded the reason for the variance is the diameter will be determined by the model of antennas that are attached and they vary by model, therefore, the wider maximum is proposed to provide market functionality. Mr. Vaughn asked if the photo simulation was based on 42 inches or 32 inches. Mr. Beeler responded it was based on 42.

Marlene Nagel asked if discussions with the church included the possibility of incorporating an antenna into the structure itself such as the steeple. Mr. Beeler replied what has been submitted is what the church has agreed upon.

Randy Kronblad confirmed the information submitted indicated that only one other carrier would consider relocation at the heights available.

Nancy Vennard asked if they were the sole carrier on the tower could the height be lowered by 10 feet. Mr. Beeler replied no, based on their engineer's studies 85 feet is the minimum height.

Mr. Kronblad noted with no co-location it seems certain that additional tower requests will be submitted at some point in time. Mrs. Vennard agreed.

Ron Williamson reviewed his following staff report on this application:

At the June 2, 2008 City Council meeting, the applicant withdrew its application for the 120' high cell tower and stated that they would refile an application for a shorter tower. The application has been refiled for an 85' high monopole. The proposed tower has four antenna locations, 80', 70', 60' and 50'. T-Mobile will use the top two locations. T-Mobile has had the trees surveyed in the area and they are 47'-67' in height. This means that the bottom two locations on the monopole have little if any coverage for additional carriers. The consequences of this are that if other carriers need to provide service in this area more towers will need to be constructed. This raises the issue of fewer taller towers versus more shorter towers. The equipment compound and tower have been relocated adjacent to the west end of the church and the compound also includes an equipment area for an additional carrier.

The Planning Commission identified four major issues with the previous application and they were as follows:

1. Co-location with other providers had not been adequately addressed.
2. The 120' height was a major objection of the neighbors.
3. The availability of the alternative locations was not recently confirmed and propagation maps needed to be provided for potential locations.
4. The monopole equipment compound needed to be integrated into the existing church building rather than being an island location in the parking lot. (Some thought the tower should actually be integrated into the building such as a steeple or bell tower.)

With the exception of co-location, these issues have been addressed by the applicant as a part of this application.

T-Mobile is requesting a Special Use Permit to construct a telecommunications tower and install supporting equipment cabinets at 4805 West 67th Street. The tower is proposed to be 85 feet in height with a 4-foot lightning rod on top. The tower is proposed to be a stealth pole with the antennae mounted inside the pole. An example of this pole is located at 125th Street and Quivira Road in Overland Park. The one difference is that there will be no flags on the monopole proposed in Prairie Village. The tower is designed to accommodate two carriers but because of the tree heights, T-Mobile will probably be the only user. The proposed equipment compound will be 28' x 30' surrounded by an eight-foot tall brick screening wall which has been relocated adjacent to the west end of the church. The brick will match that of the existing church building. This compound will accommodate T-Mobile equipment and possibly one additional carrier.

In addition to the normal equipment box, the applicant has also proposed to include a standby emergency generator. Standby emergency generators require site plan approval by the Planning Commission so it needs to be addressed as a part of this application. There are some concerns regarding standby generators; one is noise and the other is the source of fuel. The Johnson County Fire District is concerned about multiple installations of standby generators throughout the City and has recommended that they be directly connected to a natural gas line. T-Mobile is the first carrier to submit a request for a standby generator, other carriers have made inquiries. It would be preferable to have one generator at a location and not three. This would minimize the negative aspects of a standby generator and reduce the size of the equipment compounds. The applicant has indicated that they have concerns about liability, operation and management when multiple users are involved. Those issues are probably the same with the tower owner. It would seem reasonable that whoever owns the tower would also provide the standby generator for all carriers at the location and would limit their liability by contract.

Most of the applications in Prairie Village have either been the installation of antennae and their associated equipment cabinets on buildings or water towers. There are only two towers and they are located at City Hall and at the Fire Station at 90th and Roe Avenue. Towers are more controversial and create more neighborhood concerns. The Telecommunications Act of 1996 established some limitation when considering a wireless facility and the primary points are as follows:

- A city shall not discriminate among providers.
- A city shall not prohibit or have the effect of prohibiting the installation of wireless services.
- An applicant must be acted on within a reasonable period of time.
- A decision to deny an applicant for wireless communications must be in writing and supported by substantial evidence.
- The Federal Communications Commission regulates the environmental efforts of radio frequency emissions and a city cannot consider this issue as approving or denying an applicant.

The applicant held a public information meeting for the neighbor on June 25, 2008. Approximately 16 people attended and 9 indicated opposition while 7 indicated support. The neighbors asked a number of questions regarding the application but none specifically addressed the new location and new height. The complete summary notes are included for Planning Commission review.

The Staff has reviewed the application based on the City's policy for wireless communication towers and has the following comments regarding the information submitted:

1. **Validation Study - A study comparing all potential sites within an approximate ½ mile radius of the proposed application area. The study shall include the location and capacity of existing towers, potential surrounding sites, a discussion of the ability or inability of the tower site to host a communications facility and reasons why certain sites were excluded from consideration. The study must demonstrate to the City's satisfaction that alternative tower sites are not available due to a variety of constraints. It must also contain a statement**

explaining the need for the facility in order to maintain the system and include a map showing the service area of the proposed as well as any other existing and proposed towers.

If the use of current towers is unavailable, a reason or reasons specifying why they are unavailable needs to be set out and may include one or more of the following: refusal by current tower owner; topographical limitations; adjacent impediments blocking transmission; site limitations to tower construction; technical limitations of the system; equipment exceeds structural capacity of facility or tower; no space on existing facility or tower; other limiting factors rendering existing facilities or towers unusable.

The applicant has requested approval of this specific location in order to provide improved coverage to the residences and vehicular traffic in this portion of Prairie Village. A current gap exists in desired level of service in this area. Calls made on the T-Mobile system in this geographic area are susceptible to signal fade, with the end result that a call might be dropped and in-building coverage is not at an acceptable level. This installation will significantly improve the coverage which will result in better service to T-Mobile customers.

This location was chosen after a "search ring" was developed and issued by T-Mobile's radio frequency engineering team. The search ring indicates a geographic area in which potential sites may be located that will effectuate the maximum amount of coverage where service is poor.

Typical considerations in siting communication installations are the ground elevations and clearance above ground clutter, such as buildings or vegetation. In addition, the communications facility must be located in the correct geographical area, to provide continuous coverage to the sites that are indicated on the propagation studies as having poor levels of service.

Typically, site acquisition specialists' first target potential co-location sites that have already been approved within the search ring. This is done in order to minimize the cost of new construction for carriers and in order to meet the spirit and intent of the local regulations that encourage co-location in order to minimize the number of towers in a jurisdiction.

Based upon these considerations, the site selection team reviewed a total of eight locations prior to selecting this location. A brief report on each site was contained in a memo from the applicant dated June 4, 2008, that is a part of this application request.

The following sites were identified as candidates to meet the coverage objectives of T-Mobile:

1. 69th & Roe PV Water Tank (69th Terrace & Roe) - This site is not available because Water One is preparing a feasibility study to determine whether the tower should be decommissioned.
2. St. Michaels & All Angels (67th & Nall) - Not interested as of June 2008
3. Woodson Avenue Bible Church (67th & Woodson) - After a year of meetings and an executable lease, the church decided not to sign; they sited their congregation was not in favor as being the main factor June 2006.

4. Nall Baptist Church (67th & Nall) - This is a possibility, however, the church does not want to increase the height of the bell tower and would not like to exceed 60' in height.
5. PV Fire Station #2 (63rd & Mission) -A sewer line is located at the proposed cell tower site which eliminated it and other proposed locations were not acceptable. The location is no longer under consideration.
6. Faith Evangelical Church (67th & Roe) - The rent is \$2000 with 3% increase. The church receives \$200 per co-locator; the church will receive future ground leases. They are also receiving a one- time \$7,000 payment.
7. Homestead Country Club (Homestead & Mission) - Two locations have been proposed but they could not come to terms with the site location, or design. The club has ended negotiations.
8. Village Presbyterian Church (67th & Mission)- T-Mobile is negotiating for a facility at this location, but it is in a different coverage area and may result in another application.

The applicant has submitted a propagation study and coverage report that shows the existing coverage without this site and shows the proposed coverage with this site indicating how the coverage would be improved for the users in this location.

2. Photo Simulation - A photo simulation of the proposed facility as viewed from the adjacent residential properties and public rights-of-way.

Photo simulations have been included; showing the proposed stealth tower as viewed from the north and east. The houses to the south on 68th Street are about 20 feet higher in elevation and will see the portion of the tower that extends above the tree line. A photosym from that direction would be helpful however, the trees are too tall to show anything from the south.

3. Co-Location Agreement - A signed statement indicating the applicant's intention to share space on the tower with other providers.

The proposed installation is designed to accommodate two carriers. T-Mobile included a statement in its project description indicating that it intends to share space with other carriers. This should be a condition of approval if the location is approved. It is unlikely that co-location will occur because the tree heights are in the range of 47'-67' and the available antennae elevations are at 50' and 60'.

4. Copy of Lease - A copy of the lease between the applicant and the land owner containing the following provisions:

- a. The landowner and the applicant shall have the ability to enter into leases with other carriers for co-location.
- b. The landowner shall be responsible for the removal of the communications tower facility in the event that the leaseholder fails to remove it upon abandonment.

A copy of the lease agreement between T-Mobile and the Faith Evangelical Lutheran Church has been submitted with this application and it does not prohibit co-location. It does not however contain an abandonment clause and this should be a condition of approval.

5. Site Plan - A site plan prepared in accordance with Chapter 19.32 Site Plan Approval.

The site plan submitted generally includes all required information; however, there are some comments as follows:

- No landscape plan has been submitted with this application. A landscape plan needs to be prepared and submitted for staff review and approval.
- The plan needs to note that the brick veneer on the wall is to match the existing church building. Staff should review and approve the actual brick color before it is installed
- The site plan submitted would be adequate for T-Mobile; and one additional carrier. Any other carriers would need to submit a site plan of their installation for review and approval by the Planning Commission, particularly relative to the design of the equipment compounds.

6. **Transmission Medium - Description of the transmission medium that will be used by the applicant to offer or to provide services and proof that applicant will meet all federal, state, and city regulations and laws, including but not limited to FCC regulations.**

The applicant has been allocated a radio frequency spectrum by FCC and is required to meet all state and federal regulations prior to obtaining a building permit from the City.

7. **Description of Services - Description of services that will be offered or provided by the applicant over its existing or proposed facilities including what services or facilities the applicant will offer or make available to the City and other public, educational and governmental institutions.**

T-Mobile is one of the nation's largest wireless service providers and this proposed installation will be part of their digital telephone network that will ultimately provide nationwide coverage. This particular installation is to provide adequate coverage to the local residents, and traveling public in this area. No special services are being offered or made available to the public.

8. **Relocated Items - Indication of the specific trees, structures, improvements, facilities and obstructions, if any, that the applicant proposed to temporarily or permanently remove or relocate.**

No trees will be removed, but the equipment compound will be located within a grassed area.

9. **Construction Schedule - Preliminary construction schedule including completion dates.**

T-Mobile anticipates beginning construction in the third or fourth quarter with it being in operation by the first of 2009.

10. **Qualifications and Experience - Sufficient detail to establish the applicant's technical qualifications, experience and expertise regarding communications or utility facilities and services described in the application.**

T-Mobile has many cell sites that have been installed throughout the metro area and has an approved "Radio Frequency Spectrum" from FCC. They have an existing site in Prairie Village at the Delmar Water Tower.

11. **All Required Governmental Approvals - Information to establish the applicant has obtained all government approvals and permits to construct and operate**

communications facilities, including but not limited to approvals by the Kansas Corporation Commission.

There is no information included with this application that indicates the existence of any other governmental approvals required, except the licensing of FCC. This tower is approximately 120 feet in height and is in location that would not require approval from FAA.

12. Miscellaneous - Any other relevant information requested by City staff.
Staff did not request any additional information relevant to this application.

13. Copies of Co-Location Letters - Copies of letters sent to other wireless communication providers notifying them of the proposed request and inquiring of their interest to co-locate.

The application includes e-mail responses from Sprint, AT&T, Verizon, and Cricket communications. Sprint initially indicated interest, but because the height is too low to obtain the coverage desired all the carriers have declined at this time.

Chairman Ken Vaughn opened the public hearing for comments from the floor.

Casey Housley, 4900 West 68th Street, addressed the Commission on behalf of the neighborhood residents. Mr. Housley acknowledged T-Mobile is not erecting cell towers for the sake of it and that there is a need. However, it is not the situation where there is no coverage. They are seeking to improve coverage so they can have broadband access into homes and complete with cell carriers, cable carriers and Direct TV. Mr. Housley reminded the Commission that with the earlier application they submitted 300 signatures of people in the area that say the cell tower is not needed as far as they're concerned.

Mr. Housley also requested exhibits submitted with the earlier record be included in the consideration of this application. He shared to photographs taken by an area resident when the balloon was being set for the photo simulations which demonstrated how photographs can be manipulated as to perspective by where they are taken. Mr. Housley noted even with the reduction in size of the tower to 85 feet, this is still eight and a half stories tall. It is not architecturally consistent with the surrounding area. This application would not be approved in Leawood or Fairway because it is not incorporated into a church as a steeple.

Mr. Housley stated the proposed tower is a nullity because no one wants to use it at 85 feet in height. It does not allow for co-location so you can be assured down the road other carriers will want to come in and erect their own towers and bring with them additional ground equipment. So instead of having a minimum number of towers, which is the policy, you're opening the door to three, four, or multiple towers at that location, which is architecturally inconsistent with the surroundings.

Mr. Housley reminded the Commission of his earlier submittal by Donald Gossman, a certified real estate appraiser that indicated structures like this are a visual obsolescence. They do reduce property values. Mr. Housley stated at the recent neighborhood information meeting an elimination map was reviewed which reflected that all sites have not necessarily been exhausted. He mentioned Woodson Avenue

Bible Church at 67th and Woodson and Village Presbyterian Church at 67th and Mission Road as two potential locations.

Mr. Housley stated the Commission has the discretion to deny cell phone towers based upon aesthetic concerns and property values and the neighboring property owners are asking that this application be denied.

Nancy Vennard asked if the 300 signatures represented opposition to the 120 foot proposed tower or the 85 foot tower. She noted that there were fewer residents present at the hearing and wondered whether their opinions had changed with the lower tower or if it was a result of the holiday weekend. Mr. Housley responded the signatures are from the original application and he can not say for sure why there are fewer people in attendance but would submit the time of the year has had an impact.

Mary Cordill, 4904 West 68th Street, stated several of the neighboring residents are out of town on vacation. Many of the residents she called stated they would not be able to attend the meeting but were still opposed to the installation. Mrs. Cordill expressed her concern with the precedent that would be set for additional towers to come, especially since this application is unable to provide co-location.

John Faerber, 4806 West 68th Street, stated he is opposed to the application as well as 30% of the adjacent property owners notified by T-Mobile. He noted, Carolyn & Harold Neptune at 4722 West 68th Street and Chris & Jane Wooldridge at 4810 West 68th Street who reside behind the proposed tower are opposed to the application but are unable to attend because of vacation plans. They feel the site location is poor due to the low-lying area. They are concerned with co-location of other providers who will install tower equipment structures on that property. Mr. Faerber stated he had a letter from Mr. Neptune with photos.

Mr. Faerber stated the proposed tower is 83 feet from his property line and noted most of the neighboring cities require a minimum of 100 to 150 feet from residential property. They are seeking locations that fit and function aesthetically well in a residential neighborhood - an eight and a half story structure does not fit.

Nancy Vennard confirmed that Mr. Faerber had signed petitions from thirty percent of the property owners within 200' of the proposed location opposing the new application. She asked how the other 70 percent felt. Mr. Faerber responded that many of the neighbors have been out of town on summer vacations.

Paige Price, 6730 Fonticello, stated when she was seeking signatures for the earlier petition, many of the residents did not know the height of the tower. The question she asked them was "Are you against a cell tower in this residential location?" Mrs. Price stated Prairie Village is a family orientated community with small one and two story homes. She does not want to see it ruined with commercial buildings and commercial cell towers.

Randy Cordill, 4904 West 68th Street, stated he is opposed to the proposed 85 foot tower and seriously questions how an 85 foot tower is going to be able to provide service to the targeted area. Because of the topography of the area, he does not see this location serving areas to the west, but rather only serving the church itself and

maybe the area to the northeast. Mr. Cordill stated this is a poor site and does not make sense. He acknowledged the setbacks provided are better than the initial application and they appreciate that; however, noted they still are less than required by other cities.

Steve Corwine, 6730 Fonticello, spoke against the application and noted it is highly unlikely the Commission would approve the construction of an eight-story structure at this location.

Steve Roth, 6801 Cedar, stated this is purely a business expansion on the part of T-Mobile. There are no security or safety issues. These towers are designed for commercial areas, not residential areas. He assured the Commission the chamber could have been packed, had it not been the July 4th weekend.

Pat Ink, 4800 West 67th Street, expressed concern with potential safety issues from falling ice and potential health concerns.

John Oman, 5100 West 67th Street - the intersection of Fonticello & 67th Street, stated he is a T-Mobile user and gets very poor reception. He also noted the tower would not simply benefit the church, but noted there are several community groups that meet in the church and are unable to get cell service.

Kevin Gravino, 4909 West 67th Street - five houses up from the proposed site, stated the last thing he wants to see at this location is a cell tower and feels the City needs to have an ordinance that will finally put this issue to rest. He feels there are still a lot of individuals opposed to the tower and the fewer number of people in attendance is not a sign of support or acceptance.

Chairman Ken Vaughn called upon Scott Beeler to respond to comments.

Mr. Beeler stated after viewing the pictures submitted by Mr. Housley it was clear they represented the tower height at 120 feet, not 85 feet. He noted Mrs. Vennard's comments regarding the petition raise an excellent point - 70% of the adjacent property owners did not sign the petition opposing the new application. He does not feel you can reasonably conclude that those opposing a 120 foot tower would also oppose an 85 foot tower. In response to this not being the best location, Mr. Beeler reminded the Commission that they can not simply place towers on property - they must be accepted by the property owner.

The ordinances that are not in effect in Prairie Village are not relevant. The proposed application is in compliance with all of the ordinance requirements of the City of Prairie Village. They are offering co-location; however, they have honestly submitted at this height co-location is not probably going to occur. As far as future applications, Mr. Beeler is confident that the Commission would scrutinize any future application as they have this application.

Mr. Beeler corrected his earlier statement regarding the photograph submitted by Mr. Housley. The photo does reflect the 85 foot height; however, it reflects the height at the previous location in the parking lot and not the current location adjacent to the church.

Randy Kronblad asked for clarification on the Village Presbyterian site. The report states negotiations are ongoing, but it's in a different coverage area and may require another application. Mr. Beeler responded their system coverage areas evolve based upon where the towers are located and traffic patterns. Search rings change over time. This site is another service area entirely - some of that is due to height, but most of it is due to a change in traffic. Mr. Kronblad confirmed this is not an alternative site for this location.

Casey Housley acknowledged the photos were at the previous location but they did reflect the 85 feet in height. He challenged the statement that since only 30 percent of the property owners signed the petition opposing the application that the other 70 percent now supported the application. He also noted 30 percent is what is legally required for a supermajority. He stressed to the Commission the enormous amount of time required to get the initial 300 signatures by volunteers on their own time.

Ron Williamson advised the Commission that according to the City's regulations, special use permits do not have the legal protest petition provision that applies to zoning applications. Therefore a supermajority vote of the City council is not required.

Nancy Vennard asked for clarification of that statement made that without co-location there could be more towers located at this property. Mr. Williamson stated, if the church would allow other towers on their property, there is the possibility for more applications at this location. Mrs. Vennard asked if under the Telecommunication Act if one tower was approved at this location, would additional towers have to be approved. Mr. Williamson replied it depends on the location and the specific of the application, but in a general sense that is probably true because the City cannot discriminate between providers based on the FCC regulations.

