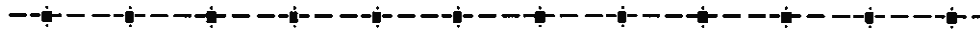




City Council Meeting

July 7, 2008

Dinner will be provided by:
Oklahoma Joe's BBQ



**Brisket and Pulled Pork
BBQ Beans, Potato Salad
Cole Slaw, Bread
Pickle Tray**

Dessert - Cake

COUNCIL COMMITTEE
July 7, 2008
6:00 p.m.
Council Chamber

AGENDA

DAVID VOYSEY, COUNCIL PRESIDENT

CONSENT AGENDA

- *COU2008-45** **Consider Project 190864: 2008 Street Resurfacing Program
Construction Change Order #3**
- *COU2008-46** **Consider Geotechnical Services for Project 190871: Mission Lane
Bridge Replacement**
- *COU2008-47** **Consider Annual Employee Appreciation Event**

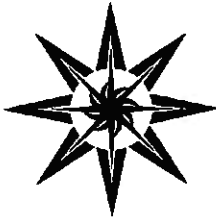
AGENDA ITEMS FOR DISCUSSION

- *COU2008-48** **Consider Directing Staff to Investigate Development of Ordinances
related to Best Practices for Renewable Energy and Green Design
Ruth Hopkins**
- COU2008-44** **Consider contract for Financial/Budget Software RFP Consulting
Services
Karen Kindle**

**2009 Budget Presentation
Quinn Bennion and Karen Kindle**

**75th Street Corridor Steering Committee Report
Pat Daniels**
- COU2007-51** **Village Vision**

***Council Action Requested the Same Evening**



PUBLIC WORKS DEPARTMENT

Council Committee Meeting Date: July 7, 2008

Council Meeting Date: July 7, 2008

COU2008-45: CONSIDER PROJECT 190864: 2008 STREET RESURFACING PROGRAM CONSTRUCTION CHANGE ORDER #3

RECOMMENDATION

Staff recommends the City Council approves Construction Change Order #2 with O'Donnell & Sons Construction for an increase of \$13,800.00 to project 190864: 2008 Street Resurfacing Program.

COUNCIL ACTION REQUESTED ON JULY 7, 2008

BACKGROUND

Colonial Drive: Two additional storm inlets need to be replaced due to their condition. One Storm junction box needs to be added to avoid an existing sanitary sewer line which was in the way of the new storm sewer pipe. Hodges Drive: Four existing storm sewer manholes needed to be raised to the new asphalt grade as part of the reconstruction of Hodges.

FUNDING SOURCE

Funds are available in the Capital Infrastructure Program under project 190864 - 2008 Street Resurfacing Program.

RELATED TO VILLAGE VISION

- CC1a. Make streetscape improvements to enhance pedestrian safety and attractiveness of the public realm.*
- CFS3a. Ensure streets and sidewalks are in good condition by conducting maintenance and repairs as needed.*
- TR3a. Ensure the quality of the transportation network with regular maintenance as well as efficient responses to seasonal issues such as snow removal.*

ATTACHMENTS

1. Construction Change Order #3 with O'Donnell & Sons Construction.

PREPARED BY

S Robert Pryzby, Director of Public Works
June 16, 2008

Explanation of Changes

Project 190864; 2008 Paving Program. This change order is to cover the following items:

Storm drainage items based on field conditions.

This change order increases the contract amount by \$13,800.00

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

Original Contract Price	<u>\$1,631,516.30</u>
Current Contract Price, as adjusted by previous Change Orders	<u>\$1,942,450.40</u>
NET Increase or decrease this Change Order	<u>\$13,800.00</u>
New Contract Price	<u>\$1,956,250.40</u>

Change to Contract Time:

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

The City does not anticipate a related Engineering Change Order.



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

6/16/08

Date

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

Date



Dennis L. Whelan
O'Donnell & Sons

6-16-08

Date



PUBLIC WORKS DEPARTMENT

Council Committee Meeting Date: July 7, 2008

Council Meeting Date: July 7, 2008

COU2008-46: CONSIDER GEOTECHNICAL SERVICES FOR PROJECT 190871: MISSION LANE BRIDGE REPLACEMENT

RECOMMENDATION

Move to approve the geotechnical services for project 190871: Mission Lane Bridge Replacement in the amount of \$8,000.00.

COUNCIL ACTION REQUESTED ON JULY 7, 2008

BACKGROUND

Design services by George Butler Associates were previously approved by Council. Geotechnical services are required for the design of the Mission Lane Bridge. Terracon is the current testing firm for the City of Prairie Village.

FUNDING SOURCE

Funding is available under the Capital Infrastructure Program with a transfer of \$8,000.00 from Streets Unallocated.

RELATION TO VILLAGE VISION

- CFS3a. Ensure streets and sidewalks are in good condition by conducting maintenance and repairs as needed.*
- TR1a. Ensure that infrastructure improvements meet the needs of all transportation users.*

ATTACHMENTS

1. Scope of Work

PREPARED BY

S Robert Pryzby, Director of Public Works
June 30, 2008

MASTER SERVICES AGREEMENT

TASK ORDER

This **TASK ORDER** is issued under the **MASTER SERVICES AGREEMENT** (dated 12/24/07, agreement reference number N/A) between City of Prairie Village, Kansas ("Client") and Terracon Consultants, Inc. ("Consultant") for Services to be provided by Consultant for Client on the Mission Lane Bridge Replacement project ("Project"), as described in the Project Information section of the Consultant's Task Order Proposal dated 6/23/08 ("Task Order Proposal") unless the Project is otherwise described below or in Exhibit A to this Task Order (which section or Exhibit are incorporated into this Task Order). This Task Order is incorporated into and part of the Master Services Agreement.

A. Project Information

SEE ATTACHED


B. Scope of Services The scope of Services to be provided under this Task Order are described in the Scope of Services section of the Consultant's Task Order Proposal, unless Services are otherwise described below or in Exhibit B to this Task Order.

SEE ATTACHED

C. Compensation Client shall pay compensation for the Services performed at the fees stated in the Task Order Proposal unless fees are otherwise stated below or in Exhibit C to this Task Order.

SEE ATTACHED

All terms and conditions of the **Master Services Agreement** shall continue in full force and effect. This Task Order is accepted and Consultant is authorized to proceed.

Consultant: **Terracon Consultants, Inc.**
By:  Date: 6/23/08
Name/Title: **Craig K. Denny, Ph.D., P.E.,
Senior Project Engineer**
Address: 13910 W. 96th Terrace
Lenexa, Kansas 66215
Phone: 913.492.7777 Fax: 913.492.7443

Client: **City of Prairie Village, Kansas**
By: _____ Date: _____
Name/Title: **Tom Trienens**
Address: 3535 Somerset
Prairie Village, Kansas 66208
Phone: 913.385.4642 Fax: 913.642.0117

Task Order Reference Number (Terracon Task Order Proposal or Project Number):D0208244

Terracon

EXHIBIT A

PROJECT INFORMATION

Brush Creek, between Mission Road and 71st Street in Prairie Village, Kansas flows under parts of the Prairie Village Shopping Center. The City of Prairie Village owns and maintains the bridge over Brush Creek on Mission Lane south of West 69th Terrace. Box culverts and/or other structures east and west of this bridge that convey Brush Creek below the shopping center are owned by other parties. The City of Prairie Village has retained George Butler Associates, Inc. (GBA) to design the replacement bridge. The existing bridge must be demolished and the new bridge designed in a manner that does not impact adjacent structures owned by other parties. Prairie Village has requested that Terracon provide geotechnical engineering services for the benefit of Prairie Village and GBA.

SCOPE OF SERVICES

Utility Locations/Access

We will contact a utility locate service to have underground public utility lines located and marked. It normally requires 2 to 3 business days to have utilities located. Sometimes, utility companies ask us to meet with them on site to show them where we plan to drill.

Borings will be performed in Mission Lane so it will be necessary to block one lane of the street. We understand the City of Prairie Village will agree to allow Terracon access and right of entry to conduct the services and to temporarily close one lane at a time.

Boring Locations/Elevations

Terracon can locate borings approximately by measuring distances from available site features using a cloth tape or calibrated wheel and estimating right angles. Terracon can determine approximate elevations at the borings to the nearest ½ foot using a surveyor's level and rod with respect to a convenience reference point on the bridge. If more precise locations and elevations are required, client will retain a land surveyor to locate borings and determine elevations.

Subsurface Exploration

Four (4) borings are proposed at the site for this project. The borings are planned to extend at least 10 feet into bedrock strata. Samples will be obtained using a split barrel sampler at 5-foot intervals. Continuous cores of bedrock will be recovered using N-series tools.

Laboratory Tests

In the laboratory, water content and, where appropriate, calibrated penetrometer tests will be performed on split-barrel samples. Soil samples will be visually classified in accordance with the Unified Soil Classification System (USCS).

Engineering Services and Data

After completion of exploration and laboratory testing, the data and conditions would be analyzed and a report will be prepared by or under the supervision of a registered professional engineer. The geotechnical report will contain a description of the project, a summary of the drilling, sampling, and testing procedures and logs of the borings with laboratory test results. The report will present professional opinions and recommendations and data concerning the following:

- Foundation design parameters (allowable bearing pressure, estimated settlement, frost depth and minimum sizes).
- Site class according to IBC 2003 for seismic design.
- Anticipated groundwater conditions.
- Lateral earth pressures for design of abutment and other walls.
- Material requirements for site fills, backfill and for fill used to support bridge slabs and pavements.
- Placement and compaction requirements for engineered fills.

Terracon
EXHIBIT C
COMPENSATION

Terracon will invoice Client a lump sum fee of \$8000 for Services described in Exhibit B of this Agreement.



ADMINISTRATION DEPARTMENT

Council Committee Meeting Date: July 7, 2008

Council Meeting Date: July 7, 2008

COU2008-47: Consider Annual Employee Appreciation Event

RECOMMENDATION

Staff recommends the City Council approve the purchase of Royals tickets, parking passes, and contracting with Brancato's Catering for the 2008 Annual Employee Appreciation Event.

COUNCIL ACTION REQUESTED ON JULY 7, 2008

BACKGROUND

For the past four years, the Employee Appreciation Event has been held in February at the New Theatre Restaurant. This past year, the employee events committee distributed a survey to all employees to gather feedback on all employee events. While most employees enjoy the New Theatre Restaurant, they would like to do something different this year. Many of the responses favored going to a baseball game.

The employee events committee recommends going to a Royals Baseball Game on September 5, 2008 for the 2008 Employee Appreciation Event. The committee recommends hiring Brancato's Catering to cater a tailgate party before the game. The September 5th game is Buck Night and is also Fireworks Friday. The New Dinner Theatre event in February of this year was for the 2007 Employee Appreciation Event. This was paid out of the 2007 budget.

The average cost per person would be \$42.80. The cost per person last year was \$57.50. This would keep us under budget. The price includes: tickets, parking, and dinner.

Employee Events Committee:

Nancy Yoakum City Clerk Staff

Stephen Albright Finance

Jeanne Koontz Administration

Sheila Hopkins Municipal Court

Nic Sanders Human Res.