Mrs. Vennard asked if the size of the equipment enclosure could be reduced because it has been sized to allow for other carriers creating this very large enclosure at the bottom that is not going to be used.

Mr. Beeler responded the Telecommunications Act does not provide that because you allow one tower in a location, that you would have to allow another in that location. Towers side by side are a problem due to frequency issues and therefore are rarely done unless there is a significant differentiation in height separation. The equipment compound has been sized for two because they felt at 70 feet there are a reasonably possibility for another carrier. It could be reduced.

Mrs. Vennard asked for clarification on the staff recommendation on this issue. Mr. Williamson responded T-Mobile has stated they are going to use the top two bands at 80 and 70 feet. If at some time in the future they only need the top location, then it would be reasonable for another carrier to locate at 70 feet. Once you get below 70 feet, the trees in this area are 60- to 70-foot tall making it unlikely the two bottom spots would be used.

Andrew Wang noted the earlier 120 foot height was a major objection of the residents; however, knowing the probable lack of co-location on the 85 foot height, is the 120 foot height a major objection of the Commission. Ken Vaughn responded the Commission

objections were a combination of several items. Height with respect to the proximity of the property lines was a great concern.

Ken Vaughn expressed concern that this application will be able to meet the needs for T-Mobile and it will require other carriers to erect towers someplace in this area. Randy Kronblad shared Mr. Vaughn's concerns that an 85 foot tower is opening the possibility of more towers because the realistic opportunity for co-location is gone. He questioned how the height dropped from 120 feet to 85 feet. Mr. Beeler stated the comments they heard at the hearing on the application at 120 feet and from staff was the height was too high, so they lowered it as much as possible and still meet their needs. They are attempting to meet the requests of the neighbors and the City as they were stated at the previous public hearing.

Marlene Nagel stated she feels this is a poor location due to the topography of the area. She does not think it is in keeping with the architecture and residential character of the area. She was hopeful that the application would return with the antenna being incorporated into the existing structure. She is concerned that the size of the tower does not allow for co-location and that will impact future applications.

Ron Williamson noted that since the application was advertised for an 85 foot height as the maximum, in order to do anything higher would require a new application.

Ken Vaughn said he felt the crux of the issue is that this is a poor location for a tower.

The Planning Commission reviewed the following findings of fact for the application:

1. **The proposed special use complies with all applicable provisions of these regulations including intensity use regulations, yard regulations, and use limitations.**

The location of the tower appears to meet all the setback requirements of the regulations. The compounds for T-Mobile and other carriers must be 25' from the rear property line. The proposed tower is to be 85 feet in height, which is less than the 150 foot maximum height set out in the City's policy.

2. **The proposed special use at the specified location will not adversely affect the welfare or convenience of the public.**

Marlene Nagel stated this is a typical Prairie Village neighborhood which Village Vision encourages preservation and investment. This is happening and she feels this proposal would have a detrimental effect on the welfare of the neighborhood. Mr. Kronblad agreed.

Nancy Vennard stated she can not say it "adversely affect the welfare or convenience of the public". The real estate reports from professional are contradictory in their findings. Ken Vaughn stated this finding does not relate to property value.

3. **The proposed special use will not cause substantial injury to the value of other properties in the neighborhood in which it is to be located.**

The applicant submitted a Proximity Analysis prepared by Integra Realty Resources which included four case studies. Integra found no meaningful difference in value between properties abutting and those not abutting a cell tower site. Those opposing the cell tower provided testimony that the tower would adversely affect the property values but did not provide any expert testimony to that issue. The opposition also pointed out that the tower would slow down and perhaps stop plans of nearby residents to remodel, enlarge or renovate the homes.

Mrs. Vennard stated with the conflicting real estate reports, she can not clearly say property values will be adversely affected. Marlene. Nagel stated she feels approving this application would send a message to both current and prospective property owners that the city is not as concerned about maintaining the high quality of neighborhoods. This may not necessarily result in property values declining, but have a negative impact in terms of individuals reinvesting in properties, maintaining properties and seeing property values maintained. Randy Kronblad stated that's fairly well emphasized with the understanding that additional towers could certainly be proposed. He agrees with Mrs. Nagel regarding the message that would be sent to the residents of Prairie Village.

4. **The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it, are such that this special use will not dominate the immediate neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to: (a) the location, size and nature of the height of building structures, walls and fences on the site; and (b) the nature and extent of landscaping and screening on the site.**

The Faith Evangelical Lutheran Church is on a site of approximately three acres. It also should be pointed out that the neighborhood is totally developed; the closest residence is approximately 130 feet away and therefore, not immediately adjacent to the installation itself. There is a significant amount of vegetation on the site that screens the facility from the south, but additional plant materials may need to be added as part of this application. The location and size have been changed which should make the location more acceptable to the neighborhood. The compound is now attached to the church building which helps to integrate it into the existing development.

Ken Vaughn stated he did not see how this particular structure would have an impact on somebody if they wanted to develop. It's a matter of whether or not it will inhibit their desire to do so. Mr. Kronblad agreed.

5. **Off-street parking and loading areas will be provided with standards set forth in these regulations, and areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.**

Additional off-street parking will not be necessary for this particular use because there will be no permanent staff on the site. Service people will be available on site periodically to maintain the equipment, and of course, when installation occurs. The existing church parking lot that is provided on the site will be adequate for this need.

6. **Adequate utility, drainage, and other such necessary facilities have been or will be provided.**

Water, sewer and power services to this site should be adequate because there will be no permanent occupancy by people. There will be a need for a gas line if the standby generator is approved. It should be noted however that the area may or may not have additional impervious surface and that a storm drainage master plan should be prepared and submitted to Public Works for their review and approval.

- 7. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent hazards and to minimize traffic congestion in public streets and alleys.**

Existing church parking lot will be used for access will be more than adequate to handle the traffic generated by this use.

- 8. Adjoining properties and the general public shall be adequately protected from any hazardous or toxic materials, hazardous manufacturing process, obnoxious odors, or unnecessary intrusive noises.**

The proposed tower and equipment installation will not have any hazardous or toxic materials, obnoxious odors, or intrusive noises that will affect the general public.

- 9. Architectural style and exterior materials are compatible with such style and materials used in the neighborhood in which the proposed structure is to be built or located.**

The architectural style and materials are typical of those used for utility type electrical poles and towers that are frequently found in urban neighborhoods. This tower will be a stealth pole which will have more of the appearance of a flagpole and no antennas will be visible from the exterior. The screening wall surrounding the equipment compound at the base of the tower will be brick and the brick will match the building on the site. Having the compound attached to the church will improve the appearance of the site and present a more compatible site plan.

Randy Kronblad stated the enclosure is certainly in character with the structure of the church at ground level, but he is disappointed that the tower could not be incorporated into the actual structure like St. Ann's.

Ken Vaughn noted the applicant has made several improvements.

Scott Beeler stated the applicant agrees with the stipulations that were suggested by staff in their recommendation.

Nancy Vennard stated she could live with one tower but remains very concerned with the possibility of other towers and the Commission's ability to deny those applications.

Ron Williamson stated future applications will have to be judged on the criteria established, whether it meets the requirements and how it is put together. The City can not just arbitrarily deny another application because there is already a tower at that location. The application will have to be voted on based on its merits the same as the application before you.

Andrew Wang confirmed that part of the merits of this application is whether or not co-location can occur and it is part of the City's policy to encourage or pursue co-location. Mr. Vaughn stated that physically/technically there is a provision for co-location.

Dennis Enslinger, Assistant City Administrator, suggested that if the Commission felt another site might be viable and if there's co-location possible on that, it could be added as a condition .

Nancy Vennard asked if the applicant had any documentation of the reported conversations regarding other potential locations. Mr. Beeler responded there are a number of e-mails and notes in the record about their prior contacts. He added, at the request of staff, they have updated that information.

Ron Williamson stated the only site that the City has verified is the fire district property. Fire Department staff has stated they have not been able to find a mutually agreeable location on the property.

Mr. Williamson advised the Commission that in making its recommendation to approve or deny the Special Use Permit, it is not necessary to find all or a majority of the factors favorable or unfavorable. Based on the special application, the Commission may feel that one or more factors are more significant or critical than the others and the recommendation would be based on the findings of the critical factors.

On this application, the Planning Commission determined that factors 2, 3 and 9 are the most pertinent.

Marlene Nagel pointed out there are several findings of fact and noted she does not feel they all are equal in weight. She feels the Commission as a whole has determined this application does not meet findings #2, #3 and #9. She continues to have concerns with the poor location due to the topography of the site; the architecture of the structure in this residential area; the inability of this facility to truly accommodate co-location and its potential impact for future applications.

Randy Kronblad stated his primary concern is the inability for co-location. There is the possibility, but it is not practical based on information received; therefore, the Commission would be approving the installation of a single tower for a single carrier.

Marlene Nagel moved the Planning Commission recommend denial of the Special Use Permit to the City Council based upon the previous statements. The motion was seconded by Randy Kronblad and passed by a unanimous vote.

Bob Lindeblad returned to the meeting.

NON-PUBLIC HEARINGS

PC2008-111 Site Plan Approval for Retaining Wall

8136 Juniper Drive

Zoning: R-1a

David Soxman and Julia Soxman, 8136 Juniper Lane, requested the Commission approve their site plan application. Mr. Soxman stated they feel they have met the 6 standards that were requested. He advised the Commission that in 2007 their neighbor at 8140 Juniper Lane constructed an earthen berm along the entire southeast property

line. This berm has altered the natural flow of water essentially creating a damn that causes water to back up into their property and pool for long periods of time. In an effort to prevent the pooling, they constructed a low retaining wall not exceeding sixteen inches, with the intent of filling in a low spot to enable the water to flow towards the driveway and out to the street and storm drain. Due to the location of the berm along the property line, setting the retaining wall back two feet from the property line would force the pooling of the normal rain water between the retaining wall and the berm negating the wall's effectiveness. Mr. Soxman also noted there is a large maple tree just to the west of the area and moving the retaining wall back two feet would risk damaging the roots of this tree.

Ken Vaughn asked if the wall is working. Mr. Soxman said the wall is not complete yet. Mr. Williamson pointed out that Mr. Soxman initially applied for a variance but he needed to apply for a site plan approval so there may be some confusion on the information contained in the application.

Mr. Williamson stated the 16" high retaining wall along the east property line is in violation of the ordinance, which requires the retaining wall to setback two feet from the property line. The adjacent property to the east is lower in elevation and the wall will protect it from erosion and reduce the amount of stormwater that flows into the neighbor's yard. The retaining wall will be approximately 35' in length.

The dwelling to the east is lower in elevation and the installation of the retaining wall should not have an adverse affect on that property. The applicant has met with the neighbors and the resident adjacent to the east has objected to the retaining wall. The overall drainage pattern in this area is from northwest to southeast. The berm that was constructed on the lot to the east is blocking the natural drainage and causing ponding on the applicant's property. In looking at the site it does not appear that a retaining wall is the only solution. Regrading the site so it drains to Juniper Drive may be an option.

Nancy Vennard asked if a civil engineer had examined the problem. Mr. Soxman stated he had a structural engineer make the recommendation for the retaining wall.

Lisa Williamson, 8140 Juniper Lane, expressed her objection to the application. She stated the problem with the drainage stems from the tubes they have attached to their gutters. The tubes are pointed toward her property. She stated she will still have water come from their driveway onto her yard.

Mr. Pryzby stated there are 3 issues with the project. It does not comply with the stormwater drainage code. It includes site plan provisions that the City has not seen and it is against policy to allow drainage to be directed onto the street.

Ken Vaughn suggested the matter be forwarded to Public Works for further review.

Mr. Soxman stated the black tubes have been removed and a rain barrel has been installed. Mr. Pryzby told him he will need to fill out a drainage permit application and a site plan application before proceeding.

Bob Lindeblad moved the Planning Commission continue the application until the August 5th meeting and refer the applicant to Public Works for a drainage permit. The motion was seconded by Marlene Nagel and passed unanimously.

**PC2008-112 Site Plan Approval for Retaining Wall
8109 Juniper Drive
Zoning: R-1a**

Mike Magerl, 8109 Juniper Drive, stated he is seeking to replace a retaining wall that varies in height from 1' to 4' along the west property line. The new wall is being located where the deteriorated wall had been removed. The wall will be approximately 100' in length. Mr. Magerl noted the property to the west is higher in elevation and the wall will protect it from erosion. Frank Decoursey, 8105 Juniper Drive, concurs with the applicant and also wants the retaining wall built in the same location.

The Planning Commission considered the following criteria:

- A. The site is capable of accommodating the buildings, parking areas, and drives for appropriate open space and landscape.**
This retaining wall will replace an existing retaining wall in the same location and therefore will not change or alter any of the existing buildings or other improvements on the site.
- B. Utilities are available with adequate capacity to serve the proposed development.**
N/A
- C. The plan provides for adequate management of stormwater runoff.**
The retaining wall will need to be in this area whether on the property line or two feet off the property line to protect the property to the west bank erosion.
- D. The plan provides for safe and easy ingress, egress, and internal traffic circulation.**
N/A
- E. The plan is consistent with good land planning and site engineering design principals.**
In reviewing this particular site in the field and considering the grade change between this property and the one to the west, it appears that this would be a good plan that would make better use of the site. Maintenance of the slope will be clear because it will be by one owner.
- F. An appropriate degree of compatibility will prevail between the architectural quality of the proposed retaining wall and the surrounding neighborhood.**
The proposed retaining wall will be architectural block which should be compatible with other materials used in the area. It should also be noted that the property owner to the west is in full agreement with the proposed location and design of the retaining wall.

G. The plan represents an overall development pattern that is consistent with the Village Vision and other adopted planning policies.

This is a project that is consistent with the housing goal that encourages investment in residents which is as follows:

Housing: Encourage neighborhoods with unique character, strong property values and quality housing options for families and individuals of a variety of ages, incomes, needs and preferences.

Mr. Williamson advised the Commission that in addition to reviewing the standard site plan criteria, the ordinance also states that the Planning Commission may make the Planning Commission may make adjustments to the height and location of the retaining wall provided that it results in a project that is more compatible, provides better screening, provides better storm drainage management or provides a more appropriate utilization of the site.

In this case, it would appear that "a more appropriate utilization of the site" would be the factor that is most applicable. A retaining wall will be necessary along this property line to protect the property to the west and prevent erosion of the slope. The property to the west will not actually see the retaining wall because of the elevation.

Ken Vaughn stated he is concerned that the blocks need to be installed correctly. Mr. Magerl stated the City has inspected them. Mr. Vaughn requested City staff verify the wall is constructed according manufacturer's specifications.

Randy Kronblad moved the Planning Commission find the proposed retaining wall provides a better solution to control the stormwater and a more appropriate utilization of the site and therefore, approve PC2008-112 allowing for the construction of a retaining wall at 8109 Juniper Drive subject to staff verification that the retaining wall is installed per manufacturer's specifications. The motion was seconded by Bob Lindeblad and passed unanimously.

OTHER BUSINESS

Discussion of Cell Tower Policy

Mr. Williamson reported at its regular meeting on March 24, 2008, the City Council reviewed the Cell Tower Policy and the Memorandum dated March 24, 2008 which was distributed to the Planning Commission in June. The City Council would like the Planning Commission to consider adding buffers and setbacks to the Cell Tower Policy. The Council suggested that the Planning Commission review the entire Policy and make revisions where it sees fit based on changes that have occurred since 1996 when the Cell Tower Policy was originally adopted. The items to be considered by the Planning Commission are as follows:

1. The original policy as adopted in 1996. Revisions and deletions based upon experience in using the policy.
2. Adding setbacks.
3. Adding buffers.

4. Adding a location requirement, types of sites, integrated into existing buildings, etc.
5. Whether to continue with the policy or recommend an ordinance.
6. Other items requested by the Planning Commission.

Mr. Williamson asked the Planning Commission what additional items they would like staff to address.

Marlene Nagel acknowledged Kate Faerber's assistance in compiling historical information. She stated she would like the following items to be reviewed: the setback requirement, require applicants to provide documentation for other sites explored in the area, and incorporation of facilities into residential neighborhoods.

Mr. Wang asked whether a strong policy or an ordinance would be more resistant to a court challenge. Mr. Enslinger stated there are merits to both. A policy is easier to alter and an ordinance must meet certain statutory requirement. He said staff could investigate both and bring the results back. Randy Kronblad pointed out in the comparison provided by Ms. Faerber all the neighboring communities have ordinances. Bob Lindeblad stated language can be used to allow some flexibility in an ordinance. Mr. Enslinger said as long as the policy or ordinance is applied consistently it will be upheld in court.

Casey Housley, 4900 West 68th Street, addressed the Commission expressing the need for the guidelines to be revisited. From the citizen's perspective the policy needs to have more certainty. He stated he personally believes a policy is not as strong as an ordinance. He requested a moratorium while the Commission considers the policy. Mr. Williamson stated the City Council would need to approve a moratorium.

Mr. Williamson stated staff will bring back recommendations to the August or September meeting.

ADJOURNMENT

With no further business to come before the Commission, the meeting was adjourned at 9:35 p.m.

Ken Vaughn
Chairman

**BOARD OF ZONING APPEALS
CITY OF PRAIRIE VILLAGE, KANSAS
MINUTES
TUESDAY, JULY 1, 2008**

ROLL CALL

The meeting of the Board of Zoning Appeals of the City of Prairie Village, Kansas was held on Tuesday, July 1, 2008 in the Council Chamber of the Municipal Building. In the absence of the Chairman and Vice-chairman, acting secretary Jeanne Koontz called the meeting to order at 6:30 p.m. with the following members present: Bob Lindeblad, Marlene Nagel, Nancy Vennard, and Ken Vaughn. Also present in their advisory capacity to the Board of Zoning Appeals were: Ron Williamson, Planning Consultant, Jim Brown, Building Official; Bob Pryzby, Director of Public Works and Dennis Enslinger, Assistant City Administrator.

ELECTION OF TEMPORARY CHAIR

Bob Lindeblad moved to elect Ken Vaughn as temporary chair for the Board of Zoning Appeals. The motion was seconded by Marlene Nagel and passed by a unanimous vote.

APPROVAL OF MINUTES

Bob Lindeblad moved to approve minutes of May 6, 2008 as written. The motion was seconded by Marlene Nagel and passed by a unanimous vote.

Vice-Chair Randy Kronblad arrived and assumed the chair of the meeting.

**BZA2008-03 Request for a Variance from P.V.M.C. 19.20.030 to reduce the side yard setback from 15 feet to 11 feet on the property located at 8101 Mission Road (Claridge Court)
Zoning : C-2 with Special Use Permit
Applicant: David Randazzo for Claridge Court**

Vice-Chairman Randy Kronblad reviewed the procedures for the public hearing. The acting Secretary confirmed that the Notice of Public Hearing was published in the Johnson County Legal Record on Tuesday, June 10, 2008 and all property owners within 200' were mailed notices of the hearing.

David Randazzo, Executive Director of Claridge Court, addressed the Board requesting a variance to the side yard setback along Mission Road to add enhancements to their facility. Claridge Court is a Continuing Care Retirement Community serving seniors from Prairie Village and the surrounding area. It is composed of 135 independent living apartments and 35 skilled nursing beds. The organization provides the residents with dining, lifestyle activities, healthcare and wellness programs.

Mr. Randazzo introduced the architect for the project, Dale Tremain. Mr. Tremain addressed the Board stating these enhancements have been requested by residents and are necessary to remain competitive in their market. The number of independent living units as well as the number of nursing beds will not increase.

The proposed enhancements include a swimming pool, classroom, spa, locker rooms, café and outdoor eating area. The proposed swimming pool is the facility that needs the variance in order to be built. Therapeutic pools are a popular exercise venue for senior citizens and are very well used. The applicant has proposed the smallest recommended size pool which is 20' x 40'. The deck along the south side will be 6' in width which is the recommended minimum for this type of facility to accommodate an ambulatory walkway. In order to accommodate that size pool with appropriate surrounding deck area, a setback variance of 4' is needed adjacent to Somerset Drive.