Tanya Smith

Mike Glasscock Public Works

Cody Stech

Stephanie Whitaker

Public Works

Public Works

Public Safety

Public Safety

FUNDING SOURCE

01-01-01-6350 - Employee Events Budget

ATTACHMENTS

1. Invoice for Royals

PREPARED BY

Jeanne Koontz, Deputy City Clerk

July 1, 2008



2008 TICKET INVOICE

ACCOUNT #: 503008
 PLAN TYPE: Group
 RECEIPT/INVOICE DATE: 6/27/2008

ROYALS REP: Ben Gaul

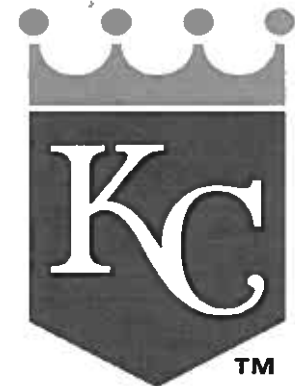
CUSTOMER	
NAME	City of Prairie Village
COMPANY	Jeanne Koontz
ADDRESS	7700 Mission Rd
CITY	Prairie Village
PHONE	913-385-4662
FAX	
STATE	KS
SUITE	
ZIP	66208
E-MAIL	jkoontz@pvkansas.com

Game Date: 9/5/2008

(Group Sales only)

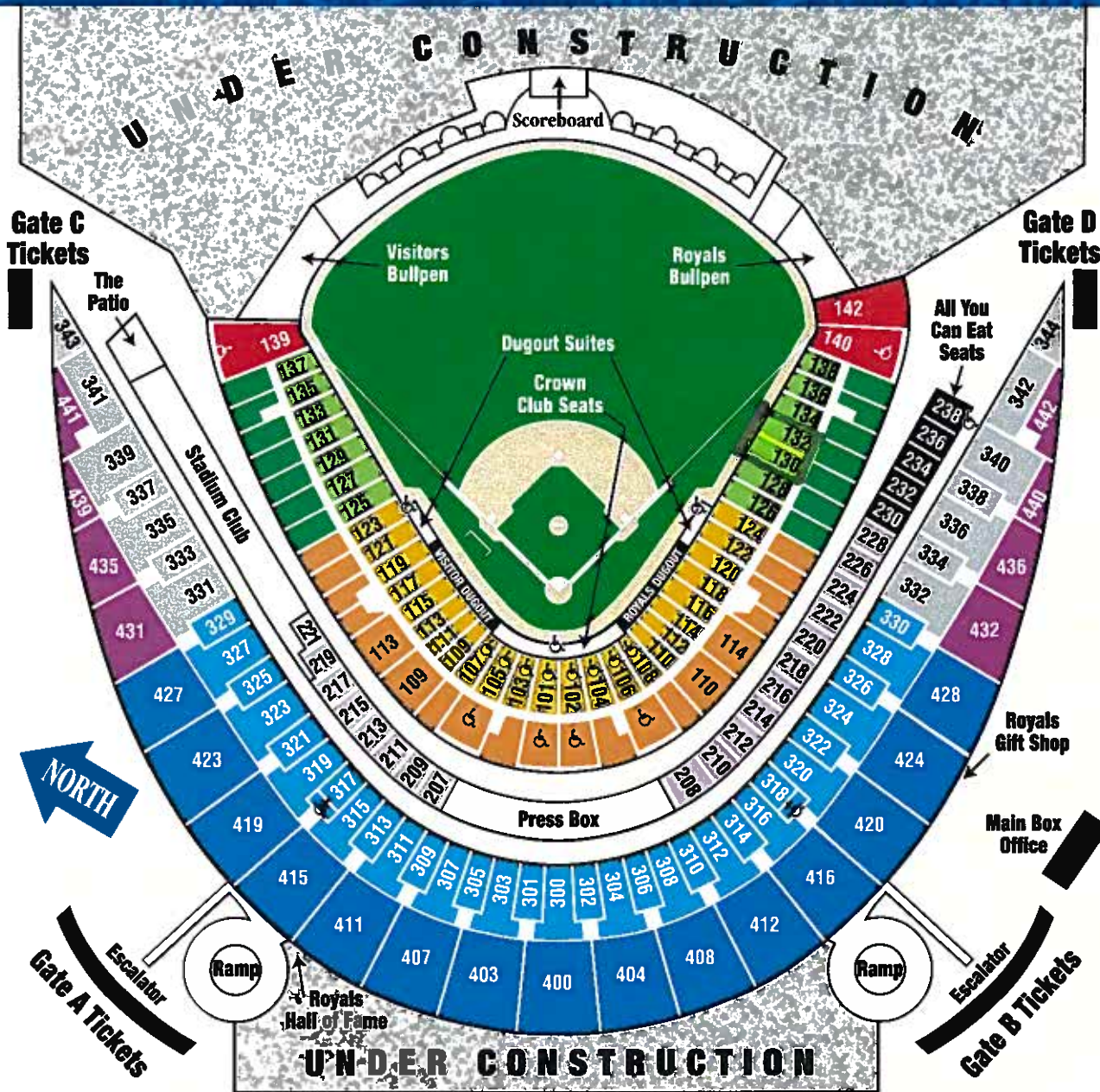
SEATS		Level	Price	Description	Amount
Plan/Reservation	# Seats/Qty				
9/5	100	Field Box	\$20	Field Box Seats	\$2,000.00
9/5	100	Field Box	HOLD	Field Box Seats	Pay Later
	50	Parking Passes	\$7.00	Parking Passes	\$350.00
TOTAL DUE:					\$2,350.00

THANK YOU!
 Please Mail Check to:
 Kansas City Royals Baseball Club
 Attention: Ben Gaul
 One Royal Way
 Kansas City, MO 64129
 PHONE - (816)504-4475 FAX - (816) 504-4142



OFFICE USE:
DATE Receipt PAID:
PAYMENT MADE BY CHECK (NUMBER):
CREDIT CARD NUMBER & EXP. DATE

2008 ROYALS SEASON TICKET PRICES



Location	Full Season	Partial 41 Game	Partial 21 Game	Single Game
Crown Seats	\$185	NA	NA	\$230
Dugout Box	29	NA	NA	37
Club Box	25	\$ 27	\$ 28	33
Dugout Plaza	24	27	NA	32
Field Box	22	25	26	29
Field Plaza	20	22	23	25
View Box	14	15	16	17
Outfield Plaza	14	15	16	17
View Level Infield	11	13	14	15
Hy-Vee Box	9	10	11	13
Hy-Vee View Level	7	8	8	9
Parking	6	7	7	9

Ticket Information:

One Royal Way • Kansas City, MO 64129
 Local 816-504-4040 • Toll Free 1-800-6ROYALS • royals.com



130 + 132



ADMINISTRATION

Council Committee Meeting Date: July 7, 2008
Council Meeting Date: July 7, 2008

COU2008-48: Consider Directing Staff to Investigate Development of Ordinances related to Best Practices for Renewable Energy and Green Design.

RECOMMENDATION

The Environmental Committee recommends that the City Council direct staff to investigate the development of ordinances to support best practices for renewable energy and for green design related to residential and commercial building design.

COUNCIL ACTION REQUESTED ON JULY 7, 2008

BACKGROUND

At the June 18, 2008 Prairie Village Environmental Committee meeting, the Committee discussed ways to improve current code provisions to allow for a greater variety of energy-saving devices for homes and businesses. To support these efforts the Committee adopted the following Resolution to be forwarded to the City Council.

Be it resolved: The Prairie Village Environmental Committee recommends that the city adopt contemporary ordinances to support best practices for renewable energy and for green design and building of homes and businesses. We would like these ordinances to be adaptable to meet rapidly changing best practices. We feel that this is supportive of the objective of the Village Vision and the U.S. Mayors Climate Protection Agreement.

FUNDING SOURCE

N/A

RELATION TO VILLAGE VISION

LR1B - Consider updating building codes to facilitate renovation and rehabilitation activities.

PREPARED BY

Ruth Hopkins
Ward II, Council Member
Date: July 1, 2008

Dennis J. Enslinger
Assistant City Administrator



ADMINISTRATION

Council Meeting Date: July 21, 2008
Committee Meeting Date: July 7, 2008

COU2008-44: Consider Contract for Financial/Budget Software RFP Consulting Services

RECOMMENDATION

Staff recommends approving the contract with Barry Strock Consulting Associates, Inc., for consulting services related to the City's RFP for Financial/Budget Software.

COUNCIL ACTION REQUESTED ON JULY 21, 2008.

SUGGESTED MOTION

Approve the contract with Barry Strock Consulting Associates, Inc. (BSCA), for consulting services related to the City's RFP for Financial/Budget Software.

BACKGROUND

During the 2008 Budget process, the Council approved funding for budget software to improve the City's budgeting and reporting processes. When bringing the new City Administrator up to speed on this project, he suggested broadening the scope of the project to include replacing the accounting software. This was considered by staff when researching budget software alternatives; however the immediate need was to fix the budgeting process so that was the original focus.

Broadening the scope of the project was based on the fact that not only does the City's current accounting software lack good reporting and budgeting capabilities, it is also difficult to maintain and update. The City's IT consultant has spent numerous hours loading software updates only to have to restore from back up because the updates "broke" the system. Because of the difficulty in maintaining the system, it is not available to departments outside of Finance. As a result, the other departments maintain their own systems to track expenditures (spreadsheets, Quicken) throughout the month and reconcile once a month to the report provided by Finance. In addition, preparation of the monthly reports and most other reports involves the use of Excel and is very labor intensive. The more accounting tasks that take place outside the system, the greater the chance for errors, weakening the City's internal controls. Under new, stricter auditing standards, the external auditors are placing an even greater focus on the City's internal controls, which include the accounting software.

While the budget software would have taken care of the reporting and budget needs, there are other process efficiencies to be gained by replacing the financial software. Besides budgeting and reporting modules, most financial software packages contain workflow options that automate manual processes such as purchase order preparation and approval and invoice approval. Many of these packages also have the option of being hosted by the provider which would reduce the City's reliance on the IT consultant, provide improved back up/disaster recovery and provide improved security.

In looking at the bigger picture, drawing on the new City Administrator's experience and trying to position the City for the future, staff felt that a more comprehensive RFP covering budgeting, reporting and accounting would be a better use of the resources allocated in the 2008 Budget. As staff began planning the purchase of this software, it became clear that the project would be complex and have long-term effects on City operations. Because of these factors, limited staff time and the multitude of potential vendors, staff felt that to ensure the project's success they would need the assistance of someone with experience in these projects and knowledge of the market.

Staff would like to enlist the services of a consultant to assist with development of the RFP, the selection of a vendor and the negotiation of the purchase contract/price as well as the annual maintenance fees. Staff desired a consultant who was not compensated by the vendors nor represents specific vendors in order to obtain impartial assistance. Through various government contacts, staff determined two candidates for these services: The Government Finance Officers Association (GFOA) Consulting Practice and BSCA. Based on phone interviews, written proposals and customer references, staff is recommending BSCA. While both firms have the experience to provide the services sought by the City, and the services proposed by both firms were similar, there was a vast difference in cost. The GFOA's proposed cost was \$42,470 compared with \$10,000 by BSCA. Staff could not justify the difference in cost for GFOA's services and, therefore, is recommending a contract with BSCA. BSCA has over twenty-five years of experience and has assisted hundreds of other cities/counties with similar processes.

The City Attorney has reviewed and approved the attached contract and related addendum.

FUNDING SOURCE

The 2008 Finance Department budget includes \$130,000 in funding for Financial/Budget software. Staff believes securing BSCA will reduce the cost of the selected system and the annual maintenance amount.

ATTACHMENTS: Contract and addendum with Barry Strock Consulting Associates, Inc.

Prepared By:
Karen Kindle
Finance Director
Date: July 3, 2008

**BSCA Systems Consulting CONTRACT TO
DEVELOP FINANCE RFP
City of Prairie Village
Kansas**



SYSTEMS CONSULTING CONTRACT



**BARRY STROCK CONSULTING ASSOCIATES, INC.
154 ROSEMONT STREET, ALBANY, NY 12206**

JUNE 25, 2008

BSCA Consulting Contract
with the City of Prairie Village

BSCA (Barry Strock Consulting Associates, Inc.) with offices located at 154 Rosemont Street, Albany, NY 12206, will provide consulting services to the City of Prairie Village (hereinafter referred to as "VILLAGE") with offices located at City of Prairie Village, 7700 Mission Road, Prairie Village, KS 66208.

I. SCOPE OF SERVICE

As part of the initial fixed fee, upon authorization of this contract, BSCA will send to the Village: two copies of the seventh edition of The Municipal Computer Systems Handbooks; Municipal Background Information Questionnaire; Management Questionnaire; and Staff Questionnaire.

Fixed Fee Tasks: Additionally in our intended Scope of Work for the fixed fee services for the City of Prairie Village would be to come on-site once to interview the staff to determine the specific needs, and then, to develop a Request For Proposal for the Finance [GL, AP, AR, Budgeting], Cash Receipting and Miscellaneous Billing and Collections, and Building Permit/Code Enforcement systems. [The RFP will have two primary parts: Part One: is to be used by the vendors with instructional information; Part Two has seven sections: Vendor Background Information; System Support Information; Software Application specific questions; Hardware Information; Implementation Support, Training, and Installation questions; Cost Summary; Vendor Affidavit]. This task would be at a fixed fee rate of **\$3,700** plus expenses. BSCA will provide a camera-ready RFP document plus over 600 mailing labels with the names of municipal software vendors, plus a three page camera-ready letter to send to the vendors, plus 600 brightly colored Bid Notification Labels to expedite the RFP process at the Vendor's offices. BSCS will plan and manage the Pre-Bid conference at a fixed fee rate of **\$500** plus expenses.

Non-Fixed Fee Tasks: Future non-fixed fee services would be to create a structured Village software demonstration script for the vendors [i.e., this is a ten to twenty page script designed to tightly script exactly what the Village will wish to see from all of the vendors who are invited to the software demonstrations]; evaluate and provide a written detailed written analysis of all vendor proposals [i.e., narrative summaries for each vendor, graphic analysis of all vendor responses, comparative analysis of vendor responses, and adjusted analysis of vendor responses]; manage the on-site structured software demonstrations [the software demonstrations by the vendors would be 4-half-day demos];

As a means to control costs, we agree that all of the tasks enumerated in this contract, including expenses, the fixed and non-fixed fee items enumerated above shall not exceed \$9,999.

II. Charges, Expenses and Payment Terms

Expenses

Expenses include, travel costs such as lodging, meals for BSCA staff or for City staff during working meals, public transportation (taxis, bus, train, plane or car rental) or private transportation at forty-five cents (.45) per mile from BSCA offices plus tolls and parking charges. Additional reimbursable expenses include telephone, postage or shipping charges and any Prairie Village, state or other required licensing permits, fees or taxes.

City Provisions

The City will be responsible to provide printing, duplication or reproduction services and will assume all distribution costs for sending materials to the desired parties.

Payment Terms

Terms of payment are net thirty days (30) from the date of receipt of invoice. BSCA reserves the right to apply a financing charge of one and one half of one percent (1.5%) per month and compounded each successive month on the balance not paid within the forty-five days (45) day period. All State or local taxes, fees, licenses, or other charges will be added to the invoice.

%	Dollars	Description
16%	\$592	Upon signing contract
40%	\$1,480	Upon submission of Draft Request For Proposal
21%	\$777	Upon submission of Mailing Labels, Bid Labels, and Vendor Letter
23%	\$851	Upon submission of Final Request For Proposal
100%	\$3,700	

Upon completion of the pre-bid conference, BSCA will bill the \$500 fixed fee plus expenses.

Hourly Rate

For those services rendered **BEYOND** THE FIXED FEE DEFINED TASKS or if the contract were canceled prematurely, charges will be at an hourly rate of \$150.00 per hour plus travel time and other costs incurred during the carrying out of the duties associated with this contract. BSCA will provide a detailed itemization of all tasks and hours expended. Hourly rates will be billed as the actual time expended at 15-minute minimum intervals. Thus, for example, if 25 minutes is expended, then one half hour is billed. Billing will be as follows:

On-site hours at the City or other directed sites as time is expended.

Travel Hours will be billed at 50% of the time expended in traveling from BSCA Geneva [near Rochester] or Albany offices in New York.

Off-site hours for services rendered that are NOT ASSOCIATED WITH FIXED FEE TASKS DEFINED ABOVE to be provided for any preparation, consultation, research, analysis, evaluation, or presentations associated with this contract are billed as time is expended.

III. OTHER TERMS AND CONDITIONS

Limitation of Liabilities

BSCA makes no representation or warranties, express or implied, with respect to the services it has or will furnish including, but not limited to, any implied warranties or merchantability or fitness for a particular purpose and assumes no liability to the City except as specifically set forth in this contract, or any mutually agreed amendments thereto. Any loss is limited to fees paid to BSCA for services rendered with this contract.



 Barry Strock Consulting Associates, Inc.

President
 Title

June 25, 2008
 Date

 City of Prairie Village
 Name of Signatory: _____

 Title

 Date

Addendum to “BSCA Consulting Contract” between Barry Strock Consulting Associates, Inc. and the City of Prairie Village, Kansas.

Termination for Convenience: The City, within its sole discretion, may elect to terminate the Contract with BSCA for convenience upon three (3) days written Notice to BSCA. In the event of such termination, BSCA shall cease immediately all operations and shall be compensated for all work performed as of the date of termination in accordance with the terms of payment in this contract. BSCA shall maintain adequate logs and timesheets to verify costs incurred to that date. BSCA shall not be entitled to any anticipatory profits.

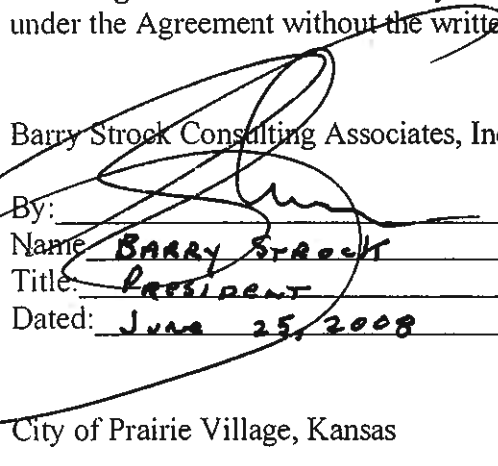
Insurance: BSCA shall procure and maintain, at its expense, “occurrence coverage” insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by BSCA and its agents and employees. BSCA shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects to the City. Such insurance coverage shall consist of (a) Workers’ Compensation – Statutory Limits, with Employer’s Liability limits of \$100,000 each employee, \$500,000 policy limit; (b) Commercial General Liability for bodily injury and property damage liability claims with limits of not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate; and (c) Commercial Automobile Liability for bodily injury and property damage with limits of not less than \$1,000,000 each accident for all owned, non-owned and hired automobiles. Deductibles for any of the above coverage shall not exceed \$25,000 unless approved in writing by City. BSCA’s insurance shall be from an insurance carrier acceptable to City and on such other form as may be approved by City, and shall name, by endorsement to be attached to the certificate of insurance, City, and its divisions, departments, officials, officers and employees, as additional insureds. Each certificate of insurance shall state that such insurance will not be canceled or coverage reduced until after thirty (30) days’ unqualified written notice of cancellation or reduction has been given to the City, except in the event of nonpayment of premium, in which case there shall be ten (10) days’ unqualified written notice. Subrogation against City or City’s agent shall be waived. BSCA’s insurance policies shall be endorsed to indicate that Consultant’s insurance coverage is primary and any insurance maintained by City or City’s Agent is non-contributing. Before BSCA performs any portion of the tasks, it shall provide City with certificates and endorsements evidencing the insurance required by this section.

Indemnification: Except the limitation of warranties under the heading “Limitation of Liabilities,” BSCA agrees to indemnify City, and its agents, servants, and employees from and against any and all claims, damages, and losses arising out of personal injury, death, or property damage, caused by the negligent acts, errors, or omissions of BSCA, to the extent and in proportion to the comparative degree of fault of BSCA.

Ownership of Documents: All documents including the RFP documents, software demonstration script and evaluations provided or furnished by BSCA shall have a perpetual license for use granted to the City.

No Assignment: Neither the City nor BSCA may assign, sublet, or transfer any rights under the Agreement without the written consent of the other.

Barry Strock Consulting Associates, Inc.

By: 
Name: BARRY STROCK
Title: PRESIDENT
Dated: JUNE 25, 2008

City of Prairie Village, Kansas

Ronald Shaffer, Mayor
Dated: _____

Attest: _____
Joyce Hagen Mundy, City Clerk

Approved:

Catherine P. Logan, City Attorney

2009 Budget Wrap-up

City of Prairie Village

July 7, 2008



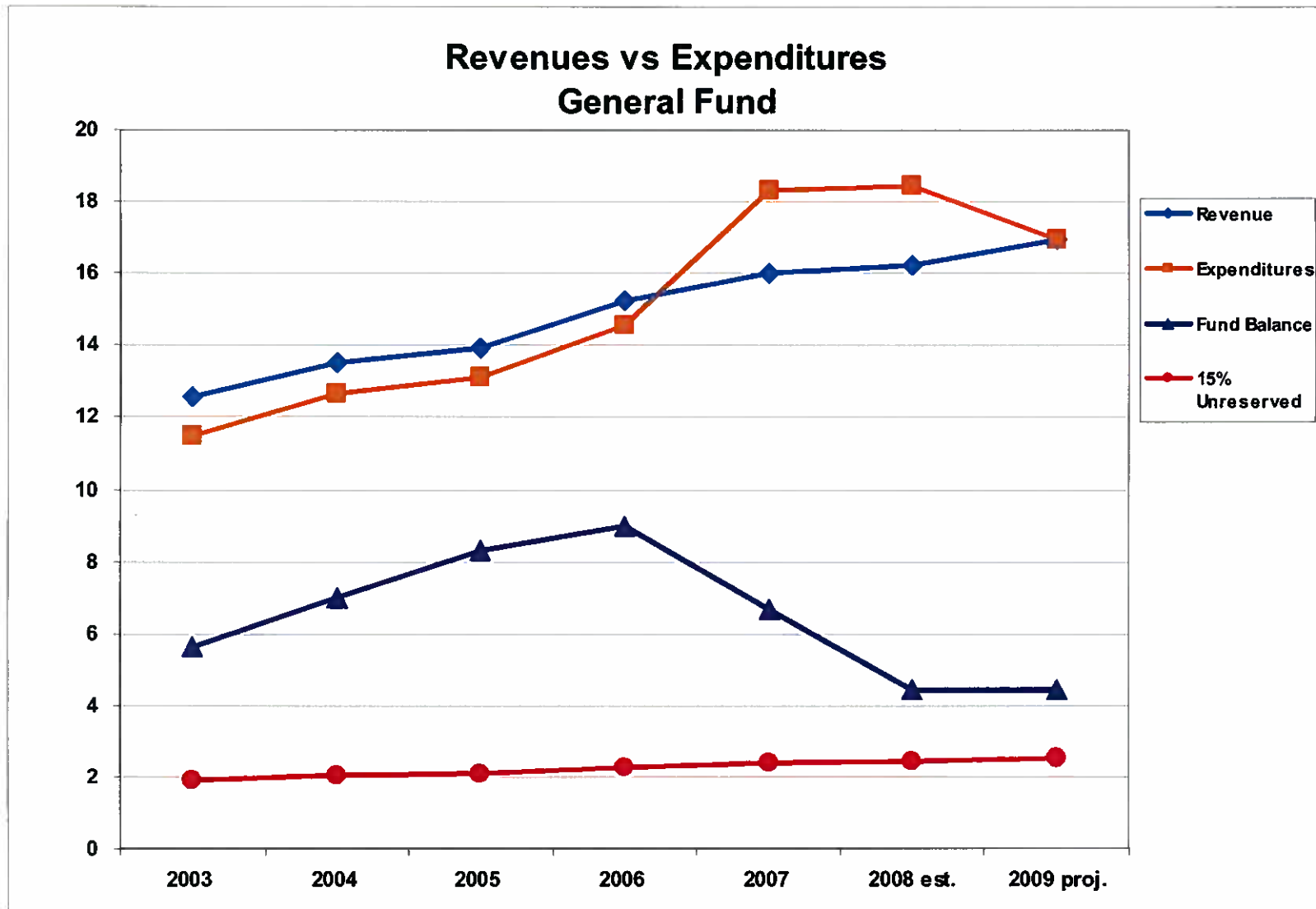
Agenda

- General Budget Discussion
- County Use Tax refund update
- Stormwater Utility update
- Franchise fee review
- Review Council considerations contained in 2009 Proposed Budget