In addition to these improvements, Claridge Court is also proposing to add nine new private nursing rooms on the north end of the building. Nine existing two person rooms will be converted to private rooms so the number of beds will remain the same. The combined improvements will not increase the floor area over 10% so site plan approval by the Planning Commission is not required under current ordinance provisions.

Mr. Tremain stated they have studied the placement of the proposed amenities of this project and have determined that there is not other location for them on the site. The proposed location is adjacent to other residential common space in the existing structure. This makes it the ideal location for resident access. All other locations on the site would negatively impact emergency access, residential apartments, and parking. Other solutions would require dramatically greater exceptions from the zoning regulations. By locating the wellness center in the proposed location they have been able to house most of the enhancements in the renovated existing space. This approach minimizes new construction and has the least impact on the surrounding community.

Mr. Tremain noted wellness/fitness programs and privacy in nursing home accommodations are two very important trends in the housing and care of older people. These trends have evolved in the years since Claridge Court was originally constructed. These facilities are not being developed to increase the organizations profitability. They are being developed to improve their residents' health and lifestyle and to ensure competitiveness with other retirement communities in the area.

Not having fitness facilities is a hardship for the residents Claridge Court. Numerous studies have shown exercise to be an important contributor to both physical and mental health. This is especially true in senior populations. Healthy living and fitness programs have become a required component of modern retirement housing communities. Senior housing and nursing facilities of the past did not recognize this and therefore did not include fitness programming or

facilities. Our existing facilities, which were planned 20 years ago, are inadequate for the level of participation that is now demanded by our residents. Residents of senior communities now demand and need these programs and facilities. This project will provide an additional dining venue that emphasizes a healthy diet, a room for massage and other alternative therapies, a beauty salon/spa, a cardio/strength room, and classroom for yoga, stretching, balance and group aerobics. Research shows that water exercise programs are especially effective for older adults. The resistance and buoyancy of the water create a safe and effective way to achieve the benefits of exercise. These facilities are necessary to create a culture of wellness and the active lifestyle that are the building blocks for healthy aging.

Nancy Vennard asked if any parking spaces would be removed. Mr. Tremain stated four spaces will be lost but currently there are more spaces than the zoning requires. He stated the four spaces are near the loading dock and are for vendors but they could probably find a way to replace the spaces.

Vice Chairman Randy Kronblad opened the public hearing. No one was present to address the Board. The public hearing was closed at 6:45 p.m.

Ron Williamson reviewed the findings. Ken Vaughn asked if the replacement of the parking spaces could be required. Mr. Williamson stated it could be required as a condition of approval. Mr. Vaughn recommended the Board encourage the replacement if possible.

Randy Kronblad led the Board in a review of the five criteria for approval.

- A. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant.**

This project is a high intensity, high density use as recommended in Village Vision and because of the way it was originally developed, expansion opportunities are limited. The change in needs for the residents was not anticipated when the project was developed and no expansion area was provided. The uniqueness is that there is only one logical location to enlarge the facility to provide the amenities and that is adjacent to Somerset Drive.

Bob Lindeblad moved that the Board find favorably on Condition A relative to Uniqueness. The motion was seconded by Marlene Nagel and passed unanimously.

- B. That the granting of the permit for the variance would not adversely affect the rights of adjacent property owners or residents.**

The granting of this variance would not adversely affect the rights of adjacent property owners to the north or east. The uses to the north and east are

multifamily and are a significant distance from the intersection of Somerset Drive and Mission Road and will not be affected.

Marlene Nagel moved that the Board find favorably on Condition B relative to impact on Adjacent Property. The motion was seconded by Ken Vaughn and passed unanimously.

C. That the strict application of the provisions of these regulations of which a variance is requested will constitute an unnecessary hardship upon the property owner represented in the application.

Staff concurs that providing health and wellness in senior centers is a necessity that was not anticipated 20 years ago. It is critical that facilities continue to evolve as the market changes and that amenities are provided that meet the needs of the population. The senior citizen population is steadily increasing in size as people are living longer and they are more active requiring exercise and health activities.

Ken Vaughn moved that the Board find favorably on Condition C relative to the creation of an unnecessary Hardship. The motion was seconded by Bob Lindeblad and passed unanimously.

D. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

The proposed expansion will encroach into the intersection of Somerset Drive and Mission Road, however, many of the trees and the sign will be removed to open up the area and improve the visibility at the intersection. Since the intersection is signalized, and the building sets back 30' from Mission Road, the encroachment of 4' should not create any visibility problems. The redesign of the corner is more reflective of the design concepts setout in Village Vision. Staff would like to continue to work with the applicant to further refine it to be an example of Village Vision.

Marlene Nagel moved that the Board find favorably on Condition D relative to the impact on the Public Interest. The motion was seconded by Ken Vaughn and passed unanimously.

E. The granting of the variance desired will not be opposed to the general spirit and intent of these regulations.

The intent of the setback regulations is to maintain an open intersection that provides adequate visibility. Because the building sets back further than required from Mission Road and the sign and trees will be removed, the protection of the intersection will still be maintained.

Ken Vaughn moved that the Board find favorably on Condition E that the variance meets the Spirit and Intent of the regulations. The motion was seconded by Marlene Nagel and passed unanimously.

Ken Vaughn moved that the Board having found favorably on all five conditions of BZA Application 2008-01 for the requested variance from PVMC 19.20.030 to reduce the side yard setback from 15 feet to 11 feet adjacent to Somerset Drive approve the variance subject to the following conditions:

1. That the variance be approved for only that area of expansion as shown in the plan.
2. That the applicant meet with the Tree Board to obtain permission to remove the street trees and replant new trees as specified by the Board.
3. That all mechanical units for the pool and other improvements be screened from Somerset Drive and Mission Road.
4. That the applicant continue to work on a more integrated site plan design that is more urban in nature reflecting the Village Vision design guidelines and be subject to Staff approval.
5. That the applicant submit the new sign design to the Planning Commission for its approval prior to obtaining a permit.

The motion was seconded by Bob Lindeblad and passed unanimously.

NEW BUSINESS

There was no New Business to come before the Board.

OLD BUSINESS

There was no Old Business to come before the Board

ADJOURNMENT

Nancy Vennard moved to adjourn the meeting of the Board of Zoning Appeals. The motion was seconded by Marlene Nagel and passed unanimously with the meeting being adjourned at 6:55 p.m.

Randy Kronblad
Vice-Chairman

**Board of Zoning Appeals &
Planning Commission Actions**

Tuesday, August 5, 2008

BZA2008-04 Request for a Variance from P.V.M.C. 19.50.030 to allow the installation of solar panels on the dormer's roof and extending above the roof line located at 9029 Rosewood Drive

The Board of Zoning Appeals denied the requested variance for the installation of solar panels

PC2008-06 Request for Conditional Use Permit for a Communications Utility Box at 5020 West 67th Street

The Planning Commission continued this application to the September 9th meeting

PC2008-07 Request for Conditional Use Permit for Temporary Use for an Art Gallery in a Commercial Office Building at 3500 West 75th Street

The Planning Commission approved the Conditional Use Permit Conditional Use Permit subject to the following conditions:

- That the temporary use for an art gallery be approved for a period not to exceed two years.
- That the use can only be in Suite No. 201 and if it is expanded beyond that area, the Conditional Use Permit will need to be amended.
- That adequate parking be made available from the property at 3520 West 75th Street. This property cannot be sold or separated from 3520 West 75th Street without some type of agreement guaranteeing that parking will be available.

PC2008-08 Request for Amendment to Special Use Permit for the operation of a private school at 4801 West 79th Street

The Planning Commission moved to recommend the City Council approved the proposed amendment of the Special Use Permit for the Private School subject to the following conditions:

1. That the applicant meet all the conditions and requirements of the Planning Commission for the approval of the Site Plan.
2. That the Special Use Permit not have a termination or expiration time established for it.
3. If the applicant violates any of the conditions of zoning regulations and requirements as a part of the Special Use Permit, the permit may be revoked by the City Council.
4. That the applicant cannot further expand or amend the Site Plan without an amendment to the Special Use Permit requiring a public hearing before being approved.

5. That Kansas City Christian School adopt a policy that all students will park on site and develop a procedure for implementation and enforcement of the policy.
6. The number of high school classrooms shall be limited to 11.
7. That no more than four buses shall be permanently stored on site with their location as identified on the approved site plan.

The Planning Commission approved the site plan for Kansas City Christian School subject to the following conditions:

1. The applicant prepare a drawing to scale and dimensioned showing all the parking drives and bus spaces. Also, include a table showing how many spaces are provided in each lot and how many spaces are required by ordinance.
2. The applicant verify that the cafeteria roof can handle the load of busses and cars parking on it.
3. The applicant shall replace landscaping to match the approved landscape plan.

PC2008-111 Request for Site Plan Approval for a Retaining Wall at 8136 Juniper Drive

The Planning Commission approved the site plan for the construction of a retaining wall at 8136 Juniper Drive as submitted.

PC2008-108 Request for Building Line Modification from Platted setback at 4306 West 89th Street

The Planning Commission approved the front yard building setback modification from 60 to 50'5" for only the garage expansion as shown on the site plan submitted.

CITY OF PRAIRIE VILLAGE

1st QUARTER 2008

FINANCIAL REPORT

UNAUDITED



**City of Prairie Village
1st Quarter 2008 Financial Report**



The following pages contain the financial reports for the 1st Quarter of 2008. Below are highlights of the information contained in these reports. These reports are unaudited.

Fund Balance – General Fund

The chart on this page shows the total fund balance in the General Fund broken down into its various components. The emergency reserve portion of the fund balance was calculated using 15% of budgeted revenue per the 2008 Budget discussions.

The fund balance at March 31st appears to be significantly higher than required. Half of the property tax has been received at this point; however, the transfer to the Capital Projects Fund has not yet been completed. In addition, only ¼ of the General Fund expenditures have been completed. Finally, the balance of school sales tax revenue in the General Fund at December 31, 2007 has not yet been transferred to the Economic Development Fund.

Balance Sheet

This report shows the balance sheet information for all of the City's funds at March 31st. The Equipment Reserve Fund was established in January and has been added to this report

Combined Statement of Revenue, Expenditures and Changes in Fund Balance

This report shows the income statement information for all of the City's funds as of March 31st. The Equipment Reserve Fund was established in January and has been added to this report.

Revenue Summary

This report shows revenue received to date in all funds by major categories. Sales and use taxes appear to be behind when you look at the percent collected. While we have had three months of activity in 2008, there has been only one month of distributions posted to the current fiscal year. The January and February distributions are posted to the prior fiscal year since they cover November and December sales periods. In comparison to the same time last year, sales tax revenue is up 36%. The City is receiving a larger share of the County Sales Tax due to the mill levy increase for 2008 and there is an increase in taxes from grocery stores and utilities. Because there is only one month of data, this could be an anomaly. We will watch this revenue source to see if the trend continues. Interest revenue is 42% lower than at March 31, 2007. This is due to a significant decrease in rates received on investments. The rest of the revenue sources are all very close to the amount received as of this time last year.

Capital-Intergovernmental revenue is significantly higher compared to the same period last year. This revenue will fluctuate from year to year depending on which CARS and SMAC projects are in process and what the stage of construction is.

Expenditure Summary

This report shows expenditures for all funds broken out by fund, department and category. As of March 31st, 19.64% of the budget has been utilized which is reasonable considering we are 25% through the budget year.



**City of Prairie Village
1st Quarter 2008 Financial Report**



Program Expenditure Summary

This report presents expenditures broken down by program. It should be noted that this report does not include the contingency budget and transfers in the calculation of the percent of budget obligated.

Statement of Cash Investments

This report shows the City's cash and investment balances at March 31st. By state law, some investments are required to be collateralized. This report contains information regarding the City's compliance with these collateral requirements. At March 31st, the City's investment portfolio totaled \$10,000,000. As the year progresses, the investment balance will decrease as cash is used to pay expenditures.

The City keeps a small balance in the General Operating Account. The rest of the funds are invested in Certificates of Deposit or in the Municipal Investment Pool.

Use of Contingency Reserve

This report lists the Council approved uses of the contingency budget. Only 7.2% of this budget has been used to date.

Local Sales Tax Receipts

This report breaks down the City's sales tax receipts by business type. Due to issues with the software, the information was not available; therefore the report is not included in this packet.

Economic Development Fund

This report shows the status of the Economic Development Fund. Actual revenues and expenditures are listed as well as the balance of any commitments made by the Council. Three projects have been approved; however, there have not been any expenditures to date.

Johnson County Schools Sales & Use Tax Reserve

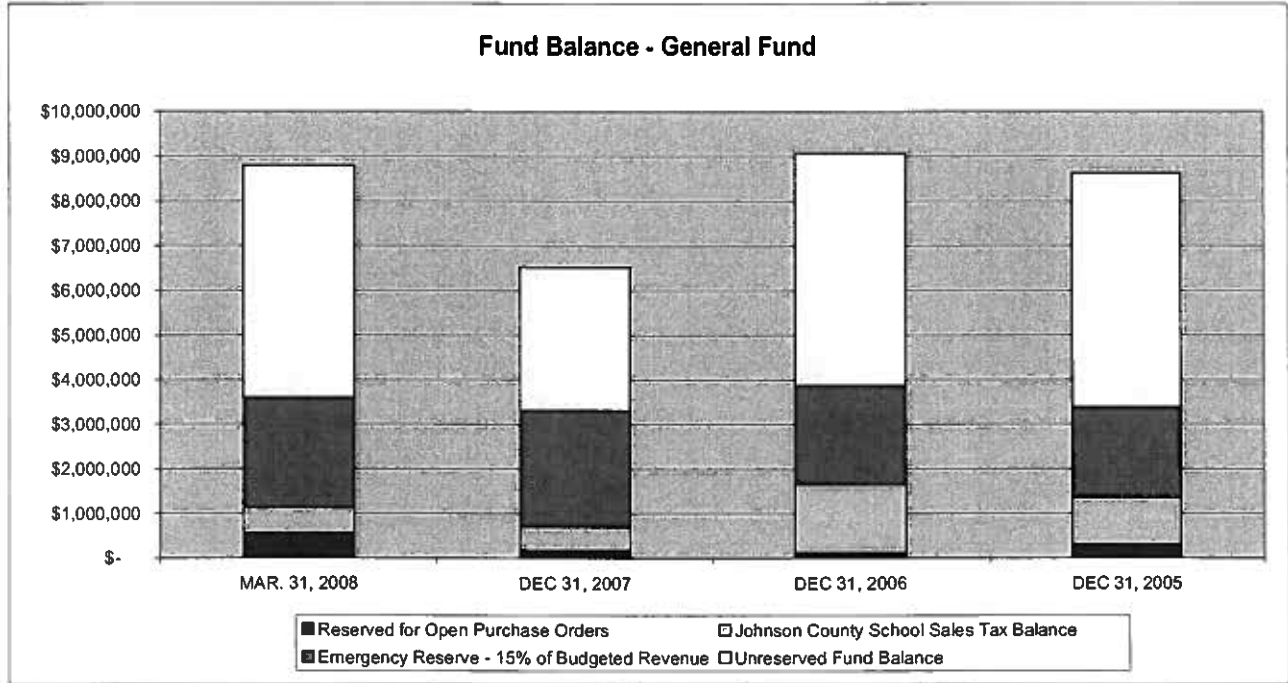
This page displays the status of the School Sales Tax reserve at March 31st. The majority of the school sales tax money has been transferred to the new Economic Development Fund. The balance at March 31st will be transferred to the Economic Development Fund in the next quarter.

Risk Management Reserve Fund

The Risk Management Reserve Fund was established to pay uninsured losses, such as insurance deductibles. Two types of uninsured losses will be paid from this fund: losses related to workers comp and losses related to property and casualty. Revenues in this fund consist of transfers from the General Fund per the budget, insurance claim reimbursements and investment earnings. This report shows the activity in the fund as of March 31st.

**CITY OF PRAIRIE VILLAGE, KANSAS
GENERAL FUND - FUND BALANCE
MAR. 31, 2008**

	MAR. 31, 2008	DEC 31, 2007	DEC 31, 2006	DEC 31, 2005
Reserved for Open Purchase Orders	\$ 556,118	\$ 173,854	\$ 106,738	\$ 301,539
Johnson County School Sales Tax Balance	567,031	521,040	1,538,568	1,040,244
Emergency Reserve - 15% of Budgeted Revenue	2,466,118	2,602,035	2,216,473	2,029,701
Unreserved Fund Balance	5,208,193	3,225,479	5,206,473	5,249,342
Total Fund Balance	\$ 8,797,460	\$ 6,522,408	\$ 9,068,251	\$ 8,620,826



CITY OF PRAIRIE VILLAGE
BALANCE SHEET
MARCH 31, 2008

	General	Solid Waste Management	Special Highway	Special Parks & Recreation	Special Alcohol	Bond & Interest	Capital Projects	Risk Management	Economic Development	Equipment Reserve	Total
ASSETS											
<u>Pooled Cash & Investments</u>											
Cash											
General Operating	\$23,707.84	\$0.00		\$0.00	\$0.00		(\$2,852.09)	\$2,542.73	\$18,573.91	\$0.00	\$41,972.39
Payroll	(\$0.00)										(\$0.00)
Gift Card Clearing	\$6,347.44										\$6,347.44
Petty Cash	\$1,149.00										\$1,149.00
Money Market											\$0.00
Treasury Notes	\$0.00							\$0.00	\$0.00	\$0.00	\$0.00
Certificates of Deposit	\$6,971,045.07						\$1,545,390.93	\$83,564.00	\$1,400,000.00	\$0.00	\$10,000,000.00
Municipal Investment Pool	\$1,841,123.01	\$791,513.41	\$0.00	\$18,716.54	\$8,892.91	\$296,931.62	\$0.00	\$0.00	\$93,209.04	\$0.00	\$3,050,386.53
Total Pooled Cash & Investments	\$8,843,372.36	\$791,513.41	\$0.00	\$18,716.54	\$8,892.91	\$296,931.62	\$1,542,538.84	\$86,106.73	\$1,511,782.95	\$0.00	\$13,099,855.36
<u>Accounts Receivable</u>											
Property Taxes	\$2,048,883.11	\$561,168.46				\$215,718.83					\$2,825,770.40
Interest on Investments	\$209,083.52							\$2,450.80	\$8,588.35	\$0.00	\$220,122.67
Other Receivables	\$221,889.91										\$221,889.91
Due from Other Governments	\$15,148.74		\$0.00				\$910,990.05				\$926,138.79
Due from Other Funds							\$0.00				\$0.00
Total Accounts Receivable	\$2,495,005.28	\$561,168.46	\$0.00	\$0.00	\$0.00	\$215,718.83	\$910,990.05	\$2,450.80	\$8,588.35	\$0.00	\$4,193,921.77
<u>Prepaid Expenditures</u>											
	\$23,550.83				\$30.15						\$23,580.98
<u>Restricted Assets</u>											
	\$78,243.23										\$78,243.23
TOTAL ASSETS	\$11,440,171.70	\$1,352,681.87	\$0.00	\$18,716.54	\$8,923.06	\$512,650.45	\$2,453,528.89	\$88,557.53	\$1,520,371.30	\$0.00	\$17,395,601.34
LIABILITIES											
Accounts Payable & Other Liabilities	\$308,937.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,590.15)	\$296.37	\$0.00	\$0.00	\$307,643.98
Compensated Absences	\$1,919.21	\$0.00			\$0.00						\$1,919.21
Payable from Restricted Assets	\$78,243.24										\$78,243.24
Deferred Revenue	\$2,253,611.80	\$561,168.46				\$215,841.83	\$248,560.51				\$3,279,182.60
TOTAL LIABILITIES	\$2,642,712.01	\$561,168.46	\$0.00	\$0.00	\$0.00	\$215,841.83	\$246,970.36	\$296.37	\$0.00	\$0.00	\$3,666,989.03
FUND BALANCE											
<u>Reserved Fund Balance</u>											
Reserve for Current Year Encumbrances	\$471,795.96	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,741,418.95	\$0.00	\$0.00	\$0.00	\$3,213,214.91
Reserve for Prior Year Encumbrances	\$84,322.02						\$911,270.71			\$0.00	\$995,592.73
Reserve for Johnson County School Sales Tax	\$ 567,030.74										\$ 567,030.74
Reserve for Incomplete Capital Projects							(\$1,446,131.13)				(\$1,446,131.13)
Total Reserved Fund Balance	\$1,123,148.72	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,206,558.53	\$0.00	\$0.00	\$0.00	\$3,329,707.25
<u>Unreserved Fund Balance</u>											
1/1/08 Unreserved Fund Balance	\$ 6,151,668.15	\$164,543.05	\$0.00	\$18,716.54	\$11,035.91	\$30,120.76	\$1,186,432.14	\$84,688.19	\$1,504,491.04	\$0.00	\$ 9,151,695.78
Prior Period Adjustment	\$0.00										\$0.00
Prior Year Encumbrances Written Off	\$ 3,011.64						\$ -				\$ 3,011.64
YTD Revenues	\$4,605,375.55	\$751,162.07	\$0.00	\$22,649.05	\$22,715.05	\$306,572.86	\$144,561.83	\$3,572.97	\$15,880.26	\$0.00	\$5,872,489.64
YTD Expenditures/Encumbrances	(\$3,039,753.99)	(\$124,191.71)	\$0.00	(\$22,649.05)	(\$24,827.90)	(\$39,885.00)	(\$2,777,125.10)	\$0.00	\$0.00	\$0.00	(\$6,028,432.75)
Sch Sales Tax Incl in Rev & Expd & Fund Bal Resv	(\$45,990.39)						\$1,446,131.13				\$1,400,140.74
Total Unreserved Fund Balance	\$ 7,674,310.96	\$791,513.41	\$0.00	\$18,716.54	\$8,923.06	\$296,808.62	\$0.00	\$88,261.16	\$1,520,371.30	\$0.00	\$10,398,905.05
TOTAL FUND BALANCE	\$8,797,459.68	\$791,513.41	\$0.00	\$18,716.54	\$8,923.06	\$296,808.62	\$2,206,558.53	\$88,261.16	\$1,520,371.30	\$0.00	\$13,728,612.30
TOTAL LIABILITIES & FUND BALANCE	\$11,440,171.70	\$1,352,681.87	\$0.00	\$18,716.54	\$8,923.06	\$512,650.45	\$2,453,528.89	\$88,557.53	\$1,520,371.30	\$0.00	\$17,395,601.34