2009 Budget Goals & Objectives

- 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

The Budget Outlook



General Budget Discussion

- Council discussion and feedback regarding the 2009 Proposed Budget

Use Tax Refund Update

- State continues to process refund requests submitted by the Johnson County company
 - Received almost no County Use Tax in May
 - Received \$0 County Use Tax in June
 - Estimate almost no County Use Tax in July
- KDOR estimates the following refund amounts will be shared by the Cities in Johnson County:
 - \$2.7 million in remainder of 2008
 - \$6 million in 2009
 - Possible \$6 million in the future related to economic development incentives for which the company may be eligible

Use Tax Refund Update

- Estimated effect for PV in 2008: \$183,000 less revenue than budgeted
- Estimated effect for PV in 2009: \$135,000 less revenue than originally estimated
 - Original estimate for 2009 already reflected a decrease in the trend

Use Tax Refund Update

- What does this mean?
 - The 2009 Proposed Budget is no longer balanced
 - Staff requests direction from the Council on how to handle the adjustment to 2009 revenue
 - Staff developed options for Council consideration

**City of Prairie Village
2009 Budget Options - County Use Tax Adjustment**

Total Adjustment	\$ 135,000
-------------------------	-------------------

General Fund	\$ 112,000
---------------------	-------------------

Item	Up to Amount	Consequences
1 Decrease transfer for Police radio system replacement (Mission Hills commitment = 20%)	\$ 15,000	Replacement is still three years away - possible supplement in year of purchase
2 Delay design of 75th Street: State Line to Belinder	\$ 95,000	The road will continue to deteriorate. However, since the study is still underway, it is possible that 2009 would be too soon for this project.
3 Postpone replacement of air compressor in Public	\$ 21,000	Higher maintenance costs; downtime due to repairs; replacement inevitable in the
4 Postpone replacement of one patrol car	\$ 24,000	Higher maintenance costs due to higher mileage; only delays the purchase
5 2009 Parks Master Plan CIP Funding	\$ 112,000	Not as much funding available to immediately implement items in the master plan (\$158,000 set aside in the Proposed 2009 CIP Budget)
6 Cut programs - would need to be identified	\$ 112,000	Current service level not maintained
7 Mill levy increase (0.38 mills)	\$ 112,000	Mill levy would be higher; better position in distribution formulas that use mill levy as a component
8 Adopt a deficit budget	\$ 112,000	Less fund balance in the General Fund at the end of 2009

Technology Needs List	\$ 23,000
------------------------------	------------------

Item	Up to Amount	Consequences
1 Reduce contingency amount to \$0	\$ 18,000	No cushion if actual costs are higher than estimates
2 Use drug forfeiture funds to pay for all or part of the shooting range cost	\$ 23,000	Less forfeiture funds available for other public safety priorities

Stormwater Utility Update

- Digitizing of the properties is complete
- Preliminary quality check is being performed with field checks
- Information meetings will be scheduled for:
 - Churches
 - Schools
 - Businesses and private utilities
 - Apartment complexes and townhouses
 - Highwood Properties
- Final Municipal Code will be presented at July 21 City Council Meeting





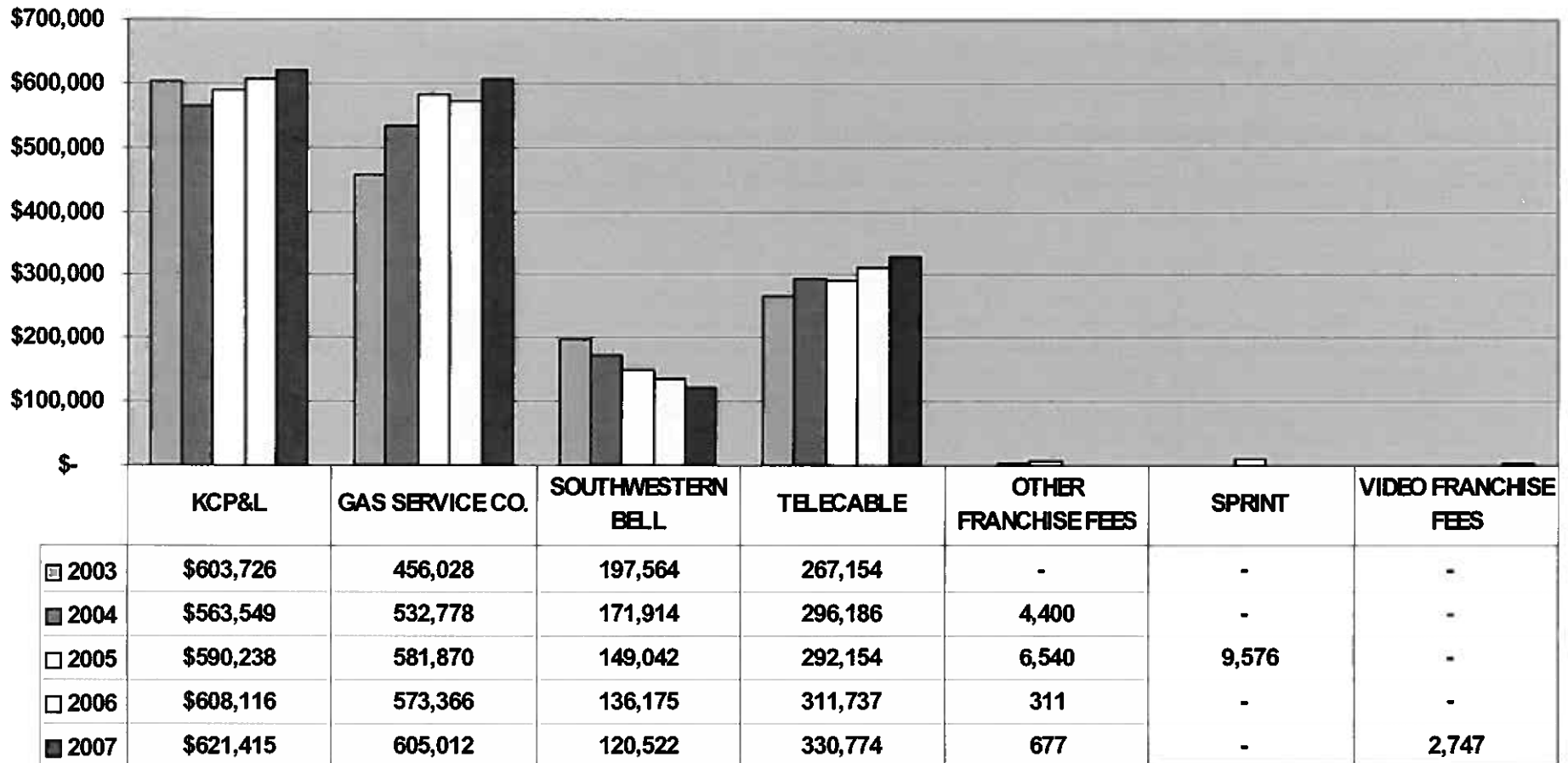




Franchise Fee Review

- Purpose of Franchise Fee
- City charged with managing, maintaining ROW
- Existing revenues (since 2003)
 - KCPL, Gas as expected
 - Fluctuate with weather
 - KCPL annual ave. = + 1.10%
 - Gas annual ave. = + 7.53%
 - Telecommunication
 - Total annual ave. = -0.52%
 - SWBL annual ave. = -11.60%
 - Telecable annual ave. = +5.58%

Franchise Fees 2003-2007



Franchise Fee History

- Franchise laws have developed over time
- Telephone franchise established decades ago
- 2002 legislative session – major changes to franchise laws – “compromise” legislation
 - pass through conduits – resaler and unbundled networks – exempted
 - Telecom franchise for local exchange – max. of 5% of gross receipts or access line fee
 - Cities cannot collect on “internet services”
 - TW notified cities - not paying fees on internet services
 - ATT VOIP – not paying internet services
- 2006 legislative session – additional changes to franchise laws
 - KS state video franchising
 - Only one statewide agreement required
 - No applications or negotiations – notification only
 - No buildout plan required
 - No PEG channels required
 - ROW agreement already included in statute language
 - Cable franchise – 2 competing franchises in statute

Franchise Fee Summary

- Trend is not positive for Prairie Village
- Erosion of franchise fees
 - Cell phones are not included (as in MO)
 - Gross receipt definition is narrowing
 - Pass through providers are exempt
 - Internet services are exempt
 - Definition of internet services is expanding
 - State video franchising legislation
- Technology is changing
- Trend is for more services becoming exempted

Consideration #1

- Stormwater Utility
 - Dedicated funding source for the Stormwater Management Program
 - NPDES guidelines continue to increase the City's responsibilities regarding stormwater management
 - \$1,443,413

Consideration #2

- Proposed 2009 CIP Budget
 - Use of accumulated reserve
 - Some projects reduced
 - Stormwater related projects funded by proposed Stormwater Utility

Consideration #3

- Jail Sales Tax Initiative on August Ballot
 - Included in the 2009 Proposed Budget
 - Use for one-time technology upgrades per the Technology List
 - Estimated Revenue: \$462,000

Consideration #4

- Add one traffic officer
 - Salary, benefits, commodities and equipment (\$88,000)
 - Increased ticket revenue (\$100,000)

Consideration #5

- Court and Council security
 - Council meeting security (\$3,000)
 - Prairie Village Court security (\$13,000)
 - Formal request will be brought for consideration at the July 21st meeting

Consideration #6

- Proposed fee increases
 - Many of the fees have not been updated in a number of years
 - Additional revenue from proposed increases have been included in the 2009 Proposed Budget

Additional Considerations

(not included in the 2009 Proposed Budget)

- 1% of General Fund budgeted expenditures for park land acquisition (\$139,000)
 - \$158,000 is included in the 2009 CIP budget for parks master plan items

What's Next?

- Update budget schedules based on tonight's discussion
- July 21st - Permission to publish the budget
- August 18th - Budget hearing and formal adoption of 2009 Budget

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

- I. CALL TO ORDER**
- II. PRESENTATION OF COLORS BY PV COLOR GUARD**
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL**
- V. PRESENTATION TO OUTGOING CITY ATTORNEY**
- VI. PUBLIC PARTICIPATION**
- VII. 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 – June 16, 2008
- 2. Approve the appointment of new City Attorney
- 3. Ratify the Mayor's appointment of Mr. Dirk Wright to the Communications Committee.

By Committee:

- 4. Approve the adoption of a new personnel policy relating to differential pay for employees called into active duty in the military (Council Committee of the Whole Minutes – June 16, 2008)

- VIII. OATH OF OFFICE – City Attorney**
- IX. STAFF REPORTS**
- X. COMMITTEE REPORTS**

**COUNCIL COMMITTEE OF THE WHOLE – David Voysey
COU2008-45 Consider Project 190864: 2008 Street Resurfacing Program
Construction Change Order #3**

**COU2008-46 Consider Geotechnical Services for Project 190871: Mission Lane
Bridge Replacement**

COU2008-47 Consider Annual Employee Appreciation Event

**COU2008-48 Consider Directing Staff to Investigate Development of Ordinances
related to Best Practices for Renewable Energy and Green Design**

VILLAGEFEST COMMITTEE – DIANA EWY SHARP

COMMUNICATIONS COMMITTEE – MICHAEL KELLY

XI. OLD BUSINESS

XII. NEW BUSINESS

XIII. ANNOUNCEMENTS

XIV. ADJOURNMENT

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

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

CONSENT AGENDA

CITY OF PRAIRIE VILLAGE, KS

July 7, 2008

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
June 16, 2008**

The City Council of Prairie Village, Kansas, met in regular session on Monday, June 16, 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, Diana Ewy Sharp and David Belz.