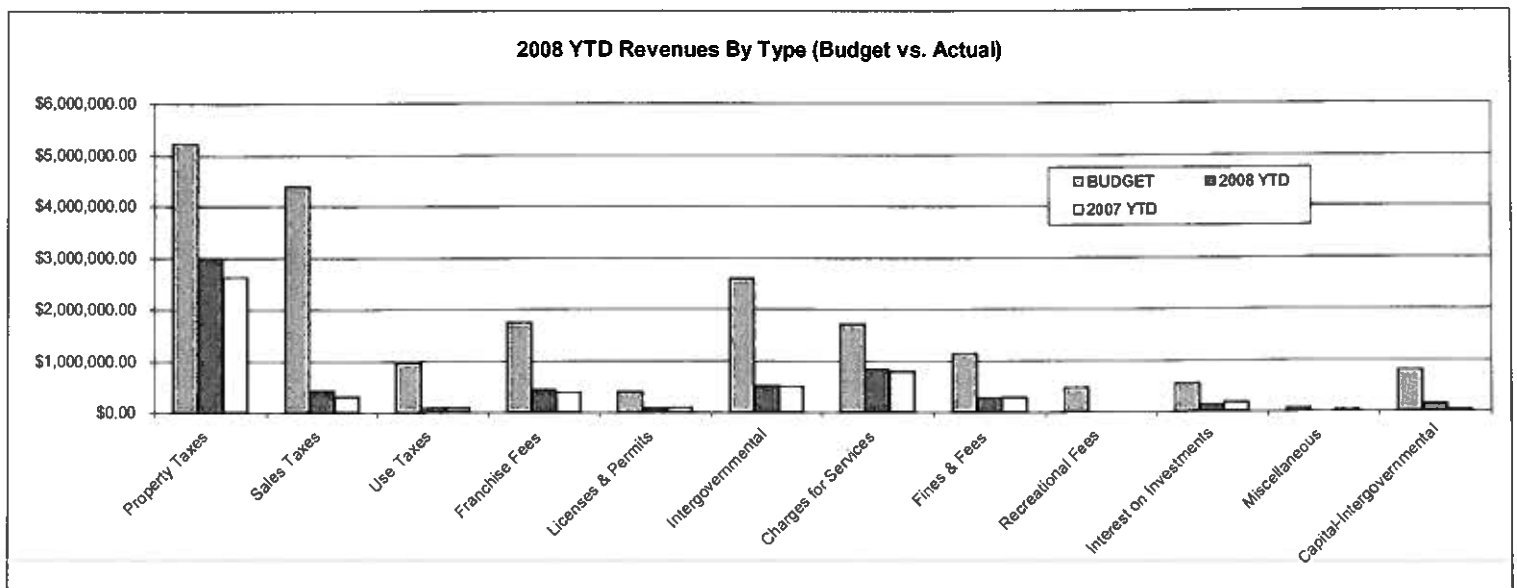
**CITY OF PRAIRIE VILLAGE
COMBINED STATEMENT OF REVENUE, EXPENDITURES
AND CHANGES IN FUND BALANCE - ALL FUNDS
MARCH 31, 2008**

REVENUES	GENERAL FUND	SOLID WASTE MGMT.	SPECIAL HIGHWAY	SPECIAL PARKS RECREATION	SPECIAL ALCOHOL FUNDS	DEBT SERVICE	CAPITAL PROJECTS	RISK MGMT	ECONOMIC DEVELOPMENT	EQUIPMENT RESERVE	TOTALS
Taxes:											
Property	\$ 2,701,809	\$ -	\$ -	\$ -	\$ -	\$ 289,275	\$ -	\$ -	\$ -	-	\$ 2,991,084
Sales	419,906										419,906
Use	75,862										75,862
Franchise Fees	434,434										473,241
Licenses & Permits	81,863										81,863
Intergovernmental	436,510		-	22,649	22,649	15,253	121,913				618,974
Charges for Services	77,669	745,199									822,868
Fines & Forfeits	270,979										270,979
Recreational Fees	6,726										6,726
Interest	95,911	5,963	-			2,045		1,057	15,880	-	120,857
Other	3,705				66			2,516			6,287
Total Revenue	4,605,376	751,162	-	22,649	22,715	306,573	121,913	3,573	15,880	-	5,888,648
Transfers From Other Funds							22,649				22,649
Total Revenue & Transfers	4,605,376	751,162	-	22,649	22,715	306,573	144,562	3,573	15,880	-	5,872,490
EXPENDITURES											
City Governance	95,682										95,682
Public Works	1,467,206						2,777,125				4,244,331
Public Safety	1,151,161				18,015	11,348					1,180,524
Municipal Justice	80,792										80,792
Administrative Services	209,763	124,192									333,954
Parks & Community Programs	35,150				6,813	28,538					70,501
Risk Management Reserve											-
Economic Development											-
Equipment Reserve											-
Total Expenditures	3,039,754	124,192	-	-	24,828	39,885	2,777,125	-	-	-	6,005,784
Transfer to Other Funds				22,649							22,649
Total Expenditures & Transfers	3,039,754	124,192	-	22,649	24,828	39,885	2,777,125	-	-	-	6,028,433
Revenue/Transfers Over (Under) Expenditures/Transfers	1,565,622	626,970	-	-	(2,113)	266,688	(2,632,563)	3,573	15,880	-	(155,943)
Unreserved Fund Balance - 1/1/08	6,151,668	164,543	-	18,717	11,036	30,121	1,186,432	84,688	1,504,491	-	9,151,696
2008 Fund Balances Reserved	(45,990)						1,446,131				1,400,141
PY POs closed less than balance	3,012										3,012
Fund Balance (Budget Basis)	\$ 7,674,311	\$ 791,513	\$ -	\$ 18,717	\$ 8,923	\$ 296,809	\$ -	\$ 88,261	\$ 1,520,371	\$ -	\$ 10,398,905

**CITY OF PRAIRIE VILLAGE
REVENUE SUMMARY
AS OF MARCH 31, 2008**

CATEGORY	2008	2008	MTD	YTD	BUDGET BALANCE	% COLLECTED	3/31/2007 YTD
	ORIGINAL BUDGET	AMENDED BUDGET					
Taxes							
Property Taxes	\$5,223,069.00	\$5,223,069.00	\$103,804.11	\$2,991,084.45	\$2,231,984.55	57.27%	\$2,617,543.00
Sales Taxes	\$4,375,000.00	\$4,375,000.00	\$419,906.42	\$419,906.42	\$3,955,093.58	9.60%	\$303,508.66
Use Taxes	\$948,000.00	\$948,000.00	\$75,861.77	\$75,861.77	\$872,138.23	8.00%	\$79,250.47
Franchise Fees	\$1,735,520.00	\$1,735,520.00	\$424,964.38	\$434,433.93	\$1,301,086.07	25.03%	\$373,825.12
Licenses & Permits	\$400,000.00	\$400,000.00	\$25,773.25	\$81,863.15	\$318,136.85	20.47%	\$81,523.35
Intergovernmental	\$2,572,638.00	\$2,572,638.00	\$201,301.88	\$497,060.84	\$2,075,577.16	19.32%	\$479,584.10
Charges for Services	\$1,700,000.00	\$1,700,000.00	\$56,422.88	\$822,868.20	\$877,131.80	48.40%	\$779,329.55
Fines & Fees	\$1,122,000.00	\$1,122,000.00	\$100,933.00	\$270,979.30	\$851,020.70	24.15%	\$275,914.00
Recreational Fees	\$460,000.00	\$460,000.00	\$1,386.50	\$6,725.50	\$453,274.50	1.46%	\$5,749.00
Interest on Investments	\$547,000.00	\$547,000.00	\$38,994.41	\$120,857.26	\$426,142.74	22.09%	\$171,847.37
Miscellaneous	\$58,000.00	\$58,000.00	\$3,321.72	\$6,286.99	\$51,713.01	10.84%	\$13,928.81
Operating Revenues	\$19,141,227.00	\$19,141,227.00	\$1,452,670.32	\$5,727,927.81	\$13,413,299.19	29.92%	\$5,182,003.43
Capital-Intergovernmental	\$793,500.00	\$793,500.00	\$64,215.67	\$121,912.78	\$671,587.22	15.36%	\$13,352.03
Interfund Transfers	\$5,367,000.00	\$5,367,000.00	\$22,649.05	\$22,649.05	\$5,344,350.95	0.42%	\$18,201.54
Total Revenues	\$25,301,727.00	\$25,301,727.00	\$1,539,535.04	\$5,872,489.64	\$19,429,237.36	23.21%	\$5,213,557.00

FUND	2008	2008	MTD	YTD	BUDGET BALANCE	% COLLECTED	3/31/2007 YTD
	ORIGINAL BUDGET	AMENDED BUDGET					
General Fund	\$17,083,632.00	\$16,440,788.00	\$1,358,169.94	\$4,605,375.55	\$11,835,412.45	28.01%	\$4,143,000.14
Solid Waste Management	\$1,258,000.00	\$1,324,000.00	\$27,255.76	\$751,162.07	\$572,837.93	56.73%	\$707,914.53
Special Highway	\$644,000.00	\$649,000.00	\$0.00	\$0.00	\$649,000.00	0.00%	\$0.00
Special Parks & Recreation	\$80,000.00	\$86,000.00	\$22,649.05	\$22,649.05	\$63,350.95	26.34%	\$18,201.54
Special Alcohol	\$80,000.00	\$86,000.00	\$22,649.05	\$22,715.05	\$63,284.95	26.41%	\$18,201.54
Bond & Interest	\$536,595.00	\$555,439.00	\$15,320.93	\$306,572.86	\$248,866.14	55.19%	\$294,685.68
Capital Projects	\$5,619,500.00	\$6,160,500.00	\$86,864.72	\$144,561.83	\$6,015,938.17	2.35%	\$31,553.57
Risk Management	\$0.00	\$0.00	\$2,897.59	\$3,572.97	(\$3,572.97)	N/A	\$0.00
Economic Development	\$0.00	\$0.00	\$3,728.00	\$15,880.26	(\$15,880.26)	N/A	\$0.00
Equipment Reserve	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A	\$0.00
Total Revenues	\$25,301,727.00	\$25,301,727.00	\$1,539,535.04	\$5,872,489.64	\$19,429,237.36	23.21%	\$5,213,557.00

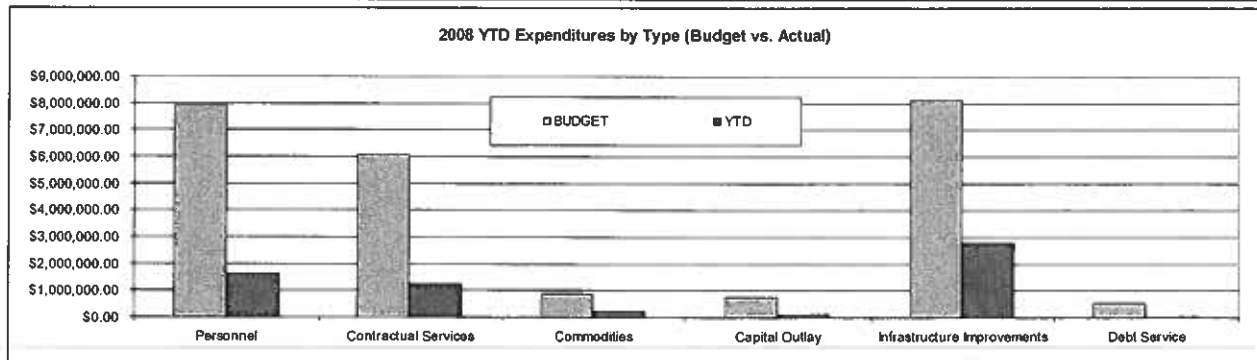
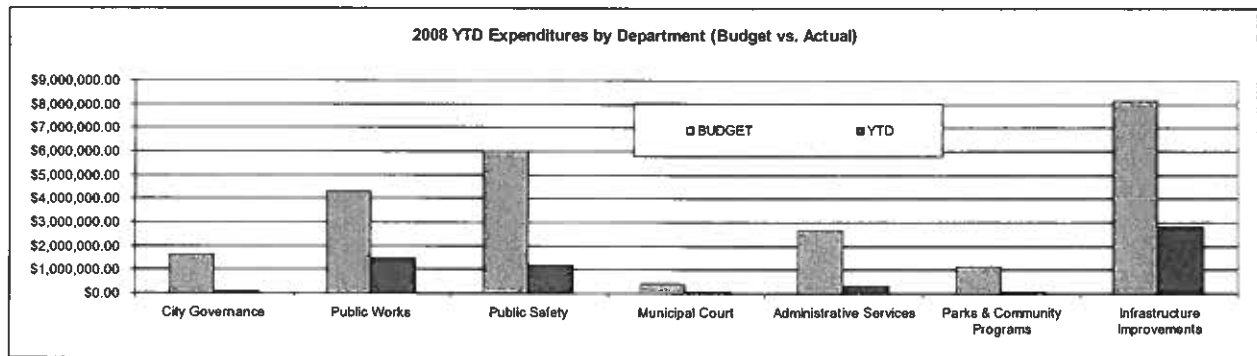


**CITY OF PRAIRIE VILLAGE
EXPENDITURE SUMMARY
AS OF MARCH 31, 2008**

FUND	2008 ORIGINAL BUDGET	2008 AMENDED BUDGET	MTD	YTD	ENC	TOTAL	BUDGET BALANCE	3/31/2008 % UTILIZED
General Fund	\$19,874,169.00	\$19,874,169.00	\$1,179,712.88	\$2,567,958.03	\$471,795.96	\$3,039,753.99	\$16,834,415.01	15.29%
Solid Waste Management	\$1,311,491.00	\$1,311,491.00	\$124,195.68	\$124,191.71	\$0.00	\$124,191.71	\$1,187,299.29	9.47%
Special Highway	\$649,000.00	\$649,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$649,000.00	0.00%
Special Parks & Recreation	\$86,000.00	\$86,000.00	\$22,649.05	\$22,649.05	\$0.00	\$22,649.05	\$63,350.95	26.34%
Special Alcohol	\$86,000.00	\$86,000.00	\$8,239.65	\$24,827.90	\$0.00	\$24,827.90	\$61,172.10	28.87%
Bond & Interest	\$554,771.00	\$554,771.00	\$0.00	\$39,885.00	\$0.00	\$39,885.00	\$514,886.00	7.19%
Capital Projects	\$6,160,500.00	\$8,136,706.79	\$44,197.00	\$35,706.15	\$2,741,418.95	\$2,777,125.10	\$5,359,581.69	34.13%
Risk Management Reserve	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A
Economic Development	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A
Equipment Reserve	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A
Total Expenditures	\$28,721,931.00	\$30,698,137.79	\$1,378,994.26	\$2,815,217.84	\$3,213,214.91	\$6,028,432.75	\$24,669,705.04	19.64%

Department	2008 ORIGINAL BUDGET	2008 AMENDED BUDGET	MTD	YTD	ENC	TOTAL	BUDGET BALANCE	3/31/2008 % UTILIZED
City Governance	\$1,639,289.00	\$1,639,289.00	\$37,211.06	\$95,682.01	\$0.00	\$95,682.01	\$1,543,606.99	5.84%
Public Works	\$4,280,472.00	\$4,315,472.00	\$665,825.57	\$1,052,433.01	\$414,772.96	\$1,467,205.97	\$2,848,266.03	34.00%
Public Safety	\$5,968,329.00	\$5,982,479.00	\$360,117.03	\$1,123,500.68	\$57,023.00	\$1,180,523.68	\$4,801,955.32	19.73%
Municipal Court	\$409,855.00	\$409,855.00	\$26,508.37	\$80,791.84	\$0.00	\$80,791.84	\$329,063.16	19.71%
Administrative Services	\$2,680,251.00	\$2,680,251.00	\$203,352.77	\$333,954.45	\$0.00	\$333,954.45	\$2,346,296.55	12.46%
Parks & Community Program	\$1,130,188.00	\$1,131,589.18	\$19,133.41	\$70,500.65	\$0.00	\$70,500.65	\$1,061,088.53	6.23%
Infrastructure Improvements	\$6,160,500.00	\$8,136,706.79	\$44,197.00	\$35,706.15	\$2,741,418.95	\$2,777,125.10	\$5,359,581.69	34.13%
Risk Management Reserve	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A
Economic Development	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A
Equipment Reserve	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A
Sub-total	\$22,268,884.00	\$24,295,641.97	\$1,356,345.21	\$2,792,568.79	\$3,213,214.91	\$6,005,783.70	\$18,289,858.27	24.72%
Contingency	\$700,000.00	\$649,448.82					\$649,448.82	0.00%
Interfund Transfers	\$5,753,047.00	\$5,753,047.00	\$22,649.05	\$22,649.05	\$0.00	\$22,649.05	\$5,730,397.95	0.39%
Total Expenditures	\$28,721,931.00	\$30,698,137.79	\$1,378,994.26	\$2,815,217.84	\$3,213,214.91	\$6,028,432.75	\$24,669,705.04	19.64%

Category	2008 ORIGINAL BUDGET	2008 AMENDED BUDGET	MTD	YTD	ENC	TOTAL	BUDGET BALANCE	3/31/2008 % UTILIZED
Personnel	\$7,904,457.00	\$7,904,457.00	\$526,372.47	\$1,625,282.02	\$0.00	\$1,625,282.02	\$6,279,174.98	20.56%
Contractual Services	\$6,073,388.00	\$6,074,787.18	\$687,672.71	\$893,961.33	\$336,936.00	\$1,230,897.33	\$4,843,889.85	20.26%
Commodities	\$840,720.00	\$875,720.00	\$94,634.88	\$191,943.14	\$39,629.58	\$231,572.72	\$644,147.28	26.44%
Capital Outlay	\$735,050.00	\$749,200.00	\$3,468.15	\$5,791.15	\$95,230.38	\$101,021.53	\$648,178.47	13.48%
Infrastructure Improvements	\$6,160,500.00	\$8,136,706.79	\$44,197.00	\$35,706.15	\$2,741,418.95	\$2,777,125.10	\$5,359,581.69	34.13%
Debt Service	\$554,771.00	\$554,771.00	\$0.00	\$39,885.00	\$0.00	\$39,885.00	\$514,886.00	7.19%
Sub-total	\$22,268,884.00	\$24,295,641.97	\$1,356,345.21	\$2,792,568.79	\$3,213,214.91	\$6,005,783.70	\$18,289,858.27	24.72%
Contingency	\$700,000.00	\$649,448.82					\$649,448.82	0.00%
Interfund Transfers	\$5,753,047.00	\$5,753,047.00	\$22,649.05	\$22,649.05	\$0.00	\$22,649.05	\$5,730,397.95	0.39%
Total Expenditures	\$28,721,931.00	\$30,698,137.79	\$1,378,994.26	\$2,815,217.84	\$3,213,214.91	\$6,028,432.75	\$24,669,705.04	19.64%

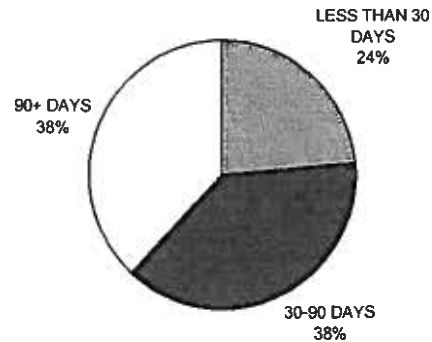
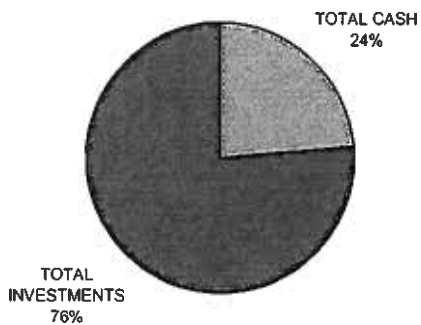


**CITY OF PRAIRIE VILLAGE, KANSAS
PROGRAM EXPENDITURE SUMMARY REPORT
AS OF MARCH 31, 2008**

DEPARTMENT	2008 ORIGINAL BUDGET	2008 AMENDED BUDGET	MTD	YTD	ENC	TOTAL	BUDGET BALANCE	% OBLIGATED
City Governance								
Mayor & Council	\$152,847.00	\$152,847.00	\$1,858.31	\$4,201.65	\$0.00	\$4,201.65	\$148,645.35	2.75%
Management & Plannin	\$1,486,442.00	\$1,486,442.00	\$35,352.75	\$91,480.36	\$0.00	\$91,480.36	\$1,394,961.64	6.15%
TOTAL	\$1,639,289.00	\$1,639,289.00	\$37,211.06	\$95,682.01	\$0.00	\$95,682.01	\$1,543,606.99	5.84%
Public Works								
Administration	\$861,211.00	\$861,211.00	\$58,578.58	\$176,567.13	\$5,000.00	\$181,567.13	\$679,643.87	21.08%
Vehicle & EQ Maint.	\$411,051.00	\$411,051.00	\$49,062.26	\$106,677.91	\$27,442.78	\$134,120.69	\$276,930.31	32.63%
Streets & Drains	\$2,049,082.00	\$2,084,082.00	\$517,705.28	\$644,065.62	\$371,565.58	\$1,015,631.20	\$1,068,450.80	48.73%
Buildings & Grounds	\$959,128.00	\$959,128.00	\$40,479.45	\$125,122.35	\$10,764.60	\$135,886.95	\$823,241.05	14.17%
TOTAL	\$4,280,472.00	\$4,315,472.00	\$665,825.57	\$1,052,433.01	\$414,772.96	\$1,467,205.97	\$2,848,266.03	34.00%
Public Safety								
Administration	\$762,927.00	\$762,927.00	\$33,205.75	\$134,842.77	\$0.00	\$134,842.77	\$628,084.23	17.67%
Staff Services	\$1,546,649.00	\$1,546,649.00	\$83,589.01	\$243,403.32	\$12,995.00	\$256,398.32	\$1,290,250.68	16.58%
Patrol	\$2,780,977.00	\$2,795,127.00	\$187,152.72	\$569,890.16	\$44,028.00	\$613,918.16	\$2,181,208.84	21.96%
Investigations	\$817,865.00	\$817,865.00	\$52,671.21	\$161,813.41	\$0.00	\$161,813.41	\$656,051.59	19.78%
Off-Duty Contractual	\$59,911.00	\$59,911.00	\$3,498.34	\$13,551.02	\$0.00	\$13,551.02	\$46,359.98	22.62%
TOTAL	\$5,968,329.00	\$5,982,479.00	\$360,117.03	\$1,123,500.68	\$57,023.00	\$1,180,523.68	\$4,801,955.32	19.73%
Municipal Court								
Judicial	\$34,961.00	\$34,961.00	\$2,687.43	\$8,135.58	\$0.00	\$8,135.58	\$26,825.42	23.27%
Prosecutor	\$49,715.00	\$49,715.00	\$2,558.59	\$7,527.15	\$0.00	\$7,527.15	\$42,187.85	15.14%
Court Clerks	\$325,179.00	\$325,179.00	\$21,262.35	\$65,129.11	\$0.00	\$65,129.11	\$260,049.89	20.03%
TOTAL	\$409,855.00	\$409,855.00	\$26,508.37	\$80,791.84	\$0.00	\$80,791.84	\$329,063.16	19.71%
Administrative Services								
Human Resources	\$90,261.00	\$90,261.00	\$5,181.37	\$15,080.96	\$0.00	\$15,080.96	\$75,180.04	16.71%
Administrative Services	\$171,043.00	\$171,043.00	\$8,631.06	\$13,447.32	\$0.00	\$13,447.32	\$157,595.68	7.86%
Financial Management	\$351,612.00	\$351,612.00	\$13,615.06	\$41,872.60	\$0.00	\$41,872.60	\$309,739.40	11.91%
Codes Administration	\$358,863.00	\$358,863.00	\$25,853.87	\$71,020.65	\$0.00	\$71,020.65	\$287,842.35	19.79%
Solid Waste Mgt	\$1,311,491.00	\$1,311,491.00	\$124,195.68	\$124,191.71	\$0.00	\$124,191.71	\$1,187,299.29	9.47%
City Clerk	\$396,981.00	\$396,981.00	\$25,875.73	\$68,341.21	\$0.00	\$68,341.21	\$328,639.79	17.22%
TOTAL	\$2,680,251.00	\$2,680,251.00	\$203,352.77	\$333,954.45	\$0.00	\$333,954.45	\$2,346,296.55	12.46%
Park & Community Programs								
Community Programs	\$238,142.00	\$239,543.18	\$14,570.38	\$28,806.64	\$0.00	\$28,806.64	\$210,736.54	12.03%
Swimming Pool	\$792,867.00	\$792,867.00	\$4,100.89	\$40,086.38	\$0.00	\$40,086.38	\$752,780.62	5.06%
Pool Food Service	\$52,932.00	\$52,932.00	\$0.00	(\$100.00)	\$0.00	(\$100.00)	\$53,032.00	-0.19%
Tennis	\$46,247.00	\$46,247.00	\$462.14	\$1,707.63	\$0.00	\$1,707.63	\$44,539.37	3.69%
TOTAL	\$1,130,188.00	\$1,131,589.18	\$19,133.41	\$70,500.65	\$0.00	\$70,500.65	\$1,061,088.53	6.23%
Total Operating	\$16,108,384.00	\$16,158,935.18	\$1,312,148.21	\$2,756,862.64	\$471,795.96	\$3,228,658.60	\$12,930,276.58	19.98%
Infrastructure Improvements								
Park Projects	\$236,000.00	\$308,114.53	\$0.00	\$0.00	\$0.00	\$0.00	\$308,114.53	0.00%
Drainage Projects	\$891,000.00	\$1,437,527.01	\$0.00	(\$2,046.00)	\$371,635.65	\$369,589.65	\$1,067,937.36	25.71%
Street Projects	\$4,198,500.00	\$5,503,985.09	\$42,847.00	\$37,445.25	\$1,643,383.30	\$1,680,828.55	\$3,823,156.54	30.54%
Building Projects	\$10,000.00	\$37,203.06	\$0.00	\$0.00	\$0.00	\$0.00	\$37,203.06	0.00%
Concrete Projects	\$825,000.00	\$849,877.10	\$1,350.00	\$306.90	\$726,400.00	\$726,706.90	\$123,170.20	85.51%
TOTAL	\$6,160,500.00	\$8,136,706.79	\$44,197.00	\$35,706.15	\$2,741,418.95	\$2,777,125.10	\$5,359,581.69	34.13%
Risk Management Reserve								
Workers Comp	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!
Property & Casualty	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!
TOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!
Economic Development								
Economic Developmen	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!
TOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!
Equipment Reserve								
Equipment Reserve	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!
TOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!
GRAND TOTAL	\$22,268,884.00	\$24,295,641.97	\$1,356,345.21	\$2,792,568.79	\$3,213,214.91	\$6,005,783.70	\$18,289,858.27	24.72%

**CITY OF PRAIRIE VILLAGE
STATEMENT OF CASH INVESTMENTS
MARCH 31, 2008**

TYPE OF INVESTMENT	INSTITUTION	ACCOUNT NUMBER	PURCHASE DATE	MATURITY DATE	INVESTED AMOUNT	YIELD	WEIGHTED YIELD	COLLATERAL REQUIRED	COLLATERAL MARKET VALUE	OVER/ (UNDER) COLLATERALIZED
Cash										
General Operating (XX-00-00-1001)	Intrust Bank	8290512			\$41,972.39	2.33%	0.01%			
Gift Card Clearing (01-00-00-1004)	Intrust Bank	40766217			\$6,347.44	2.33%	0.00%			
Payroll (01-00-00-1011)	Intrust Bank	8290520			(\$0.00)	2.33%	0.00%	(46,848.19)	681,710.00	728,558.19
Petty Cash					\$1,149.00	0.00%	0.00%	N/A		
Municipal Investment Pool - overnight	State of Kansas	0040			\$3,050,386.53	2.87%	0.67%	N/A - State handles collateral		
TOTAL CASH					\$3,099,855.36		0.68%			
Investments										
Certificates of Deposit (XX-00-00-1050)										
	Commerce Bank		2/14/2008	7/17/2008	\$2,000,000.00	2.60%	0.40%			
	Commerce Bank		2/14/2008	8/14/2008	\$2,000,000.00	2.57%	0.39%			
	Commerce Bank		3/13/2008	9/8/2008	\$1,000,000.00	2.40%	0.18%	\$4,900,000.00	5,620,473.76	720,473.76
	Mission Bank		6/27/2007	6/14/2008	\$1,000,000.00	5.05%	0.39%	\$900,000.00	1,513,905.00	613,905.00
	365 day MIP		5/21/2007	5/20/2008	\$2,000,000.00	5.07%	0.77%	N/A - State handles collateral		
	365 day MIP		6/14/2007	6/13/2008	\$1,000,000.00	5.19%	0.40%	N/A - State handles collateral		
	365 day MIP		6/27/2007	6/26/2008	\$1,000,000.00	5.00%	0.38%	N/A - State handles collateral		
					<u>\$10,000,000.00</u>		<u>2.91%</u>			
TOTAL INVESTMENTS					\$10,000,000.00		2.91%			
TOTAL CASH & INVESTMENTS					\$13,099,855.36		3.59%			



**CITY OF PRAIRIE VILLAGE
USE OF CONTINGENCY RESERVE
THROUGH MARCH 31, 2008**

DATE OF COUNCIL ACTION	APPROVED USE	AMOUNT AUTHORIZED	BALANCE
	Beginning balance		\$ 700,000.00
12/17/2007	Carry forward 2007 Ending Balance - Arts Council	1,401.18	698,598.82
1/7/2008	Police Laptop Purchase Delayed from 2007	14,150.00	684,448.82
3/3/2008	Purchase additional road salt	35,000.00	649,448.82

**CITY OF PRAIRIE VILLAGE, KANSAS
ECONOMIC DEVELOPMENT FUND
MARCH 31, 2008**

	2008	2007
Beginning Fund Balance	\$ 1,504,491.04	\$ -
Revenues:		
Interest Earned	15,880.26	12,491.04
Transfers from General Fund	-	1,492,000.00
Total Revenue	15,880.26	1,504,491.04
Expenditures:		
SME Parking Lot	-	-
75th Street Corridor	-	-
Exterior Grant Program	-	-
Total Expenditures	-	-
Ending Fund Balance	1,520,371.30	1,504,491.04
Commitments:		
SME Parking Lot - CA 1/22/08	(112,000.00)	
75th St Corridor (HNTB) - CA 2/4/08	(194,680.00)	
Exterior Grant Program - CA 3/3/08	(37,500.00)	
Total Commitments	(344,180.00)	-
Adjusted Ending Fund Balance	1,176,191.30	1,504,491.04

CITY OF PRAIRIE VILLAGE, KANSAS
 JOHNSON COUNTY SCHOOLS SALES & USE TAX RESERVE
 MARCH, 2008

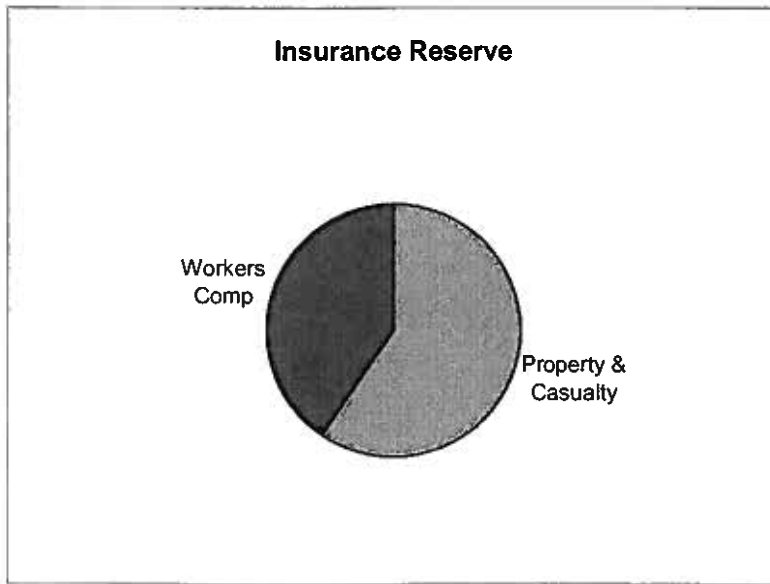
FISCAL YEAR	SALES TAX	USE TAX	TOTAL	USES*	BALANCE
2003	\$ 392,898.21	\$ 42,805.83	\$ 435,704.04	\$ -	\$ 435,704.04
2004	394,733.41	98,143.48	492,876.89	(385,895.00)	542,685.93
2005	396,156.91	101,401.25	497,558.16	-	1,040,244.09
2006	395,571.45	102,752.12	498,323.57	-	1,538,567.66
2007	393,388.96	88,583.73	481,972.69	(1,499,500.00)	521,040.35
2008 YTD	38,337.08	7,653.31	45,990.39	-	567,030.74
	<u>\$ 2,011,086.02</u>	<u>\$ 441,339.72</u>	<u>\$ 2,452,425.74</u>	<u>\$ (1,885,395.00)</u>	<u>\$ 567,030.74</u>

* USES

PURPOSE	YEAR	AMOUNT
Skatepark construction	2004	\$ (200,000.00)
Strategic Plan	2004	(185,895.00)
Council Retreat	2007	(7,500.00)
Transfer to Economic Dev Fund	2007	(1,492,000.00)
		<u>\$ (1,885,395.00)</u>

**CITY OF PRAIRIE VILLAGE, KANSAS
RISK MANAGEMENT RESERVE FUND
MARCH 31, 2008**

	Balance at 2/29/2008	Revenues				Expenditures	Balance at 3/31/2008
		Insurance Claim Reimb	Interest Earned	Transfers In	Total		
Property & Casualty	\$ 49,791.50	\$2,515.51	\$ 222.86		\$ 2,738.37	\$0.00	\$ 52,529.87
Workers Comp	35,572.07	-	159.22		159.22	\$0.00	35,731.29
Totals	\$ 85,363.57	\$ 2,515.51	\$ 382.08	\$ -	\$ 2,897.59	\$ -	\$ 88,261.16



CITY OF PRAIRIE VILLAGE

2nd QUARTER 2008

FINANCIAL REPORT

UNAUDITED



City of Prairie Village
2nd Quarter 2008 Financial Report



The following pages contain the financial reports for the 2nd Quarter of 2008. Below are highlights of the information contained in these reports. These reports are unaudited.

Fund Balance – General Fund

The chart on this page shows the total fund balance in the General Fund broken down into its various components. The emergency reserve portion of the fund balance was calculated using 15% of budgeted revenue per the 2008 Budget discussions.

The fund balance at June 30th is lower than it was at March 31st due to making the budgeted transfers to the Capital Projects Fund, Equipment Reserve Fund and Risk Management Reserve Fund. In addition, the remaining balance of the School Sales Tax has been transferred to the Economic Development Fund. As School Sales Tax revenue is received, it will be transferred to the Economic Development Fund. This sales tax sunsets on December 31, 2008.

Balance Sheet

This report shows the balance sheet information for all of the City's funds at June 30th.

Combined Statement of Revenue, Expenditures and Changes in Fund Balance

This report shows the income statement information for all of the City's funds as of June 30th.

Revenue Summary

This report shows revenue received to date in all funds by major categories. Sales and use taxes appear to be behind when you look at the percent collected. While we have had six months of activity in 2008, there has been only four months of distributions posted to the current fiscal year. The January and February distributions are posted to the prior fiscal year since they cover November and December sales periods.

- * The percent of property tax collected is slightly behind the percent collected at June 30, 2007. There are still two more distributions in 2008. Historically, the City has collected around 98% of the property tax revenue budgeted.
- * In comparison to the same time last year, sales tax revenue is up 10%. The City is receiving a larger share of the County Sales Tax due to the mill levy increase for 2008 and there is an increase in local sales tax from grocery stores and utilities. Because there are only four months of data, it is difficult to determine if this trend will continue. At March 31st, the increase over 2007 was 36%, so it appears that while there is an increase over last year, the amount of that increase is a moving target. We will watch this revenue source to see if the trend continues.
- * Use Tax revenue is lagging behind compared to last year. This trend reflects the County Use Tax refunds issued by the State of Kansas as noted during our 2009 Budget discussion.
- * Interest revenue is 38% lower than at June 30, 2007. This is due to a significant decrease in rates received on investments. Rates are averaging half of what they were one year ago. The rest of the revenue sources are all very close to the amount received as of this time last year.



**City of Prairie Village
2nd Quarter 2008 Financial Report**



- * Capital-Intergovernmental revenue is significantly higher compared to the same period last year. This revenue will fluctuate from year to year depending on which CARS and SMAC projects are in process and what the stage of construction is.