Also present were: Quinn Bennion, City Administrator; Catherine Logan, representing the City Attorney; Wes Jordan, Chief of Police; Bob Pryzby, Director of Public Works; Dennis Enslinger, Assistant City Administrator and Joyce Hagen Mundy, City Clerk.

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

PUBLIC PARTICIPATION

No one was present to address the City Council.

CONSENT AGENDA

David Voysey moved the approval of the Consent Agenda for Monday, June 16, 2008:

1. Approve Regular Council Meeting Minutes – June 2, 2008
2. Approve Claims Ordinance 2649
3. Approve an annual Retail Advertising Contract with the Kansas City Star
4. Approve VillageFest contracts
5. Approve Construction Change Order #1 with Musselman & Hall Contractors, Inc. for Project SP1007; 2008 Street Repair Program for a decrease of \$10,062.56 bringing the final contract cost to \$149,918.44

6. Approve Resolution 2008-03 supporting the renewal and continuation of the one-fourth (1/2) cent countrywide sales tax in Johnson County endorsing the use of revenue for capital and operating cost related to public safety programs of the county and administration of justice.
7. Approve the Police Pension Plan funding option to implement the RP1000 mortality table 100% in 2008 and use Contingency to fund the \$90,000 difference between the 2008 budget amount and the required contribution.

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

STAFF REPORTS

Public Works - Bob Pryzby

- Mike Helms is participating in an Emergency Management Training Exercise this week with Johnson County Emergency Management. Mike's background, as a former fire chief and training, qualifies him to serve as an incident commander in an emergency operations event
- The City did not receive any complaints of rain related problems from the recent heavy rains, except the usual flooding of the low water crossing at Delmar & Fontana
- The WaterOne trucks seen by the "Prairie Family" statue are working on running pipe under the Mission Road Bridge.
- There has not been any additional activity on the statue on the Lee Blvd intersection.
- Work is progressing on the Shawnee Mission East parking lot addition and weather permitting hard surface will be placed by the end of the week.

Public Safety - Chief Wes Jordan

- The Public Safety Department Communications Department suffered major damage from two different lightning strikes to the communications tower over the past two weeks. One dispatch console is still down. Dispatchers were dispatching from portable units for a week while repairs were being made. The City is still examining equipment and options.
- CodeRed emergency notification system is operational and they are working on the link on the website for individuals to enter their numbers. Information will also be included in the Village Voice on the system.

Legal - Catherine Logan

- The lawsuit against the City by Devin Knight, a former Public Works employee, was dismissed by the Federal District Court and the appeal period has passed.
- The lawsuit against the City by James Brooks was recently dismissed by the Kansas Supreme Court.

Assistant City Administrator - Dennis Enslinger

- The recent article regarding changes in services by Deffenbaugh limiting the number of bags to be collected does not apply to City residents at this time. The

City's contract with Deffenbaugh, which expires in 2010, does not have any limitation on the number of bags to be collected.

- The second series of "75th Street Corridor" meetings will be held this week on Tuesday and Thursday evening from 7 to 9 p.m. and Saturday morning from 9 to 11 a.m. These meetings will continue to gather input from residents on specific options.
- Bob Endres, former Chairman of the Prairie Village Arts Council, passed away this past weekend. Services will be held on Friday, June 20th at St. Ann's Church.

Administration - Quinn Bennion

- The potential date for the Special City Council meeting for consideration of the requested Meadowbrook rezoning is Monday, July 28th at 7:30 p.m. The alternate date is Wednesday, July 30th.
- The Mayor has received word from City Attorney Charles Wetzler that he will be resigning as City Attorney on July 7th. Charlie will be in attendance at that meeting and his services will be recognized by the City. Mr. Bennion noted Mr. Wetzler has served the City since 1963 first as City Prosecutor, then as Municipal Judge and for the past 35 years as City Attorney.

COMMITTEE REPORTS

Council Committee of the Whole

COU2007-33 Consider Project 190719: 2008 Storm Drainage Repair Program

On behalf of the Council Committee of the Whole, David Voysey moved the City Council approve Construction Change Order #1 with Miller Paving and Construction for Project 190719: 2008 Storm Drainage Repair Program for an increase of \$18,271.25 brings the contract amount to \$389,906.90. The motion was seconded by Ruth Hopkins and passed unanimously.

COU2008-42 Consider Design Agreement for Project 190876: 2009 CARS, 83rd Street Resurfacing from Roe Avenue to Somerset Drive

On behalf of the Council Committee of the Whole, David Voysey moved the City Council approve the Design Agreement with HNTB Corporation for Project 190876: 2009 CARS, 83rd Street Resurfacing from Roe Avenue to Somerset Drive. The motion was seconded by Ruth Hopkins and passed unanimously.

VillageFest

Diana Ewy Sharp reminded the City Council that the City's VillageFest Celebration will be in a couple weeks and distributed flyers on the day's events. She encouraged Council members to donate a couple hours to assist with the celebration on July 4th. The final planning meeting for the Committee will be held next week.

Park & Recreation Committee

Diana Ewy Sharp stated four companies were interviewed to prepare a Parks Master Plan for the City. The committee has selected two final firms and they will be asked to respond to a Scope of Services being prepared by staff. Mrs. Ewy Sharp stated the committee will not meet in July and August.

OLD BUSINESS

Public Comment

John Babb, 4903 Belinder, the Assistant Surgeon General for Public Health Services, addressed the Council with the risks of second-hand smoke, particularly as related to pregnant women, unborn babies, infants and children. He stated the impact is significant.

In addressing the proposed amendment to allow smoking after 9 p.m., Mr. Babb stated the effects of the evening smoking will still be felt the following morning. Smokers who want to stop smoking can not do so if working in a smoking environment because of the impact of nicotine in the air. He noted when communities have "no smoking" regulations studies have shown fewer youth begin smoking.

Mr. Babb stated 26 states are currently smoke free, with 40 of the 50 largest cities in the United States being smoke-free and 18 cities in the greater Kansas City area are smoke-free. These regulations impact more than 60% of the American population.

Charlene Stackhouse, owner of the Key Hole Tavern, in the City of Mission, spoke in opposition to the proposed ordinance. She noted that the City of Mission has adopted No Smoking regulations that will seriously impact her business which serves no food and does not impact any children. She stated "smoking bans" have gone beyond health issues and have become a "cause". Speaking on behalf of small businesses she urged the City Council to leave the decision in the hands of the business owner. She noted most family restaurants are smoke-free establishments.

Ms Stockhouse said many of the cities' regulations are not the same and have created an unlevel playing field for area businesses. Tobacco and alcohol are legal substances. She urged the Council to acknowledge the civil rights of business owners.

Nicole Brown, with the Johnson County Health Department, reported on metropolitan Kansas City area communities seriously considering enacting smoking restrictions. She noted North Kansas City passed the same ordinance as Kansas City, Missouri. Regarding enforcement she reported cities have found the simpler the ordinance is and the fewer exemptions it has, the easier the ordinance is to enforce.

Dr. John Neuberger, 10922 West 101st Street, Overland Park, noted there are other costs besides those to the small business owner and urged the Council to consider the costs to the individuals who become ill from exposure to second-hand smoke. He stated a New York study conducted after the state went "No Smoking" revealed no problems experienced by businesses and no loss of tax revenue by the cities.

Jay Smith, representing the American Heart Association, spoke in support of the ordinance. He encouraged the adoption of a strong comprehensive ordinance without exemptions. Exemptions create an unfair playing field. Mr. Smith noted the state of Iowa just became the 27th Smoke-Free state.

Jamie Shaw, 9100 Nall, urged the Council to adopt a comprehensive smoke-free ordinance.

Catherine Logan stated the draft ordinance does provide an exemption for Private Clubs at the direction of the City Council. Bill Griffith asked if a private club was the same as a country club. Ms Logan responded it was not and there were no private clubs in Prairie Village.

Al Herrera noted there is currently a lawsuit being considered on the Kansas City, Missouri regulations. A judgment from the court is expected June 20th. He would like to wait until after that ruling is given to act on this ordinance.

Ruth Hopkins moved the City Council adopt Ordinance 2168 relating to smoking regulations in the City of Prairie Village, Kansas; amending Prairie Village Municipal Code Sections 11-402, 11-404 and 11-410. The motion was seconded by David Voysey.

Al Herrera questioned this action when the City is facing a revenue shortfall. He feels this action has gone from doing what is good for the people to simply passing an ordinance. He would like to see the question placed before the residents on the November ballot, noting the margin of victory in Kansas City, Missouri was not very high. He does not feel the City should legislate and take away the rights of businesses.

David Voysey stated he has not spoken with any constituent who stated they did not want the smoking ban to be adopted. He added even if the expense was approved to place the issue on the ballot, he was confident the City would receive the directive to adopt this ordinance.

Mr. Herrera responded he gets e-mails from residents telling him they want to be able to smoke. He is seeking a compromise that would allow smoking from 9 p.m. to 1 a.m. He's been told by people opposing the ordinance that they feel the Council has already decided and they feel their opinions won't make a difference.

Diana Ewy Sharp stated this is a difficult decision for her; however, she feels the Council has to follow the recommendation of the task force that investigated the issue.

She understands both points of view. Mr. Herrera stated this is an issue that should be voted on by the public.

Dale Beckerman stated he doesn't see this as an economic issue but rather a health issue which is greater than any economic consideration.

Bill Griffith stated the issue of health considerations has lessened for him during the past two years as more and more businesses have gone smoke-free providing several opportunities for families to eat in smoke-free environments and workers to work in smoke-free environments.

Catherine Logan noted a typographical error in the draft ordinance and that as written it would exempt country clubs. The ordinance should read "Class A Clubs". Mayor Shaffer noted both country clubs in the City are voluntarily smoke-free.

Dale Beckerman moved to amend the motion to change the wording from "Private Club" to "Class A Club". The motion was seconded by David Voysey.

Michael Kelly stated if the City is taking this action for health reasons, why does the ordinance include exemptions.

David Belz asked for clarification on the definition of "Class A Club". Ms Logan responded by reading the definition from the city's municipal code.

Andrew Wang stated he agrees with Mr. Herrera and Griffith that economics can address the issue of smoke-free establishments for residents; however, if the issue is a smoke-free working environment because of health issues for employees, it doesn't make sense to exempt clubs.

David Belz stated he felt the task force would recommend not exempting clubs as their goal was to create a level playing field. Ruth Hopkins agreed the task force would be supportive of the ordinance without the exemption of clubs.

The amendment to the motion was withdrawn by Mr. Beckerman and Mr. Voysey.

David Belz moved the draft ordinance be amended with the deletion of Section I(f) and Section 2 (e). The motion was seconded by Michael Kelly

Diana Ewy Sharp stated country club owners received this draft ordinance and are not aware of the proposed change that would impact them. She is not comfortable with making the change and asked if the Mason's had been contacted regarding the ordinance.

Andrew Wang asked if the ordinance was regulating places of employment or meeting places. He felt the ordinance only addressed public places of employment.

The motion to amend was voted on and passed by a vote of 8 to 4 with Herrera, Griffith, Wassmer & Ewy Sharp voting "nay".

The motion on the floor was restated as follows: Move City Council adopt Ordinance 2168 relating to smoking regulations in the City of Prairie Village, Kansas, amending Prairie Village Municipal Code Sections 11-402, 11-404 and 11-410 with the deletion of Section I (f) and Section 2. (e).

A roll call vote was taken with the following votes cast: "aye" Hopkins, Voysey, Kelly, Wang, Wassmer, Beckerman, Clark, and Belz; voting "nay" Herrera, Griffith and Ewy Sharp.

Mayor Shaffer thanked the public for attending and for their comments. He asked Mr. Belz to thank the Task Force for their work on this issue. The ordinance will become effective August 1, 2008.

Al Herrera moved that based on the e-mail reflecting the unsatisfactory work of HNTB on the 75th Street Corridor Project, their work not be continued and the meetings on the 75th Street Corridor cancelled. The motion failed for a lack of a second.

Several Council members noted they had not received the e-mail in question.