Expenditure Summary

This report shows expenditures for all funds broken out by fund, department and category. As of June 30th, 54.24% of the budget has been utilized which is reasonable considering we are 50% through the budget year.

Program Expenditure Summary

This report presents expenditures broken down by program. It should be noted that this report does not include the contingency budget and transfers in the calculation of the percent of budget obligated.

Statement of Cash Investments

This report shows the City's cash and investment balances at June 30th. By state law, some investments are required to be collateralized. This report contains information regarding the City's compliance with these collateral requirements. At June 30th, the City's investment portfolio totaled \$5,000,000. Several investments matured at the end of June and the City received the second half of the property tax distribution, which are all reflected in the balance of the Overnight account at the Municipal Investment Pool. Additional investments were made in July once all of the funds had been received and cash flows were analyzed.

The negative balance in the General Operating Account is caused by checks issued by not yet approved for distribution. The City keeps a small balance in the General Operating Account. The rest of the funds are invested in Certificates of Deposit or in the Municipal Investment Pool.

Use of Contingency Reserve

This report lists the Council approved uses of the contingency budget. Only 24% of this budget has been used to date.

Local Sales Tax Receipts

This report breaks down the City's sales tax receipts by business type. The total to date for 2008 is lower than the total sales tax reported on the Revenue Summary because this data reflects only the City's levy. The total sales tax on the Revenue Summary also includes the City's share of County sales taxes. In addition, this report shows actual money received in 2008. As noted earlier under the Revenue Summary section of this report, for accounting purposes sales tax revenue received in January and February is posted to the prior fiscal year.

In total, there was a 7.0% increase compared to the same period in 2007. This increase consisted of increases in gas stations, grocery stores, restaurants and retail. This trend reflects the prices increases that consumers are seeing in these goods/services.



**City of Prairie Village
2nd Quarter 2008 Financial Report**



Economic Development Fund

This report shows the status of the Economic Development Fund. Actual revenues and expenditures are listed as well as the balance of any commitments made by the Council. Three projects have been approved; however, there have only been a few expenditures related to the 75th Street Corridor study.

Johnson County Schools Sales & Use Tax Reserve

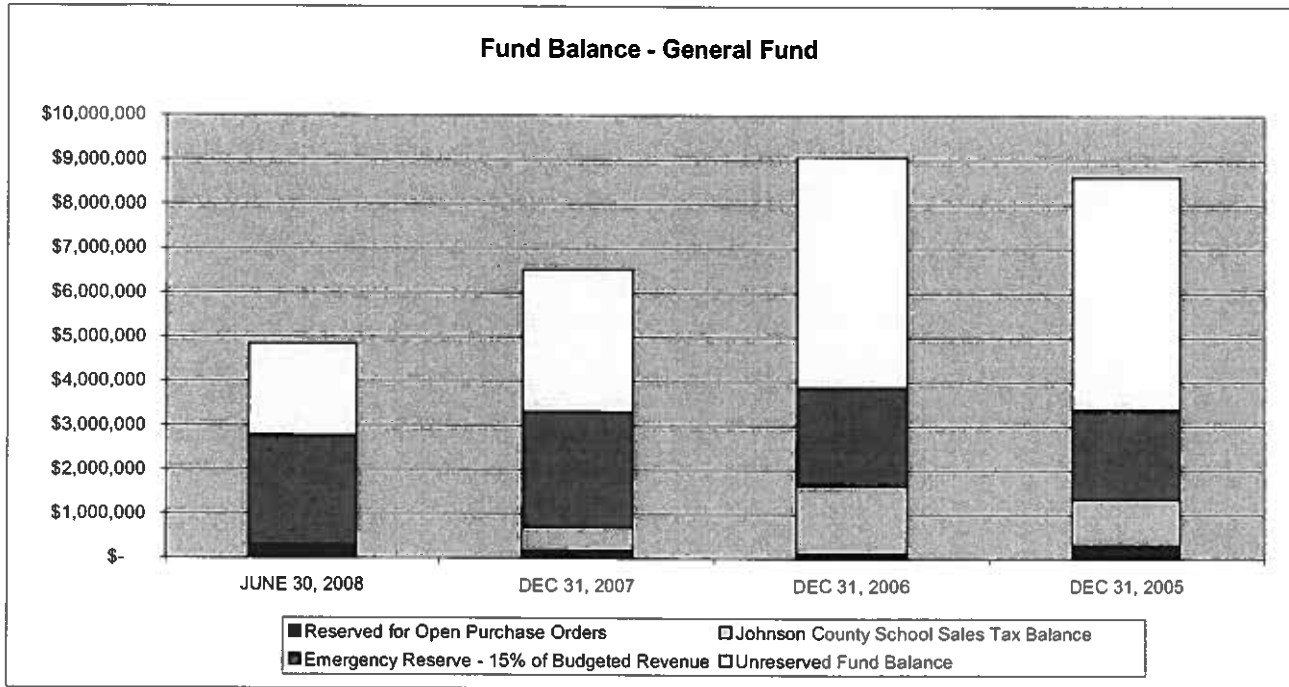
This page displays the status of the School Sales Tax reserve at June 30th. All of the school sales tax money has been transferred to the Economic Development Fund. Going forward, School Sales Tax revenue will be transferred to the Economic Development Fund as it is received. This tax sunsets on December 31, 2008.

Risk Management Reserve Fund

The Risk Management Reserve Fund was established to pay uninsured losses, such as insurance deductibles. Two types of uninsured losses will be paid from this fund: losses related to workers comp and losses related to property and casualty. Revenues in this fund consist of transfers from the General Fund per the budget, insurance claim reimbursements and investment earnings. This report shows the activity in the fund as of June 30th.

**CITY OF PRAIRIE VILLAGE, KANSAS
GENERAL FUND - FUND BALANCE
JUNE 30, 2008**

	JUNE 30, 2008	DEC 31, 2007	DEC 31, 2006	DEC 31, 2005
Reserved for Open Purchase Orders	\$ 295,800	\$ 173,854	\$ 106,738	\$ 301,539
Johnson County School Sales Tax Balance	-	521,040	1,538,568	1,040,244
Emergency Reserve - 15% of Budgeted Revenue	2,466,118	2,602,035	2,216,473	2,029,701
Unreserved Fund Balance	2,081,783	3,225,479	5,206,473	5,249,342
Total Fund Balance	\$ 4,843,702	\$ 6,522,408	\$ 9,068,251	\$ 8,620,826



CITY OF PRAIRIE VILLAGE
BALANCE SHEET
JUNE 30, 2008

	General	Solid Waste Management	Special Highway	Special Parks & Recreation	Special Alcohol	Bond & Interest	Capital Projects	Risk Management	Economic Development	Equipment Reserve	Total
ASSETS											
<u>Pooled Cash & Investments</u>											
Cash											
General Operating	\$53,628.13	(\$323,534.72)		\$0.00	(\$19,693.30)		\$149,147.66	\$2,557.46	(\$3,987.07)	\$0.00	(\$141,881.84)
Payroll	(\$0.00)										(\$0.00)
Gift Card Clearing	\$6,632.81										\$6,632.81
Petty Cash	\$1,649.00										\$1,649.00
Money Market											\$0.00
Treasury Notes	\$0.00							\$0.00	\$0.00	\$0.00	\$0.00
Certificates of Deposit	\$0.00						\$3,148,009.99	\$0.00	\$1,601,990.01	\$250,000.00	\$5,000,000.00
Municipal Investment Pool	\$4,671,845.79	\$1,235,251.22	\$0.00	\$18,716.54	\$26,327.19	\$498,395.10	\$2,031,731.03	\$120,782.63	\$578,593.24	\$0.00	\$9,181,642.74
Total Pooled Cash & Investments	\$4,733,755.73	\$911,716.50	\$0.00	\$18,716.54	\$6,633.89	\$498,395.10	\$5,328,888.68	\$123,340.09	\$2,176,596.18	\$250,000.00	\$14,048,042.71
<u>Accounts Receivable</u>											
Property Taxes	\$292,020.17	\$28,610.87				\$28,659.68					\$349,290.72
Interest on Investments	\$34,129.48							\$2,709.82	\$8,688.13	\$1,088.68	\$46,616.11
Other Receivables	\$227,359.36										\$227,359.36
Due from Other Governments	\$0.00		\$0.00				\$767,587.30				\$767,587.30
Due from Other Funds							\$0.00				\$0.00
Total Accounts Receivable	\$553,509.01	\$28,610.87	\$0.00	\$0.00	\$0.00	\$28,659.68	\$767,587.30	\$2,709.82	\$8,688.13	\$1,088.68	\$1,390,853.49
<u>Prepaid Expenditures</u>											
	\$218,471.33				\$2,491.50						\$220,962.83
<u>Restricted Assets</u>											
	\$78,255.75										\$78,255.75
TOTAL ASSETS	\$5,583,991.82	\$940,327.37	\$0.00	\$18,716.54	\$9,125.39	\$527,054.78	\$6,096,475.98	\$126,049.91	\$2,185,284.31	\$251,088.68	\$15,738,114.78
LIABILITIES											
Accounts Payable & Other Liabilities	\$163,366.41	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,590.15)	\$296.37	\$0.00	\$0.00	\$162,072.63
Compensated Absences	\$1,919.21	\$0.00			\$0.00						\$1,919.21
Payable from Restricted Assets	\$78,255.76										\$78,255.76
Deferred Revenue	\$496,748.86	\$28,610.87				\$28,782.68	\$486,863.10				\$1,041,005.51
TOTAL LIABILITIES	\$740,290.24	\$28,610.87	\$0.00	\$0.00	\$0.00	\$28,782.68	\$485,272.95	\$296.37	\$0.00	\$0.00	\$1,283,253.11
FUND BALANCE											
<u>Reserved Fund Balance</u>											
Reserve for Current Year Encumbrances	\$248,897.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,012,420.20	\$0.00	\$0.00	\$0.00	\$3,261,318.02
Reserve for Prior Year Encumbrances	\$46,902.53						\$547,004.84			\$0.00	\$593,907.37
Reserve for Johnson County School Sales Tax	\$									\$	\$
Reserve for Incomplete Capital Projects							\$0.00				\$0.00
Total Reserved Fund Balance	\$295,800.35	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,559,425.04	\$0.00	\$0.00	\$0.00	\$3,855,225.39
<u>Unreserved Fund Balance</u>											
1/1/08 Unreserved Fund Balance	\$ 6,151,668.15	\$164,543.05	\$0.00	\$18,716.54	\$11,035.91	\$30,120.76	\$1,186,432.14	\$84,688.19	\$1,504,491.04	\$0.00	\$ 9,151,695.78
Prior Period Adjustment	\$0.00										\$0.00
Prior Year Encumbrances Written Off	\$ 3,011.64						\$ 60,697.32				\$ 63,708.96
YTD Revenues	\$9,283,457.77	\$1,287,247.45	\$137,301.03	\$46,036.48	\$46,102.47	\$508,036.34	\$5,304,947.70	\$41,265.35	\$703,422.89	\$251,088.68	\$17,608,906.16
YTD Expenditures/Encumbrances	(\$11,411,276.69)	(\$540,074.00)	(\$137,301.03)	(\$46,036.48)	(\$48,012.99)	(\$39,885.00)	(\$4,500,299.17)	(\$200.00)	(\$22,629.62)	\$0.00	(\$16,745,714.98)
Sch Sales Tax Incl in Rev & Expd & Fund Bal Resv	\$521,040.35						\$0.00				\$521,040.35
Total Unreserved Fund Balance	\$ 4,547,901.22	\$911,716.50	\$0.00	\$18,716.54	\$9,125.39	\$498,272.10	\$2,051,777.99	\$125,753.54	\$2,185,284.31	\$251,088.68	\$10,599,636.27
TOTAL FUND BALANCE	\$4,843,701.57	\$911,716.50	\$0.00	\$18,716.54	\$9,125.39	\$498,272.10	\$5,611,203.03	\$125,753.54	\$2,185,284.31	\$251,088.68	\$14,454,861.66
TOTAL LIABILITIES & FUND BALANCE	\$5,583,991.82	\$940,327.37	\$0.00	\$18,716.54	\$9,125.39	\$527,054.78	\$6,096,475.98	\$126,049.91	\$2,185,284.31	\$251,088.68	\$15,738,114.78



CITY OF PRAIRIE VILLAGE
COMBINED STATEMENT OF REVENUE, EXPENDITURES
AND CHANGES IN FUND BALANCE - ALL FUNDS
JUNE 30, 2008

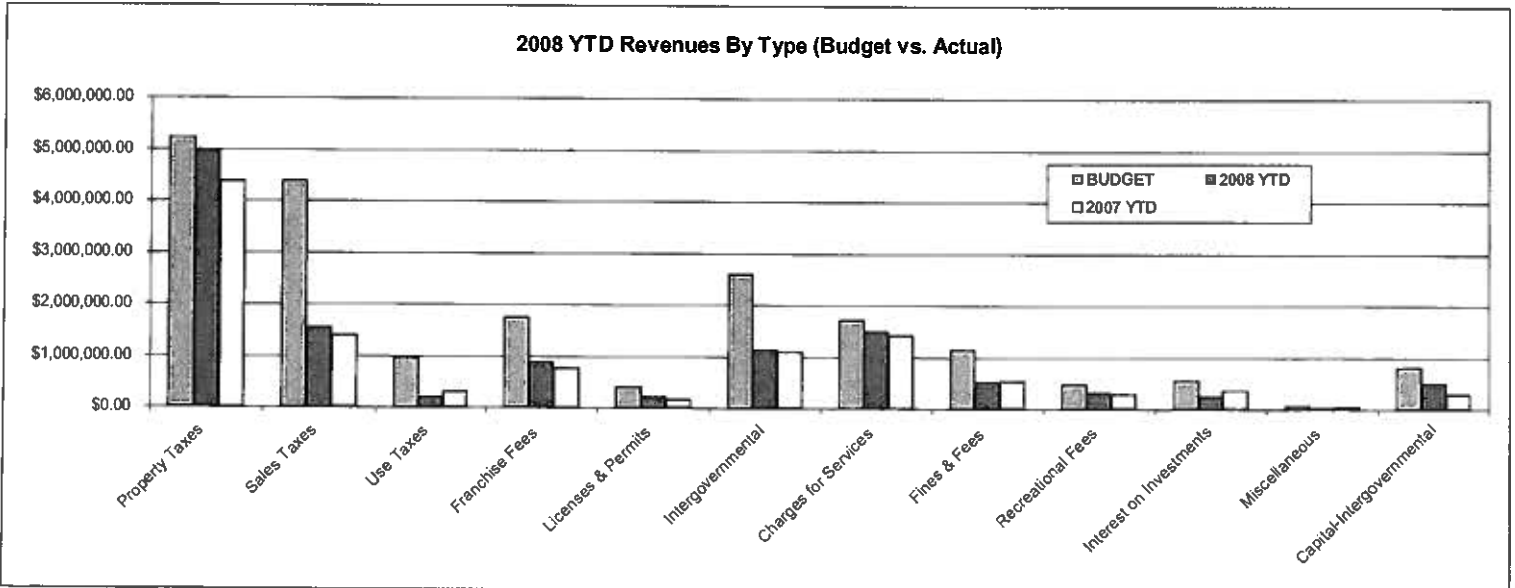
<u>REVENUES</u>	<u>GENERAL FUND</u>	<u>SOLID WASTE MGMT.</u>	<u>SPECIAL HIGHWAY</u>	<u>SPECIAL PARKS RECREATION</u>	<u>SPECIAL ALCOHOL FUNDS</u>	<u>DEBT SERVICE</u>	<u>CAPITAL PROJECTS</u>	<u>RISK MGMT</u>	<u>ECONOMIC DEVELOPMENT</u>	<u>EQUIPMENT RESERVE</u>	<u>TOTALS</u>
Taxes:											
Property	\$ 4,458,672	\$ -	\$ -	\$ -	\$ -	\$ 476,334	\$ -	\$ -	\$ -	-	\$ 4,935,007
Sales	1,537,082										1,537,082
Use	191,496										191,496
Franchise Fees	854,195										893,002
Licenses & Permits	204,512										204,512
Intergovernmental	861,418		137,301	46,036	46,036	28,192	489,610				1,608,595
Charges for Services	196,462	1,277,756									1,474,218
Fines & Forfeits	498,858										498,858
Recreational Fees	290,977										290,977
Interest	173,972	9,491	-			3,509		3,550	29,789	1,089	221,400
Other	15,814				66			2,716			18,595
Total Revenue	9,283,458	1,287,247	137,301	46,036	46,102	508,036	489,610	6,265	29,789	1,089	11,873,742
Transfers From Other Funds							4,815,338	35,000	673,634	250,000	5,773,971
Total Revenue & Transfers	9,283,458	1,287,247	137,301	46,036	46,102	508,036	5,304,948	41,265	703,423	251,089	17,608,906
EXPENDITURES											
City Governance	237,781										237,781
Public Works	2,201,729						4,493,299				6,695,028
Public Safety	2,397,932				34,548	11,348					2,443,827
Municipal Justice	179,695										179,695
Administrative Services	521,810	540,074									1,061,884
Parks & Community Programs	281,696				13,465	28,538	7,000				330,698
Risk Management Reserve								200			200
Economic Development									22,630		22,630
Equipment Reserve										-	-
Total Expenditures	5,820,643	540,074	-	-	48,013	39,885	4,500,299	200	22,630	-	10,971,744
Transfer to Other Funds	5,590,634		137,301	46,036	-						5,773,971
Total Expenditures & Transfers	11,411,277	540,074	137,301	46,036	48,013	39,885	4,500,299	200	22,630	-	16,745,715
Revenue/Transfers Over (Under)											
Expenditures/Transfers	(2,127,819)	747,173	-	-	(1,911)	468,151	804,649	41,065	680,793	251,089	863,191
Unreserved Fund Balance - 1/1/08	6,151,668	164,543	-	18,717	11,036	30,121	1,186,432	84,688	1,504,491	-	9,151,696
2008 Fund Balances Reserved	521,040										521,040
PY POs closed less than balance	3,012						60,697				63,709
Fund Balance (Budget Basis)	\$ 4,547,901	\$ 911,717	\$ -	\$ 18,717	\$ 9,125	\$ 498,272	\$ 2,051,778	\$ 125,754	\$ 2,185,284	\$ 251,089	\$ 10,599,636

**CITY OF PRAIRIE VILLAGE
REVENUE SUMMARY
AS OF JUNE 30, 2008**

CATEGORY	2008 ORIGINAL BUDGET	2008 AMENDED BUDGET	MTD	YTD	BUDGET BALANCE	% COLLECTED	6/30/2007 YTD
Taxes							
Property Taxes	\$5,223,069.00	\$5,223,069.00	\$1,943,922.09	\$4,935,006.54	\$288,062.46	94.48%	\$4,371,947.14
Sales Taxes	\$4,375,000.00	\$4,375,000.00	\$375,136.96	\$1,537,081.85	\$2,837,918.15	35.13%	\$1,385,184.96
Use Taxes	\$948,000.00	\$948,000.00	\$31,033.36	\$191,496.16	\$756,503.84	20.20%	\$296,454.81
Franchise Fees	\$1,735,520.00	\$1,735,520.00	\$82,493.41	\$854,194.52	\$881,325.48	49.22%	\$754,827.40
Licenses & Permits	\$400,000.00	\$400,000.00	\$22,546.62	\$204,511.90	\$195,488.10	51.13%	\$153,896.01
Intergovernmental	\$2,572,638.00	\$2,572,638.00	\$290,930.72	\$1,118,984.56	\$1,453,653.44	43.50%	\$1,089,331.55
Charges for Services	\$1,700,000.00	\$1,700,000.00	\$563,361.01	\$1,474,218.43	\$225,781.57	86.72%	\$1,396,593.69
Fines & Fees	\$1,122,000.00	\$1,122,000.00	\$82,313.50	\$498,858.30	\$623,141.70	44.46%	\$523,188.30
Recreational Fees	\$460,000.00	\$460,000.00	\$156,125.78	\$290,977.00	\$169,023.00	63.26%	\$283,979.60
Interest on Investments	\$547,000.00	\$547,000.00	\$29,592.94	\$221,400.05	\$325,599.95	40.48%	\$355,975.35
Miscellaneous	\$58,000.00	\$58,000.00	\$6,574.41	\$18,595.25	\$39,404.75	32.06%	\$35,998.38
Operating Revenues	\$19,141,227.00	\$19,141,227.00	\$3,584,030.80	\$11,345,324.56	\$7,795,902.44	59.27%	\$10,647,377.19
Capital-Intergovernmental	\$793,500.00	\$793,500.00	\$67,705.45	\$489,610.19	\$303,889.81	61.70%	\$273,838.04
Interfund Transfers	\$5,367,000.00	\$5,367,000.00	\$57,914.13	\$5,773,971.41	(\$406,971.41)	107.58%	\$178,061.97
Total Revenues	\$25,301,727.00	\$25,301,727.00	\$3,709,650.38	\$17,608,906.16	\$7,692,820.84	69.60%	\$11,099,277.20