Dennis Enslinger stated last Tuesday evening HNTB made a presentation to the 75th Street Corridor Steering Committee that was not satisfactory. The question was

raised as to whether the City should go forward with the scheduled meetings based on the lack of progress demonstrated by HNTB or if staff should meet with HNTB on Wednesday, Thursday and Friday to make sure they were adequately prepared for the work sessions. Staff has met with them several times to work with them on the content for the meeting. The e-mail Mr. Herrera referenced went to steering committee members and expressed the disappointment of several members with the information presented.

Mr. Enslinger noted that more than 2,000 postcards have been mailed to individuals inviting them to participate in the work session as well as signs posted throughout the City. Staff is comfortable with the level of the presentation for the meetings.

Laura Wassmer stated she was concerned with the hours of time Dennis Enslinger and Quinn Bennion have had to spend with HNTB to get a satisfactory product; however, she agrees that the City needs to move forward with the scheduled meetings.

Michael Kelly stated he was one of the members that considered stopping the presentation. He noted their performance to date has been lack luster. This is their opportunity to show what they can do.

Mr. Herrera noted he has not been pleased with their performance from the beginning. He does not feel they are doing the work necessary. Ms Wassmer noted if Tuesday's presentation is not satisfactory, then she would recommend taking action.

Dennis Enslinger encouraged all Council members to attend one of the sessions. He noted there was not a consensus among the steering committee members. The chairman of the steering committee participated in meetings held with HNBT and staff today. Mayor Shaffer thanked staff for the extra time and effort spent on this project to bring it together and make it happen.

NEW BUSINESS

David Morrison stated he feels park acquisition referenced in the Village Vision is vital to the City and in order to make sure it happens he would like to see one percent of the City’s overall budget set aside in reserve for future park acquisition.

Diana Ewy Sharp asked if there would be more budget discussions. Mr. Bennion responded budget discussion could be added to the Council Committee of the Whole agenda for July 7th. Mayor Shaffer stated at that time the Council can discuss Mr. Morrison’s suggestion of creating a park acquisition fund. David Voysey clarified that Mr. Morrison meant 1% of the entire budget or approximately \$160,000. Mr. Bennion noted the 2009 budget has \$150,000 set aside in the park budget already; however, the amount is not specifically restricted to acquisition of park land. .

ANNOUNCEMENTS

Prairie Village Arts Council	06/18/2008	7:00 p.m.
Environment/Recycle Committee	06/18/2008	7:00 p.m.
Board of Zoning Appeals	07/01/2008	6:30 p.m.
Planning Commission	07/01/2008	7:00.p.m.
VillageFest Committee	07/03/2008	7:00 p.m.
Council Committee of the Whole	07/07/2008	6:00 p.m.
City Council	07/07/2008	7:30 p.m.

=====

The Prairie Village Arts Council is pleased to feature a digital art exhibit by Steve Karol in the R. G. Endres Gallery for the month of June.

Don’t forget VillageFest on July 4, 2008!

The City offices will be closed on July 4, 2008 in observance of Independence Day. Deffenbaugh also observes this holiday and Friday collection will be done on Saturday.

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

Mayor Shaffer announced the City of Merriam has received approval of STAR Bonds for their redevelopment project

Mayor Shaffer also noted there will be a press conference held on June 20th at the Sylvester Powell Center in Mission to announce the receipt of federal funds for their redevelopment project.

EXECUTIVE SESSION

David Voysey moved pursuant to KSA 75-4319(b)(6) that the Governing Body, recess into Executive Session for a period not to exceed 15 minutes for the purpose of discussing with the City Attorney preliminary discussions relating to the acquisition of real property.

Present will be the Mayor, City Council, Police Chief, City Administrator, PW Director, Assistant City Administrator, Finance Director, City Clerk, Asst. to the City Administrator and City Attorney. The council meeting will reconvene at 9:05 p.m. The motion was seconded and passed unanimously.

Mayor Shaffer reconvened the City Council meeting at 9:04 p.m.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 9:05 p.m.

Joyce Hagen Mundy
City Clerk



CATHERINE P. LOGAN

Admitted to Bar in
Kansas 1988
Missouri 1976

U.S. District Court for the District of Kansas

*10851 Mastin Boulevard
Building 82, Suite 1000
Overland Park, Kansas 66210-1669
Phone: (913) 451-5100
Email: clogan@latbropgage.com*

EDUCATION

University of Missouri - Kansas City, J.D., *with distinction*, 1976
University of Kansas, B.A., *with honors*, 1972

EXPERIENCE

Ms. Logan has concentrated her practice in the areas of public law, public finance, real estate and real estate finance and business law.

In the area of public law, Ms. Logan provides City Attorney services for Kansas cities, and has advised public entities in Kansas and Missouri as special counsel on various issues, including zoning and land use, real estate, and procurement and contract issues. Ms. Logan routinely assists both public and private clients in connection with economic development incentives and financings, including tax increment financing, neighborhood improvement district financing, special benefit districts, lease purchase financing, tax abatements, revenue bonds, general obligation bonds, letters of credit and other credit enhancements.

In the area of real estate, Ms. Logan has represented clients in a broad range of real estate transactions, including purchase and sale transactions, leases and financings. She has also assisted numerous lenders and borrowers with loan workouts and foreclosures.

In the area of general business law, Ms. Logan has assisted clients in establishing for profit and not for profit corporations, limited liability companies and partnerships in both Kansas and Missouri, and in asset and stock purchase and sale transactions. Ms. Logan routinely assists both public and private clients with a broad range of business matters, including procurement and contract drafting and review. Ms. Logan has served as legal counsel to both borrowers and lenders in business financings ranging from small to multimillion dollar loans.

HONORS

- Named to Class of 2003, "Women Who Mean Business", *Kansas City Business Journal*
- Martindale Hubbell® "AV" Rating

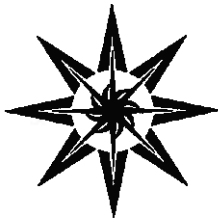
PUBLICATIONS

- Co-author, *Close Corporations in Estate Planning, After the 1976 Reform Act*, [The Journal of Corporation Law](#) (University of Iowa Law School), Vol. 2, Winter 1977, No. 2, with Professor Edwin Hood

ACTIVITIES AND MEMBERSHIPS

- Kansas Bar Association

- The Missouri Bar
- National Association of Bond Lawyers
- American Bar Association
- City Attorney Association of Kansas



ADMINISTRATION DEPARTMENT

Council Meeting Date: July 7, 2008

**CONSENT AGENDA: CONSIDER APPOINTMENT TO THE
 COMMUNICATIONS COMMITTEE**

RECOMMENDATION

Ratify the Mayor's appointment of Mr. Dirk Wright to the Communications Committee.

BACKGROUND

Mayor Shaffer is pleased to place before you the appointment of Dirk Wright to the Communications Committee. Mr. Wright's volunteer application is attached.

ATTACHMENTS

1. Volunteer Application

PREPARED BY

Jeanne Koontz, Deputy City Clerk
June 23, 2008

City of Prairie Village

APPLICATION TO VOLUNTEER

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

Name: Dirk Wright

Spouse's Name: Debbie

Address: 3025 w 74th

Ward: 3

Telephone: 913-432-4583

What Committee(s) interests you? Communications Committee

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

I am a lifelong PV resident. I am extremely interested in serving on the Communications Committee. A City - as progressive as Prairie Village - needs a website that delivers first-class services and represents the spirit of the community.

As stated in the Village Vision, PV needs to attract and retain young professionals. I believe that a successful website - aside from providing services - can also be utilized as a marketing tool for our City.

I have been looking for the right opportunity to serve my City. As a lifelong PV resident I have never been as enthused about a service opportunity as I am with being a member of the Communications Committee. I look forward to working with Councilman Kelly and the rest of the committee!

Thank you for your interest in serving our community.

Committee Appointment Record

Committee/Position Date

Elected

Date

Appointed

Length of

Term

Replacing Termination/

Resignation

COUNCIL COMMITTEE OF THE WHOLE
June 16, 2008

The Council Committee of the Whole met on Monday, June 16, 2008 at 6:00 p.m. The meeting was called to order by Council President David Voysey with the following members present: Mayor Shaffer, Al Herrera, Bill Griffith (arrived late), Ruth Hopkins, Michael Kelly, Laura Wassmer, Dale Beckerman, Charles Clark, David Morrison, Diana Ewy Sharp and David Belz. Staff members present: Quinn Bennion, City Administrator; Wes Jordan, Chief of Police; Bob Pryzby, Director of Public Works; Dennis Enslinger, Assistant City Administrator; Chris Engel, Assistant to the City Administrator; Nic Sanders, Human Resources Specialist and Joyce Hagen Mundy, City Clerk.

Andrew Wang moved the approval of the Consent Agenda for Monday, June 16, 2008:

- **Approve Change Order #1 with Miller Paving and Construction for Project 190719: 2008 Storm Drainage Repair Program for an increase of \$18,271.25 bringing the new total to \$389,906.90**
- **Approve the Design Agreement with HNTB Corporation for Project 190876: 2009 CARS, 83rd Street Resurfacing from Roe Avenue to Somerset Drive**

COUNCIL ACTION TAKEN
6/16/2008

The motion was voted on and passed unanimously.

COU2008-43 Consider approval of a personnel policy relating to differential pay for employees called to active duty in the military

Quinn Bennion stated the Governing Body directed City Staff to research and develop a personnel policy relating to differential pay for employees called to active duty in the military. Currently the City allows an employee to use their paid leave time to supplement their decrease in income, if there is a decrease; however, once paid time has been utilized, there is no compensation from the City to the employee for Military leave. In late 2006, as part of their compensation and benefits study, FBD noted that the City did not pay individuals during military leave and suggested the implementation of a Military Leave Pay policy to rectify this issue. At that time, only 25% of the municipalities surveyed offered paid service leave. Based on the inquiries of Chief Jordan, two of those who did not at that time, Leawood and Lenexa - and the only two in his survey of Johnson County Police Chiefs - now have paid service leave.

The Uniformed Services Employment and Reemployment Rights Act (USERRA) was enacted to prohibit discrimination of those in the Armed Forces and allow them the ability to rejoin their employer while being "held harmless" for things such as retirement, leave, compensation, etc. An employer cannot discipline/terminate an employee for being called to active duty or other training associated with their military service. The Act does not dictate that the employer is required to compensate the employee due to their Military leave.

The City's existing leave policy was amended to address these issues. In order to receive the differential pay, the employee must complete an application and be called to active duty for

thirty days or more. The policy addresses salary only and does not include continuation of benefits. Funding for this will come from the employee's department's regular salary account.

Charles Clark noted previously individual's being called into active duty came as a surprise. The reserve and guard forces are now really part of the military and it can be expected that they will be deployed into active duty at some point in time. This can become a costly benefit to the City. Mr. Bennion responded the financial impact will vary based on the number of employees and their positions and salary levels.

Laura Wassmer expressed concern with the possibility of the City having several employees serving for extended periods of time noting with the city's minimal staffing level, it may also be necessary for the city to hire additional replacement employees creating a significant financial impact. This is very open-ended and difficult to know the true financial cost.

David Voysey asked if in the hiring process for employees military status became known. Chief Jordan responded new legislation approved requires employers to offer veteran's preference in hiring, so this information is known and the city will give preference to veterans in the hiring process.

Andrew Wang asked if this is necessary to be competitive. Chief Jordan replied the cities of Lenexa and Leawood have similar policies in place; however, the officers currently under the program in those cities receive more military pay than they earn from the city. Bob Pryzby responded he is not aware of any reservists on his staff.

Ruth Hopkins noted this was one of the recommendations from the FBD salary study and she feels it should be implemented.

Dale Beckerman asked why an application was required. Mr. Bennion noted the City needs to receive information regarding the employee's military pay.

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

**RECOMMEND THE CITY COUNCIL ADOPT A NEW PERSONNEL
POLICY RELATING TO DIFFERENTIAL PAY FOR EMPLOYEES
CALLED INTO ACTIVE DUTY IN THE MILITARY
COUNCIL ACTION REQUIRED
CONSENT AGENDA**

Consider 2009 Capital Improvement Budget

Bob Pryzby stated because of revenue shortfalls the Capital Improvement Budget is less than previous years. He noted there was \$1.2 million in capital reserves from unused project funds which has been added into the proposed 2009 budget.

Park Projects

There are only two projects budgeted for 2009. The first is \$75,000 for the Swimming Pool Reserve and the second is \$150,000 for the Park Master Plan. These funds will be held for implementation of the master plan.

Drainage Projects

The private water discharge program has been reduced from \$50,000 to \$20,000. This program has collected \$19,076 in payments which has been returned to the fund. The drainage repair program has been reduced by \$234,000 to \$600,000. This budget includes \$294,000 for the city's component of the Mission Lane Bridge Project. Mr. Pryzby stated in 2007 an additional \$1 million was added to this program. Those funds have been removed. All of the \$914,000 budgeted for drainage projects will be funded by the Stormwater Utility Fee.

Street Projects

The 2009 Street Paving program has been reduced by \$437,000. All three CARS Projects were approved by the county and have been budgeted for 2009. The unused reserve funds will be used to fund street programs. The biggest change in the program is the delay of the Mission Lane Bridge Replacement to 2010.

Building Projects

Three projects are included in the 2009 budget: Funds for the replacement of the municipal campus brick wall in the 2009 budget are for study and design with anticipated construction in 2010. The public safety building roof replacement is budgeted for 2009. The largest item is the budgeting of funds for the possible purchase of 3541 Somerset Drive.

David Voysey asked if Highwoods was involved in the Mission Lane Bridge project. Mr. Pryzby stated they are aware of the work to be done. The money in the budget is for the city's portion of the work.

Ruth Hopkins asked if solar panels were being considered for the roof replacement. Mr. Pryzby replied they have not been considered in the budgeted amount. He would have Mike Helms investigate the possibility. Mrs. Hopkins stated she would like to keep that option open.

David Belz confirmed no park work is being done in 2009 and the funds will be held in reserve until the completion of the parks master plan. Mr. Pryzby responded there is \$256,000 available for the implementation of the parks master plan.

David Morrison asked what the life expectancy was for a brick wall. Mayor Shaffer responded there are too many affecting conditions impacting a brick wall to give an expected period of life.

Charles Clark pointed out drainage work at 83rd and Delmar was not included in the Capital Improvement Program. He advised Council this is still a problem area as demonstrated by the recent flooding and loss of a vehicle. Mr. Clark acknowledged funds are not available at this time; however, he will continue to pursue eventual action for this problem.

David Belz asked if the city's infrastructure will be able to be maintained. Mr. Pryzby noted oil and Mother Nature impacts the life of the streets, noting this past winter was severe. The city

used additional funds for two years and each year 20% of the streets are rated. Diana Ewy Sharp asked what the current street rating was. Mr. Pryzby answered "B".

Mrs. Ewy Sharp asked what was needed for Delmar. Mr. Pryzby stated the city needed \$1.4 million in addition to the SMAC funds approved to complete the project. He noted the SMAC funds have been released and are no longer available. Mr. Clark added the design work has been completed; however, the construction costs exceeded available budget.

David Voysey noted Mission Hills has warning lights at Indian Creek. Mr. Pryzby advised the lights are a trial effort by SMAC for testing the effectiveness of the lights.

Budget Notes

Quinn Bennion advised the Council the City has not heard anything further on the status of the "use tax". In response to questions regarding the court fees, he has sent Council members an e-mail with the court fines as established by the municipal judges. Regarding Mr. Morrison's question on a littering fine, Chief Jordan stated the section addressing littering was removed from the Uniform Public Offense Code adopted by the City because of a conflict with state statutes. The city currently does not have an ordinance addressing littering. Katie Logan noted the city could pass a local ordinance. Mr. Bennion stated staff will continue looking into this and seeing how other cities are addressing the issue. He is also still gathering information on video franchising and will report back to the Council.

Economic Development

Quinn Bennion stated the city has been setting aside funds in this account for the past few years. The current uncommitted fund balance is \$2,130,813. These funds have been used for the following projects:

- 75th Street Corridor Study
- SME parking lot design & construction
- Exterior Grant Program - 2008

The only expenditure from this fund included in the 2009 budget is the funding of Exterior Improvement Grant Program with \$50,000.

Dennis Enslinger stated 13 grants have been issued with 2 remaining. The value of the improvements from the grant program range from \$6,500 to \$24,000. The projects covered a wide range of improvements and were done in the following areas:

9 projects	Area #2 - east of Belinder
2 projects	Area #1 - west of Roe 71 st to 75 th Street
2 projects	Area #3 - west of Nall between 75 th Street & 79 th

Mr. Enslinger stated the city has received requests from individuals outside the designated areas. One project has been completed and before and after pictures were shown to the Council. Residents have stated they found the program easy to use, with a fast turn-around of funds and a positive experience. Many noted they made improvements they would not have made without the grant.

Laura Wassmer asked how large the grants are. Mr. Enslinger stated the grants are 20% of the cost of the project to a maximum of \$2,500. Most of the grants have been for projects costing above \$5,000.

Michael Kelly asked if there were any changes staff would recommend to the program. Mr. Enslinger stated the application is simple. Questions have been asked regarding landscaping improvements. They have not been allowed, only permanent improvements to structures. The only change he would recommend is to include both sides of a street. Under the current program one side of 75th Street is included the other is not and that has raised questions.

David Belz stated he had received an e-mail from one resident outside the identified area interested in applying and would like to see the program expanded to include other areas of the City with the ultimate goal of all homes valued at \$200,000 or less.

Charles Clark asked if the program has had any impact on the First Suburbs Program. Mr. Enslinger noted the projects under this program are smaller projects so he does not feel it has had an impact also noting the eligibility guidelines are different for the two programs.

Quinn Bennion stated the use of Economic Development Funds can be adjusted and approved throughout the year and does not have to be clearly addressed in the formal city budget sent to the county.

Charles Clark stressed these funds should be used for enhancements to the City not for street construction.

Diana Ewy Sharp asked the definition of economic development approved by the Council. Mr. Voysey did not have the full definition, however, noted the intent of the definition was for items that would logically and reasonable lead to increased economic benefit for the City. Each project would be evaluated on a case by case basis.

Ruth Hopkins stated the Council agreed that the funds would not be used for construction. Michael Kelly felt the funds should be used for studies of areas for possible redevelopment.

Village Vision

Quinn Bennion stated he asked Mr. Enslinger to prepare an update on how the action items of Village Vision are being addressed.

Mr. Enslinger presented a matrix listing the action items as designated in the Village Vision report. He noted that some of the action items have been identified as ongoing, short-term, mid-term and long-term. This is not a static document.

Ruth Hopkins expressed confusion and concern that some of the items appear to have been completed and she does not feel they have been adequately addressed.

Mr. Enslinger stated he sees this as an ongoing matrix, not check-off sheet designating completion. Most of the action items are very open ended and he sees them being addressed

for several years. A few are one time entries as the replacement of the entry signs for the City. Others will change as actions are taken. For example the creation of the mixed use district was in response to the need for alternative housing stock, but it will not be the only action taken. The matrix provides a view of what has been and is being done and to evaluate and/or change items that may no longer be relevant.

Mr. Enslinger also noted some of the action items are not clear. For example, what was the intention behind "TR3D Ensure adequate parking appropriate for users' needs".

Mrs. Hopkins expressed concern with "LG1A: Consider establishing a public relations function within City government to manage communications, public relations and marketing for Prairie Village." The status on the matrix has Communications Committee created 2007. The Communications Committee was not created in 2007 and she does not feel the Communications Committee adequately addresses the intent of this statement. Mr. Enslinger stated having a notation in the status/accomplishments does not mean the item is completed.

Michael Kelly stated the Communications is working on improvements to the City's website that will address several of the issues raised in this item providing more opportunities for residents to interact with the City.

Quinn Bennion stated as the Council reviews Village Vision on a regular basis, he would anticipate seeing several new initiatives to address needs as identified.

Diana Ewy Sharp noted at the Council Retreat council members were encouraged to follow-up on any item in the Village Vision that interested them. Ruth Hopkins stressed the importance of the items listed in the Village Vision and she does not want to see them get lost in the process. Mr. Enslinger replied this is a working document used to help set priorities and provide direction to the Council and staff. He stressed the importance of staff and the Council to have community input and know the residents' expectations for redevelopment.

Bill Griffith expressed concern that in the Council's desire to implement Village Vision the economic development fund will be whittled away without any significant redevelopment occurring in the City.

Al Herrera stated he would like to see the City focus on areas other than Highwoods properties.

David Voysey noted funding for the Shawnee Mission East Parking lot has already been taken out of economic development funds which does not fit within the definition. He asked if the City was responsible to plan each piece of the City. Mr. Enslinger responded "no", however, the City needs to have the knowledge of what the community's expectations are for areas of the City. Staff uses Village Vision to provide that guidance.

David Morrison stated the Village Vision strongly acknowledged a commitment among residents to preserve parks and green space. Therefore, he feels it is essential to establish a reserve fund for future acquisition of park land and would like to see 1% of the city's total budget earmarked for this purpose.

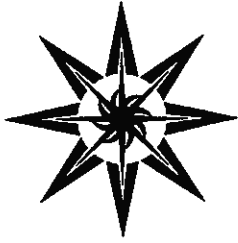
Quinn Bennion announced the next step in the budget process in the authorization to publish which is scheduled for July 21st. He has received comments from Council members desiring further discussion of the proposed budget. Budget discussion will be added to the July 7th Council Committee of the Whole meeting agenda.

Al Herrera reminded Council that although it was important to listen to residents, it is the Council's responsibility to act for the benefit of the entire city.

Adjournment

Council President David Voysey adjourned the meeting at 7:30 pm.

David Voysey
Council President



City Council Policy: PP1015 - MILITARY LEAVE

Effective Date: July 8, 2008

Amends: PP1015 - MILITARY LEAVE, August 15, 2005

Approved By:

I. SCOPE

A. This policy applies to all City employees, except those holding temporary positions.

II. PURPOSE

A. To allow employees the ability to receive paid or unpaid leave who are or become absent due to military duty in the uniformed services.

III. RESPONSIBILITY

- A. The Human Resources Specialist shall be responsible for retaining documentation related to military leave.
- B. The employee shall be responsible for notifying the Manager of impending military leave.
- C. The Manager shall be responsible for scheduling military leave, maintaining a record thereof, and notifying the City's Human Resources Specialist of the leave.

IV. DEFINITIONS

- A. "Manager" is defined as one of the following:
 - 1. City Administrator;
 - 2. Assistant City Administrator;
 - 3. Chief of Police;
 - 4. Public Works Director;
 - 5. Or the designee of the positions listed.
- B. "Employee" is defined as anyone classified as such in *Personnel Policy #720 - Definitions of Employment Status*.
- C. "Benefit," "Rights and Benefits," or any variation of these terms will be interpreted as any advantage, privilege, status or account an employee receives because of his/her employment. These terms include, but are not limited to, a pension plan, a health plan, other types of insurance coverage, awards, and paid leave.
- D. "Application" is defined as any notification from the employee returning from military leave (verbal, written, or electronic) that they wish to return to work for the City.
- E. "Uniformed services" include:
 - 1. Army, Navy, Marine Corps, Air Force or Coast Guard;
 - 2. Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve or Coast Guard Reserve;
 - 3. Army National Guard or Air National Guard;
 - 4. Commission corps of the Public Health Service;
 - 5. Any other category of person designated by the President in time of war or emergency.
- F. "Military duty" means voluntary or involuntary service such as:
 - 1. Active duty;
 - 2. Active or inactive duty training;
 - 3. Full-time National Guard duty;
 - 4. Absence from work for an examination to determine a person's fitness for any of the above types of duty.
- G. "Military Leave Pay" is defined as the difference between the employee's normal monthly salary and the total monthly amount that he/she is paid for military duty.
 - 1. Pay may include but not limited to:
 - a.) Active Duty Pay
 - b.) Combat Pay
 - c.) Housing Pay

V. POLICY

- A. The City will comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as amended, with respect to leave of absence and return rights for employees who leave City service for military duty in the uniformed services.