FUND	2008 ORIGINAL BUDGET	2008 AMENDED BUDGET	MTD	YTD	BUDGET BALANCE	% COLLECTED	6/30/2007 YTD
General Fund	\$17,083,632.00	\$16,440,788.00	\$2,796,090.01	\$9,283,457.77	\$7,157,330.23	56.47%	\$8,719,341.27
Solid Waste Management	\$1,258,000.00	\$1,324,000.00	\$534,096.77	\$1,287,247.45	\$36,752.55	97.22%	\$1,214,131.21
Special Highway	\$644,000.00	\$649,000.00	\$0.00	\$137,301.03	\$511,698.97	21.16%	\$140,186.01
Special Parks & Recreation	\$80,000.00	\$86,000.00	\$23,387.43	\$46,036.48	\$39,963.52	53.53%	\$37,875.96
Special Alcohol	\$80,000.00	\$86,000.00	\$23,387.42	\$46,102.47	\$39,897.53	53.61%	\$37,875.96
Bond & Interest	\$536,595.00	\$555,439.00	\$200,620.12	\$508,036.34	\$47,402.66	91.47%	\$497,966.78
Capital Projects	\$5,619,500.00	\$6,160,500.00	\$91,092.88	\$5,304,947.70	\$855,552.30	86.11%	\$451,900.01
Risk Management	\$0.00	\$0.00	\$1,742.46	\$41,265.35	(\$41,265.35)	N/A	\$0.00
Economic Development	\$0.00	\$0.00	\$39,233.29	\$703,422.89	(\$703,422.89)	N/A	\$0.00
Equipment Reserve	\$0.00	\$0.00	\$535.42	\$251,088.68	(\$251,088.68)	N/A	\$0.00
Total Revenues	\$25,301,727.00	\$25,301,727.00	\$3,709,650.38	\$17,608,906.16	\$7,692,820.84	69.60%	\$11,099,277.20

2008 YTD Revenues By Type (Budget vs. Actual)

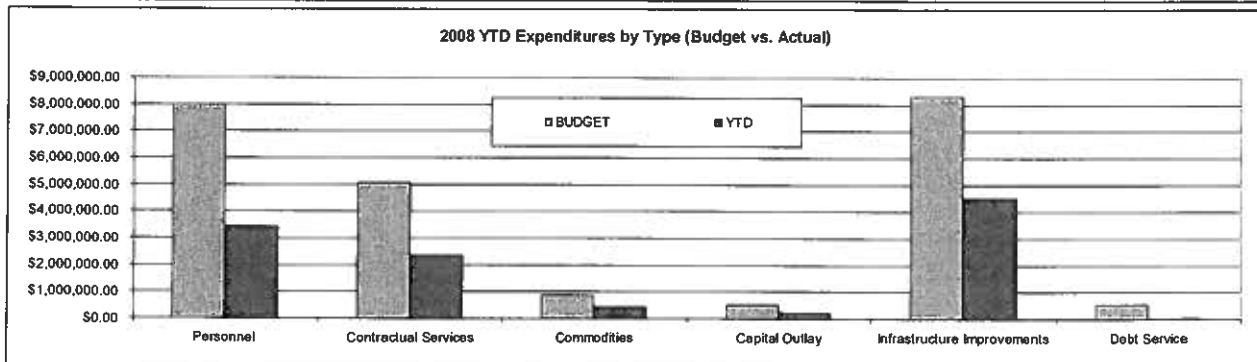
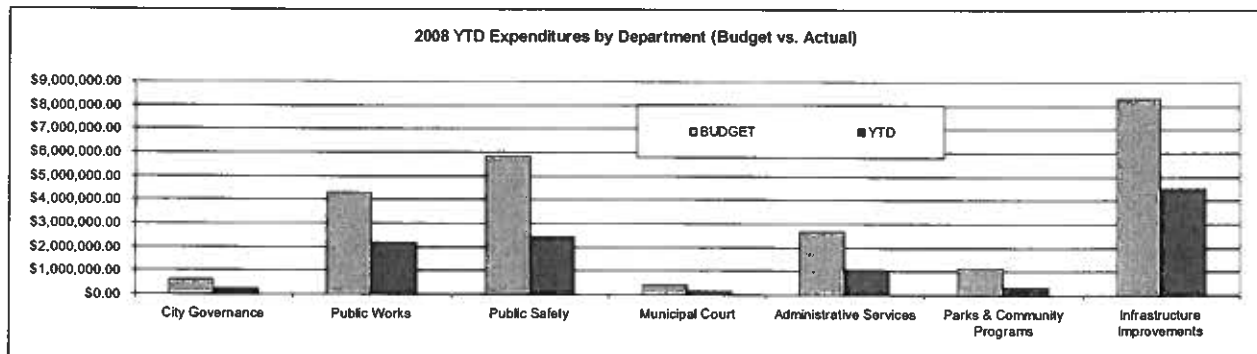


**CITY OF PRAIRIE VILLAGE
EXPENDITURE SUMMARY
AS OF JUNE 30, 2008**

FUND	2008	2008	MTD	YTD	ENC	TOTAL	BUDGET BALANCE	6/30/2008
	ORIGINAL BUDGET	AMENDED BUDGET						% UTILIZED
General Fund	\$19,874,169.00	\$19,872,202.00	\$1,274,914.96	\$11,162,378.87	\$248,897.82	\$11,411,276.69	\$8,460,925.31	57.42%
Solid Waste Management	\$1,311,491.00	\$1,311,491.00	\$215,148.87	\$540,074.00	\$0.00	\$540,074.00	\$771,417.00	41.18%
Special Highway	\$649,000.00	\$649,000.00	\$0.00	\$137,301.03	\$0.00	\$137,301.03	\$511,698.97	21.16%
Special Parks & Recreation	\$86,000.00	\$86,000.00	\$23,387.43	\$46,036.48	\$0.00	\$46,036.48	\$39,963.52	53.53%
Special Alcohol	\$86,000.00	\$87,967.00	\$4,588.35	\$48,012.99	\$0.00	\$48,012.99	\$39,954.01	54.58%
Bond & Interest	\$554,771.00	\$554,771.00	\$0.00	\$39,885.00	\$0.00	\$39,885.00	\$514,886.00	7.19%
Capital Projects	\$6,160,500.00	\$8,314,404.11	\$933,427.91	\$1,487,878.97	\$3,012,420.20	\$4,500,299.17	\$3,814,104.94	54.13%
Risk Management Reserve	\$0.00	\$0.00	\$0.00	\$200.00	\$0.00	\$200.00	(\$200.00)	N/A
Economic Development	\$0.00	\$0.00	\$21,354.67	\$22,629.62	\$0.00	\$22,629.62	(\$22,629.62)	N/A
Equipment Reserve	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A
Total Expenditures	\$28,721,931.00	\$30,875,835.11	\$2,472,822.19	\$13,484,396.96	\$3,261,318.02	\$16,745,714.98	\$14,130,120.13	54.24%

Department	2008	2008	MTD	YTD	ENC	TOTAL	BUDGET BALANCE	6/30/2008
	ORIGINAL BUDGET	AMENDED BUDGET						% UTILIZED
City Governance	\$1,639,289.00	\$604,289.00	\$55,058.00	\$237,781.25	\$0.00	\$237,781.25	\$366,507.75	39.35%
Public Works	\$4,280,472.00	\$4,315,472.00	\$416,217.37	\$1,967,660.67	\$234,068.42	\$2,201,729.09	\$2,113,742.91	51.02%
Public Safety	\$5,968,329.00	\$5,837,479.00	\$448,690.52	\$2,428,998.02	\$14,829.40	\$2,443,827.42	\$3,393,651.58	41.86%
Municipal Court	\$409,855.00	\$409,855.00	\$27,020.98	\$179,694.89	\$0.00	\$179,694.89	\$230,160.11	43.84%
Administrative Services	\$2,680,251.00	\$2,680,251.00	\$308,461.42	\$1,061,884.09	\$0.00	\$1,061,884.09	\$1,618,366.91	39.62%
Parks & Community Program	\$1,130,188.00	\$1,143,589.18	\$204,677.19	\$323,698.04	\$0.00	\$323,698.04	\$819,891.14	28.31%
Infrastructure Improvements	\$6,160,500.00	\$8,314,404.11	\$933,427.91	\$1,487,878.97	\$3,012,420.20	\$4,500,299.17	\$3,814,104.94	54.13%
Risk Management Reserve	\$0.00	\$0.00	\$0.00	\$200.00	\$0.00	\$200.00	(\$200.00)	N/A
Economic Development	\$0.00	\$0.00	\$21,354.67	\$22,629.62	\$0.00	\$22,629.62	(\$22,629.62)	N/A
Equipment Reserve	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A
Sub-total	\$22,268,884.00	\$23,305,339.29	\$2,414,908.06	\$7,710,425.55	\$3,261,318.02	\$10,971,743.57	\$12,333,595.72	47.08%
Contingency	\$700,000.00	\$532,448.82					\$532,448.82	0.00%
Interfund Transfers	\$5,753,047.00	\$7,038,047.00	\$57,914.13	\$5,773,971.41	\$0.00	\$5,773,971.41	\$1,264,075.59	82.04%
Total Expenditures	\$28,721,931.00	\$30,875,835.11	\$2,472,822.19	\$13,484,396.96	\$3,261,318.02	\$16,745,714.98	\$14,130,120.13	54.24%

Category	2008	2008	MTD	YTD	ENC	TOTAL	BUDGET BALANCE	6/30/2008
	ORIGINAL BUDGET	AMENDED BUDGET						% UTILIZED
Personnel	\$7,904,457.00	\$7,994,457.00	\$614,412.59	\$3,433,464.12	\$0.00	\$3,433,464.12	\$4,560,992.88	42.95%
Contractual Services	\$6,073,386.00	\$5,051,787.18	\$707,745.79	\$2,129,550.53	\$201,825.85	\$2,331,376.38	\$2,720,410.80	46.15%
Commodities	\$840,720.00	\$874,854.49	\$131,443.28	\$434,650.97	\$9,646.57	\$444,297.54	\$430,556.95	50.79%
Capital Outlay	\$735,050.00	\$515,065.51	\$27,878.49	\$184,995.96	\$37,425.40	\$222,421.36	\$292,644.15	43.18%
Infrastructure Improvements	\$6,160,500.00	\$8,314,404.11	\$933,427.91	\$1,487,878.97	\$3,012,420.20	\$4,500,299.17	\$3,814,104.94	54.13%
Debt Service	\$554,771.00	\$554,771.00	\$0.00	\$39,885.00	\$0.00	\$39,885.00	\$514,886.00	7.19%
Sub-total	\$22,268,884.00	\$23,305,339.29	\$2,414,908.06	\$7,710,425.55	\$3,261,318.02	\$10,971,743.57	\$12,333,595.72	47.08%
Contingency	\$700,000.00	\$532,448.82					\$532,448.82	0.00%
Interfund Transfers	\$5,753,047.00	\$7,038,047.00	\$57,914.13	\$5,773,971.41	\$0.00	\$5,773,971.41	\$1,264,075.59	82.04%
Total Expenditures	\$28,721,931.00	\$30,875,835.11	\$2,472,822.19	\$13,484,396.96	\$3,261,318.02	\$16,745,714.98	\$14,130,120.13	54.24%

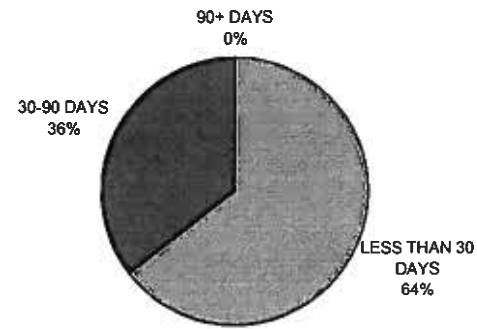
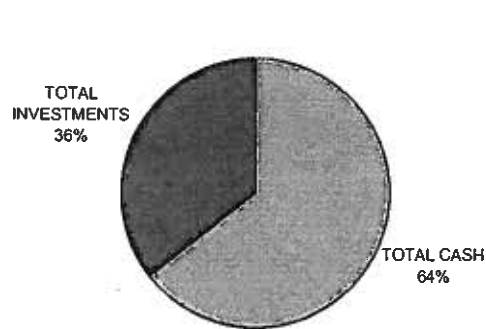


**CITY OF PRAIRIE VILLAGE, KANSAS
PROGRAM EXPENDITURE SUMMARY REPORT
AS OF JUNE 30, 2008**

DEPARTMENT	2008 ORIGINAL BUDGET	2008 AMENDED BUDGET	MTD	YTD	ENC	TOTAL	BUDGET BALANCE	% OBLIGATED
City Governance								
Mayor & Council	\$152,847.00	\$152,847.00	\$5,759.70	\$26,345.77	\$0.00	\$26,345.77	\$126,501.23	17.24%
Management & Plannin	\$1,486,442.00	\$451,442.00	\$49,298.30	\$211,435.48	\$0.00	\$211,435.48	\$240,006.52	46.84%
TOTAL	\$1,639,289.00	\$604,289.00	\$55,058.00	\$237,781.25	\$0.00	\$237,781.25	\$366,507.75	39.35%
Public Works								
Administration	\$861,211.00	\$861,211.00	\$75,200.10	\$381,319.52	\$11,417.10	\$392,736.62	\$468,474.38	45.60%
Vehicle & EQ Maint.	\$411,051.00	\$411,051.00	\$61,108.08	\$237,913.87	\$0.00	\$237,913.87	\$173,137.13	57.88%
Streets & Drains	\$2,049,082.00	\$2,084,082.00	\$205,188.05	\$1,005,869.92	\$200,055.32	\$1,205,925.24	\$878,156.76	57.86%
Buildings & Grounds	\$959,128.00	\$959,128.00	\$74,721.14	\$342,557.36	\$22,596.00	\$365,153.36	\$593,974.64	38.07%
TOTAL	\$4,280,472.00	\$4,315,472.00	\$416,217.37	\$1,967,660.67	\$234,068.42	\$2,201,729.09	\$2,113,742.91	51.02%
Public Safety								
Administration	\$762,927.00	\$768,559.00	\$47,067.58	\$275,458.52	\$0.00	\$275,458.52	\$493,100.48	35.84%
Staff Services	\$1,546,649.00	\$1,316,852.00	\$146,861.33	\$591,825.57	\$14,829.40	\$606,654.97	\$710,197.03	46.07%
Patrol	\$2,780,977.00	\$2,856,009.00	\$203,184.42	\$1,206,246.11	\$0.00	\$1,206,246.11	\$1,649,762.89	42.24%
Investigations	\$817,865.00	\$836,148.00	\$46,049.43	\$327,681.86	\$0.00	\$327,681.86	\$508,466.14	39.19%
Off-Duty Contractual	\$59,911.00	\$59,911.00	\$5,527.76	\$27,785.96	\$0.00	\$27,785.96	\$32,125.04	46.38%
TOTAL	\$5,968,329.00	\$5,837,479.00	\$448,690.52	\$2,428,998.02	\$14,829.40	\$2,443,827.42	\$3,393,651.58	41.86%
Municipal Court								
Judicial	\$34,961.00	\$34,961.00	\$3,061.92	\$16,554.11	\$0.00	\$16,554.11	\$18,406.89	47.35%
Prosecutor	\$49,715.00	\$49,715.00	\$3,853.86	\$23,761.27	\$0.00	\$23,761.27	\$25,953.73	47.79%
Court Clerks	\$325,179.00	\$325,179.00	\$20,105.20	\$139,379.51	\$0.00	\$139,379.51	\$185,799.49	42.86%
TOTAL	\$409,855.00	\$409,855.00	\$27,020.98	\$179,694.89	\$0.00	\$179,694.89	\$230,160.11	43.84%
Administrative Services								
Human Resources	\$90,261.00	\$90,261.00	\$6,236.06	\$37,830.54	\$0.00	\$37,830.54	\$52,430.46	41.91%
Administrative Services	\$171,043.00	\$171,043.00	\$17,064.03	\$62,619.65	\$0.00	\$62,619.65	\$108,423.35	36.61%
Financial Management	\$351,612.00	\$351,612.00	\$14,294.98	\$88,813.05	\$0.00	\$88,813.05	\$262,798.95	25.26%
Codes Administration	\$358,863.00	\$358,863.00	\$24,642.21	\$157,196.17	\$0.00	\$157,196.17	\$201,666.83	43.80%
Solid Waste Mgt	\$1,311,491.00	\$1,311,491.00	\$215,148.87	\$540,074.00	\$0.00	\$540,074.00	\$771,417.00	41.18%
City Clerk	\$396,981.00	\$396,981.00	\$31,075.27	\$175,350.68	\$0.00	\$175,350.68	\$221,630.32	44.17%
TOTAL	\$2,680,251.00	\$2,680,251.00	\$308,461.42	\$1,061,884.09	\$0.00	\$1,061,884.09	\$1,618,366.91	39.62%
Park & Community Programs								
Community Programs	\$238,142.00	\$239,543.18	\$24,021.92	\$76,223.25	\$0.00	\$76,223.25	\$163,319.93	31.82%
Swimming Pool	\$792,867.00	\$804,867.00	\$152,575.21	\$217,046.68	\$0.00	\$217,046.68	\$587,820.32	26.97%
Pool Food Service	\$52,932.00	\$52,932.00	\$22,563.56	\$22,463.56	\$0.00	\$22,463.56	\$30,468.44	42.44%
Tennis	\$46,247.00	\$46,247.00	\$5,516.50	\$7,964.55	\$0.00	\$7,964.55	\$38,282.45	17.22%
TOTAL	\$1,130,188.00	\$1,143,589.18	\$204,677.19	\$323,698.04	\$0.00	\$323,698.04	\$819,891.14	28.31%
Total Operating	\$16,108,384.00	\$14,990,935.18	\$1,460,125.48	\$6,199,716.96	\$248,897.82	\$6,448,614.78	\$8,542,320.40	43.02%
Infrastructure Improvements								
Park Projects	\$236,000.00	\$308,114.53	\$0.00	\$0.00	\$7,000.00	\$7,000.00	\$301,114.53	2.27%
Drainage Projects	\$891,000.00	\$1,498,224.33	\$221,085.83	\$437,083.94	\$57,630.01	\$494,713.95	\$1,003,510.38	33.02%
Street Projects	\$4,198,500.00	\$5,620,985.09	\$622,192.17	\$960,338.22	\$2,280,478.10	\$3,240,816.32	\$2,380,168.77	57.66%
Building Projects	\$10,000.00	\$37,203.06	\$0.00	\$0.00	\$0.00	\$0.00	\$37,203.06	0.00%
Concrete Projects	\$825,000.00	\$849,877.10	\$90,149.91	\$90,456.81	\$667,312.09	\$757,768.90	\$92,108.20	89.16%
TOTAL	\$6,160,500.00	\$8,314,404.11	\$933,427.91	\$1,487,878.97	\$3,012,420.20	\$4,500,299.17	\$3,814,104.94	54.13%
Risk Management Reserve								
Workers Comp	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!
Property & Casualty	\$0.00	\$0.00	\$0.00	\$200.00	\$0.00	\$200.00	(\$200.00)	#DIV/0!
TOTAL	\$0.00	\$0.00	\$0.00	\$200.00	\$0.00	\$200.00	(\$200.00)	#DIV/0!
Economic Development								
Economic Developmen	\$0.00	\$0.00	\$21,354.67	\$22,629.62	\$0.00	\$22,629.62	(\$22,629.62)	#DIV/0!
TOTAL	\$0.00	\$0.00	\$21,354.67	\$22,629.62	\$0.00	\$22,629.62	(\$22,629.62)	#DIV/0!
Equipment Reserve								
Equipment Reserve	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!
TOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!
GRAND TOTAL	\$22,268,884.00	\$23,305,339.29	\$2,414,908.06	\$7,710,425.55	\$3,261,318.02	\$10,971,743.57	\$12,333,595.72	47.08%

**CITY OF PRAIRIE VILLAGE
STATEMENT OF CASH INVESTMENTS
JUNE 30, 2008**

TYPE OF INVESTMENT	INSTITUTION	ACCOUNT NUMBER	PURCHASE DATE	MATURITY DATE	INVESTED AMOUNT	YIELD	WEIGHTED YIELD	COLLATERAL REQUIRED	COLLATERAL MARKET VALUE	OVER/ (UNDER) COLLATERALIZED
<u>Cash</u>										
General Operating (XX-00-00-1001)	Intrust Bank	8290512			(\$141,881.84)	1.22%	-0.01%			
Gift Card Clearing (01-00-00-1004)	Intrust Bank	40766217			\$6,632.81	1.22%	0.00%			
Payroll (01-00-00-1011)	Intrust Bank	8290520			(\$0.00)	1.22%	0.00%	-	1,514,234.00	1,514,234.00
Petty Cash					\$1,649.00	0.00%	0.00%	N/A		
Municipal Investment Pool - overnight	State of Kansas	0040			\$9,181,642.74	1.93%	1.26%	N/A - State handles collateral		
TOTAL CASH					\$9,048,042.71		1.25%			
<u>Investments</u>										
Certificates of Deposit (XX-00-00-1050)	Commerce Bank		2/14/2008	7/17/2008	\$2,000,000.00	2.60%	0.37%			
	Commerce Bank		2/14/2008	8/14/2008	\$2,000,000.00	2.57%	0.37%			
	Commerce Bank		3/13/2008	9/8/2008	\$1,000,000.00	2.40%	0.17%	\$4,900,000.00	5,324,721.00	424,721.00
					\$5,000,000.00		0.91%			
TOTAL INVESTMENTS					\$5,000,000.00		0.91%			
TOTAL CASH & INVESTMENTS					\$14,048,042.71		2.16%			



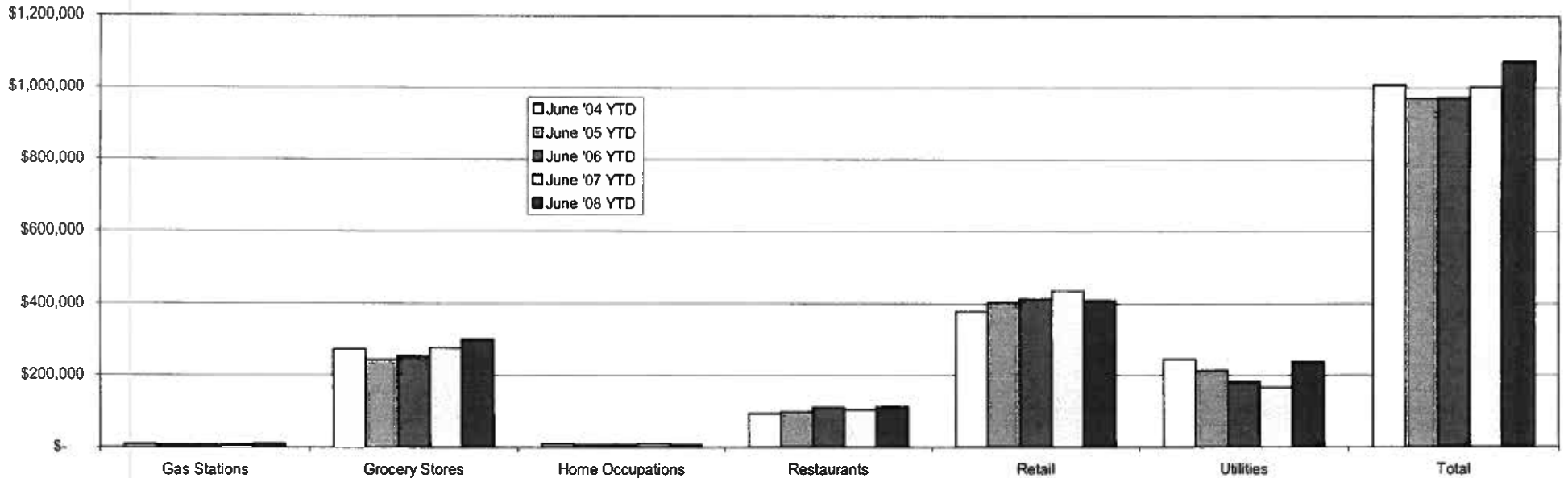
**CITY OF PRAIRIE VILLAGE
USE OF CONTINGENCY RESERVE
THROUGH JUNE 30, 2008**

DATE OF COUNCIL ACTION	APPROVED USE	AMOUNT AUTHORIZED	BALANCE
	Beginning balance		\$ 700,000.00
12/17/2007	Carry forward 2007 Ending Balance - Arts Council	1,401.18	698,598.82
1/7/2008	Police Laptop Purchase Delayed from 2007	14,150.00	684,448.82
3/3/2008	Purchase additional road salt	35,000.00	649,448.82
5/5/2008	Swimming pool buildings roof repair	12,000.00	637,448.82
4/7/2008	Power Supply - Police Dept (\$21,000 approved, \$15,000 final cost)	15,000.00	622,448.82
6/16/2008	Additional Amount Required for 2008 Police Pension Contribution	90,000.00	532,448.82

**CITY OF PRAIRIE VILLAGE
LOCAL SALES TAX RECEIPTS
AS OF JUNE 30, 2008**

Business Type	June '04 YTD	%	June '05 YTD	%	June '06 YTD	June '07 YTD	%	June '08 YTD	%	Growth	
Gas Stations	\$ 9,199	0.91%	\$ 6,940	0.71%	\$ 7,734	0.79%	\$ 8,588	0.86%	\$ 9,637	0.90%	4.76%
Grocery Stores	\$ 273,043	27.07%	\$ 243,906	25.12%	\$ 253,895	26.09%	\$ 277,053	27.60%	\$ 299,446	27.88%	9.67%
Home Occupations	\$ 9,767	0.97%	\$ 6,449	0.66%	\$ 8,573	0.88%	\$ 10,313	1.03%	\$ 8,560	0.80%	-12.36%
Restaurants	\$ 92,933	9.21%	\$ 99,050	10.20%	\$ 110,284	11.33%	\$ 104,769	10.44%	\$ 111,191	10.35%	19.65%
Retail	\$ 378,484	37.52%	\$ 402,514	41.45%	\$ 412,223	42.37%	\$ 436,085	43.44%	\$ 408,285	38.01%	7.87%
Utilities	\$ 245,386	24.32%	\$ 212,147	21.85%	\$ 180,307	18.53%	\$ 167,031	16.64%	\$ 237,002	22.06%	-3.42%
Total	\$ 1,008,812	100.00%	\$ 971,006	100.00%	\$ 973,016	100.00%	\$ 1,003,839	100.00%	\$ 1,074,121	100.00%	6.47%

Local Sales Tax Receipts By Business Type (2004-2008)



**CITY OF PRAIRIE VILLAGE, KANSAS
ECONOMIC DEVELOPMENT FUND
JUNE 30, 2008**

	2008	2007
Beginning Fund Balance	\$ 1,504,491.04	\$ -
Revenues:		
Interest Earned	29,788.99	12,491.04
Transfers from General Fund	673,633.90	1,492,000.00
Total Revenue	703,422.89	1,504,491.04
Expenditures:		
SME Parking Lot	-	-
75th Street Corridor	20,558.32	-
Exterior Grant Program	2,071.30	-
Total Expenditures	22,629.62	-
Ending Fund Balance	2,185,284.31	1,504,491.04
Commitments:		
SME Parking Lot - CA 1/22/08 & 6/2/08	(117,000.00)	
75th St Corridor (HNTB) - CA 2/4/08	(176,859.04)	
Exterior Grant Program - CA 3/3/08	(35,428.70)	
Total Commitments	(329,287.74)	-
Adjusted Ending Fund Balance	1,855,996.57	1,504,491.04

**CITY OF PRAIRIE VILLAGE, KANSAS
JOHNSON COUNTY SCHOOLS SALES & USE TAX RESERVE - GENERAL FUND
JUNE 2008**

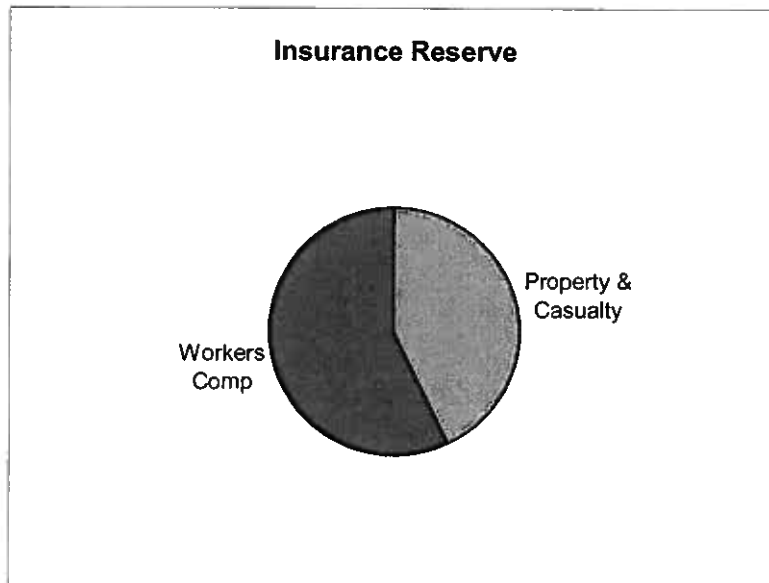
FISCAL YEAR	SALES TAX	USE TAX	TOTAL	USES*	BALANCE
2003	\$ 392,898.21	\$ 42,805.83	\$ 435,704.04	\$ -	\$ 435,704.04
2004	394,733.41	98,143.48	492,876.89	(385,895.00)	542,685.93
2005	396,156.91	101,401.25	497,558.16	-	1,040,244.09
2006	395,571.45	102,752.12	498,323.57	-	1,538,567.66
2007	393,388.96	88,583.73	481,972.69	(1,499,500.00)	521,040.35
2008 YTD	140,014.55	12,579.00	152,593.55	(673,633.90)	-
	<u>\$ 2,112,763.49</u>	<u>\$ 446,265.41</u>	<u>\$ 2,559,028.90</u>	<u>\$ (2,559,028.90)</u>	<u>\$ -</u>

*** USES**

PURPOSE	YEAR	AMOUNT
Skatepark construction	2004	\$ (200,000.00)
Strategic Plan	2004	(185,895.00)
Council Retreat	2007	(7,500.00)
Transfer to Economic Dev Fund	2007	(1,492,000.00)
Transfer to Economic Dev Fund	2008	(601,990.01) 12/31/07 Balance + 2008 sales tax throug
Transfer to Economic Dev Fund	2008	(37,117.19)
Transfer to Economic Dev Fund	2008	(34,526.70)
		<u>\$ (2,559,028.90)</u>

**CITY OF PRAIRIE VILLAGE, KANSAS
RISK MANAGEMENT RESERVE FUND
JUNE 30, 2008**

	Balance at 4/30/2008	Revenues				Expenditures	Balance at 5/31/2008
		Insurance Claim Reimb	Interest Earned	Transfers In	Total		
Property & Casualty	\$ 52,976.19	\$0.00	\$ 744.36	\$ -	\$ 744.36	\$0.00	\$ 53,720.55
Workers Comp	71,034.89	-	998.10	-	998.10	\$0.00	72,032.99
Totals	\$ 124,011.08	\$ -	\$ 1,742.46	\$ -	\$ 1,742.46	\$ -	\$ 125,753.54



SISTER CITY COMMITTEE
14 July, 2008
MINUTES

Call to Order

Chairperson Jim Hohensee called the meeting to order at 7.00pm. Members present: Cleo Simmonds, Carole Mosher, Michael Kelly, Bob McGowan, Dick Bills and Cindy Dwigans. Also present: Hildegard Knapp, Monika Simon and JoAnn Memming Staff: Chris Engel.

Approval of Minutes

Cleo pointed out that the sixth person coming as part of Open World will be the facilitator.

Mike moved for the approval of the minutes as corrected. Cleo seconded the motion which passed unanimously.

Welcome Potential New Members

Jim welcomed Monika Simon and JoAnn Memming to the meeting.

Dolyna

Cleo reported the Dolyna delegation had received their visas and would be getting their passports in the next week. He was working on learning what they would like to do or see when they are here.

Jim passed around the tentative schedule from last month's meeting. He's reworked it for the August 15 - 18 visit. Jim mentioned the Mayor has expressed interest in hosting a dinner on Sunday evening. Mike added the banquet would be at either the Raphael or Homestead and should be paid for by the City.

There was discussion over the Committee hosting a dinner with the delegation on the evening of their arrival depending on what that time ends up being.

Carole pointed out the Ethnic Festival is the same weekend as their visit so the Ukrainian Club could be busy and possibly unavailable. Cleo replied not everyone from the club would work the festival and what they were needed for the most would be to potentially sponsor a dinner or serve as translators.

Jim donated \$200 to the Municipal Foundation and Cleo donated \$300. Mike said the committees fundraising goal should be \$3,000. He is going to banks, the Arts Council and others in an effort to raise enough to cover at least lodging. He is also working on getting some meals donated. Additionally, he will be contacting senior living facilities, churches, and a Ford dealership for the donated use of a van.

Mike reported hotel accommodations had been made at the Raphael on the Plaza for a good deal with a Plaza view. In addition, the hotel would be flying the Ukrainian flag during the visit and wanted to host the banquet. Mike pointed out the Raphael was owned by Prairie Village residents.

Dick will be purchasing a Ukrainian flag to fly at City Hall and delivering it to Chris.

Cleo will be working on getting an official agreement drafted for production on computer in Cyrillic calligraphy. He will also be calling on the Ukrainian Club to ask if they will be available on the Tuesday of the visit.

There was discussion over gifts for them to bring home. Dick will speak with Jim Hamil about donating or reproducing some of his artwork as a gift. Cindy will try and locate some Kansas City coffee table books by Hallmark. Jim will contact the Kansas Sampler to inquire about donations.

There was discussion over creating a one page press release for the press. Jim said he will work on this. Jim will also work on contacting the Shawnee Mission School District offices to arrange a tour of SM East during the visit.

It was discussed that the Director of the Dolyna School for the Blind may want to visit the KCK School for the Blind. Bob will contact the KCK School to arrange a visit.

It was determined that an extra visit would be needed before the next regularly scheduled meeting. Mike moved for a special meeting to be scheduled on July 23rd in the Council Chambers. Dick seconded the motion and it passed unanimously.

Sister City Convention

Bob briefed everyone on the convention occurring in Kansas City this week. The Newry/Mourne delegation will be in KC and one, Michael Carr, will be visiting Prairie Village on Saturday with Bob, Cindy, Jim and Mayor.

Open World

The Open World group is visiting October 17 - 24. This committee is responsible for home-stays and some sort of curriculum.

Other Business

Cindy and Carole started a discussion about hosting a band concert on the front lawn of the Community Center. If nothing else, such an event would garner the Committee publicity. They both agreed to work on it for next summer.

Adjournment

The next meeting will be Wednesday, July 23rd at 7.00 pm in the Council Chambers. The meeting was adjourned at 8:50 p.m.

Jim Hohensee
Chair

**TREE BOARD
City of Prairie Village, Kansas**

MINUTES

**Wednesday – August 6, 2008, 6:00PM Meeting
Public Works – Conference Room
3535 Somerset Drive**

Board Members: Cliff Wormcke, Jack Lewis, Jim Hansen, Greg VanBooven, Luci Mitchell, Tony Rostberg

Other Attendees: Bob Pryzby

- 1) **Review and Approve minutes from May 7, 2008 meeting.** – Motion by Mitchell and seconded by Hansen to accept the minutes was approved.

- 2) **Sub-Committee Report**
 - 2.1) **Fall Seminar**
 - a) **Scheduled for October 1, 2008 at 7:00 in the Council Chamber at City Hall. Update on planning.** – Greg VanBooven reviewed the program and confirmed the speaker, raffle details and publicity. Bob Pryzby reported that Deborah Nixon was preparing to invite the Tree Boards from the surrounding cities.
 - 2.2) **Arboretum Committee**
 - a) **Tree selection process for arboretum signage.** – no report.

- 3) **Old Business**

- 4) **New Business** – Bob Pryzby reported that the Parks and Recreation Committee has retained a consultant to prepare a Park Master Plan. The consultant will be meeting with the Tree Board to discuss the arboretum and any other comments on parks.

- 5) **The next meeting agenda** – Next meeting will be September 3, 6PM at Public Works.

**Council Members
Mark Your Calendars
August 18, 2008**

- August 2008** Venus Auxier botanical art exhibit in the R. G. Endres Gallery
- September 2008** Images Group Show mixed media exhibit in the R. G. Endres Gallery
- September 1 City offices closed in observance of Labor Day
- September 1 Prairie Village pool closes for the season at 6 p.m.
- September 2 (Tues.) City Council Meeting
- September 5 Employee Appreciation Event - Royals Baseball Game - Kaufmann Stadium
- September 12 Artist reception in the R. G. Endres Gallery 6:30 to 7:30 p.m.
- September 15 City Council Meeting
- September 23 Shawnee Mission Fall Breakfast at the Overland Park Convention Center
- October 2008** State of the Arts exhibit in the R. G. Endres Gallery
- October 6 City Council Meeting
- October 10 Artist reception in the R. G. Endres Gallery 6:30 to 7:30 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 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 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

COMMITTEE AGENDA

August 18, 2008

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)
COU2008-31 Consider Project 190721: 2008 Storm Drainage Repair Program Design Agreement (assigned 3/31/2008)
COU2008-57 Consider Revisions to Council Policy 046 - Reservation of City Facilities to allow for the serving of Cereal Malt Beverages (Wine and Beer) at Selective City Events (assigned 7/29/2008)
COU2008-58 Consider Project 190721: 2009 Storm Drainage Repair Program - Engineering Change Order #1
COU2008-59 Consider FY 2009 Solid Waste Management Fee and Solid Waste Exemption Fee (assigned 7/30/2008)
COU2008-60 Consider 2009 Stormwater Utility Fee (assigned 7/30/2008)
COU2008-61 Consider 2009 Fee Schedule (assigned 7/30/2008)
COU2008-62 Consider Amendment to Special Use Permit for Kansas City Christian School (assigned 8/6/2008)
COU2008-63 Consider Transportation Cooperation Council Interlocal Agreement (8/11/2008)
COU2008-64 Consider GASB 45 Implementation (assigned 8/12/2008)
COU2008-65 Consider Establishment of a Grant Fund (assigned 8/12/2008)
COU2008-66 Consider approval of 2009 Mission Hills Contract and Budget (assigned 8/12/2008)
COU2008-67 Consider sidewalk policy relative to sidewalks (8200 Rosewood) (assigned 8/13/2008)

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)