PP1015: Military Leave

- B. An employee who leaves a job, voluntarily or involuntarily, for duty in the uniformed services, shall be granted a military leave of absence with guaranteed restoration to his or her position upon release from military duty as long as:
 - 1. The position is a regularly budgeted, non-temporary position;
 - 2. The reason the employee leaves the position is to report for military duty;
 - 3. The length of the employee's military leave of absence does not exceed 5 years except at the request of the federal government; and
 - 4. The employee's separation from service is not a result of:
 - 1. A dishonorable or bad conduct discharge; or
 - 2. Other than honorable conditions, as characterized pursuant to regulations prescribed by the Secretary of Labor or any person designated by the Secretary of Labor to carry out the activity.
- C. Employees may, but are not required, to utilize paid leave time during their military duty.
- D. Employees will not accrue additional paid leave while on a military leave of absence.
- E. Benefits
 - 1. Medical benefits will not be provided if leave is longer than 31 days.
 - 2. An employee may elect to continue health or dental coverage through terms similar to COBRA.
 - 3. Should an employee choose to continue benefit coverage, the total cost of the chosen benefits will be the responsibility of the employee.
 - 4. Employees returning from a military leave of absence will receive salary increases equal to the average merit increase of the employee's department.
 - 5. Upon return, the employee will retain all seniority, rights, and benefits had their employment not been interrupted.
 - 6. An employee who interrupts their probation with a military leave of absence shall complete the remainder of the probationary period upon return.
 - 7. An employee returning from military leave of absence cannot be discharged except for cause for 1 year following their return if the military leave of absences was for 181 days or longer, or for 6 months following their return if the military leave of absences was at least 30 days but less than 181 days.
 - 8. Upon return from military leave of absence 31 days or more, the employee must provide documentation showing that:
 - a.) The application for reemployment is timely;
 - b.) The five-year service limitation has not been exceeded; and
 - c.) The separation from service was other than disqualifying under USERRA.
 - 8. If employee does not provide satisfactory documentation because it's not readily available, the City will honor the right to reemployment contingent on subsequent documentation:
 - a.) If, after reemployment, documentation becomes available that shows the reemployment requirements were not met, the City may terminate the employee;
 - b.) If an employee has been in service for 91 or more days, the City may delay making retroactive pension contributions until employee submits satisfactory return documentation.

IV. PROCEDURES

A. Called to Military Duty

- 1. Any employee called to military duty shall give notice of military leave to his/her Manager.
- 2. A copy of the military order and a request for a military leave of absence shall be provided to the Manager immediately or no later than seven (7) days from receipt of the order;
- 3. In the event this notice is impossible, unreasonable, or is precluded by military necessity, the employee should provide the proper documentation as soon as possible in order to obtain reinstatement.
- 4. Should the employee wish to apply for military leave pay, he/she will need to complete the Paid Military Leave Application Form.
 - a.) The employee will not be eligible for military leave pay until he/she has been called to active duty for more than thirty (30) days.
 - b.) The military leave pay differential will be calculated at the time of application and will not change unless substantial changes in pay occur.

B. Returning to Work

- 1. Once the employee is released from military duty, the employee has the right to return to the position that the employee would have held if his or her employment had not been interrupted so long as the employee applies for reemployment within a reasonable period of time following separation from military duty. The USERRA defines a reasonable period of time as:
 - a.) For service less than 31 days, the beginning of the first regularly scheduled work day after release from military duty, allowing time to travel from the duty arena to the employee's residence, to rest, and to travel to the place of employment;

PP1015: Military Leave

- b.) For service between 31 and 180 days, no more than 14 days following release from military duty;
and
- c.) For service longer than 180 days, no more than 90 days following release from military duty.

MAYOR'S ANNOUNCEMENTS

Monday, July 7, 2008

Committee meetings scheduled for the next two weeks include:

Park & Recreation Committee	07/09/2008	7:00 p.m.
Sister City	07/14/2008	7:00 p.m.
Environmental Committee	07/16/2008	7:00 p.m.
Prairie Village Arts Council	07/16/2008	7:00 p.m.
Council Committee of the Whole	07/21/2008	6:00 p.m.
City Council	07/21/2008	7:30 p.m.

=====

The Prairie Village Arts Council is pleased to an exhibit by the Senior Arts Council during the month of July. The artist reception will be held from 6:30 - 7:30 p.m. on July 11, 2008.

Recreation memberships are on sale at the City Clerk's office.

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

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

INFORMATIONAL ITEMS
July 7, 2008

1. Board of Zoning Appeals & Planning Commission Actions - July 1, 2008
2. Board of Zoning Appeals Minutes - May 6, 2008
3. Planning Commission Minutes - June 3, 2008
4. 75th Street Corridor Steering Committee Minutes - June 10, 2008
5. Park and Recreation Committee Minutes - June 11, 2008
6. Prairie Village Environmental Committee Minutes - June 18, 2008
7. Prairie Village Arts Council Minutes - June 18, 2008
8. Mark Your Calendars
9. Committee Agenda

**Board of Zoning Appeals &
Planning Commission Actions**

Tuesday, July 1, 2008

BZA2008-03 Request for 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)

The Board of Zoning Appeals approved the requested variance to reduce the side yard setback from 15 feet to 11 feet adjacent to Somerset Drive 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 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.
4. That the applicant submit the new sign design to the Planning Commission for its approval prior to obtaining a permit.
5. That the applicant replace the 4 parking spaces at the NW corner of the site which will be lost due to construction.

PC2008-05 Request for Special Use Permit for a Telecommunications Tower & Related Equipment at 4805 W 67th Street

The Planning Commission moved to recommend the City Council deny this application.

PC2008-111 Site Plan Approval for a Retaining Wall at 8136 Juniper Drive

The Planning Commission moved to continue this application to the August 5, 2008 meeting and referred the applicant to Public Works for a drainage permit.

PC2008-112 Site Plan Approval for Retaining Wall at 8109 Juniper Drive

The application was approved for the replacement of a retaining wall located on the property line subject to the following condition:

1. Staff verification that retaining wall is installed per manufacturers specifications.

Other Business

The Planning Commission discussed requested changes to the City's Communication Cell Tower regulations.

**BOARD OF ZONING APPEALS
CITY OF PRAIRIE VILLAGE, KANSAS
MINUTES
TUESDAY, MAY 6, 2008**

ROLL CALL

The meeting of the Board of Zoning Appeals of the City of Prairie Village, Kansas was held on Tuesday, May 6, 2008 in the Council Chamber of the Municipal Building. Vice-Chairman Randy Kronblad called the meeting to order at 6:30 p.m. with the following members present: Bob Lindeblad, Marlene Nagel, Nancy Vennard, Marc Russell 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 Joyce Hagen Mundy, Board Secretary.

APPROVAL OF MINUTES

Marc Russell moved to approve minutes of September 4, 2007 as written. The motion was seconded by Marlene Nagel and passed by a vote of 5 to 0 with Bob Lindeblad abstaining.

**BZA2008-01 Request for a Variance from P.V.M.C. 19.34.040F(d)
To allow for the location of a back-up residential
Generator in the side yard rather than the rear yard for property
located at 4207 West 92nd Terrace
Zoning: R-1a - Single Family Residential
Applicant: Kurt Niemackl for Todd Beikmann**

Vice-Chairman Randy Kronblad reviewed the procedures for the public hearing. The Board Secretary confirmed that the Notice of Public Hearing was published in the Johnson County Legal Record on Tuesday, April 15, 2007 and all property owners within 200' were mailed notices of the hearing.

Kurt Niemackl, 7308 Murlen, Lenexa, addressed the Board on behalf of Todd Beikmann, owner of the property. He is requesting a variance to install a standby emergency generator in the side yard of his property because construction of a patio on the west and deck on the east side of the rear of the house make it extremely difficult to place the generator in the rear yard as required by ordinance.

The residence has a 22' side yard setback adjacent to the east property line with approximately 30' between the applicants's dwelling and the dwelling to the east. The generator is proposed to be placed adjacent to the residence just south of the existing air conditioning units. There is a brick wing wall extending out from the

front of the residence that provides some screening. The gas meter is located at the northeast corner of the building so the proposed generator is close to the gas line.

Mr. Niemackl stated the generator is approximately the size of an air-conditioning unit and runs quieter. The proposed generator has a decibel rating of 65, whereas air-conditioning units have a rating of 68 to 74 db and lawn mowers are rated 75 db. He noted the unit would only run during a power outage and during testing.

Bob Lindeblad asked the size of the proposed unit. Mr. Niemackl responded the unit was 47" x 31" x 28" and would be shorter than the current air conditioning units.

Mark Russell asked if the Homes Association had been contacted. Mr. Niemackl responded they had as well as neighboring property owners. One property owner was concerned that there would be a gas tank. However, once informed the generator would connect to a natural gas line and there would be no tanks on the property, he was ok with the plan.

No one was present to speak on the application. However, it was noted a telephone call was received from Claire Bell at 4211 West 92nd Terrace opposing the variance and a letter was received from Susan May at 9309 Catalina Drive supporting the requested variance.

The public hearing was closed at 6:50 p.m.

Ron Williamson shared a photograph of the site showing the proposed location of the generator and an information sheet on decibel ratings. The decibel rating of the unit is acceptable and with the proposed location adjacent to the two existing AC units is not unreasonable.

Bob Lindeblad confirmed the City does not have a specific noise ordinance.

Randy Kronblad asked if there would be any screening requirements for the unit. Mr. Williamson replied he did not feel screening was necessary due to the small size of the unit and its location. Marlene Nagel asked if the location needed to be specified in the motion for approval.

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.

The applicant has done a substantial remodeling of the residence and has installed new air conditioning units on the east side of the house. The proposed

standby generator would be located next to the air conditioning units. The power and gas hookups are both on that side of the house which makes it a more logical location for the generator. This house sets 22' from the side yard property line which is significantly greater than the ordinance requires and what is typically found in that district. With the location of the deck and the patio, there is not a good location to install the generator on the backside of the house.

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 only property that could be adversely affected would be the residence to the east. The adverse condition would be noise, however, it should be pointed out that the generator would only operate during testing and power outage periods. According to the specifications, the unit should be tested weekly for 20 minutes. The time of testing could be limited to certain hours. The proposed generator has a sound enclosure that quiets the unit to 68-db. That would be equivalent to the sound of the average automobile running.

Bob Lindeblad moved that the Board find favorably on Condition B relative to impact on Adjacent Property. The motion was seconded by Marlene Nagel 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.

The placement of the generator in the rear yard would require the installation of a longer gas line and would interfere with the deck that is already in place. The gas meter is located at the northeast corner of the house and the electric meter is on the southeast corner. There is not a good location available at the rear of the house to locate the generator. Also from an environmental perspective minimizing the length of utility lines is a positive factor.

Mark Russell 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 variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare because the proposed generator will be located 22 feet from the property line and the unit will have a sound attenuating enclosure that will reduce the noise.

Marlene Nagel moved that the Board find favorably on Condition D relative to the impact on the Public Interest. The motion was seconded by Nancy Vennard and passed unanimously.

E. The granting of the variance desired will not be opposed to the general spirit and intent of these regulations.

The general spirit and intent of the zoning regulations is to locate standby generators where they do not interfere with the adjacent uses and the large side yard setback accomplished this. Therefore, it is the opinion of the staff that the granting of the variance would not be opposed to general spirit and intent of the regulations.

Marc Russell 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 approve BZA Application 2008-01 for the requested variance from PVMC 19.34.040F(d) to locate a standby power generator in the side yard as shown on the plans submitted subject to the following conditions: 1) that the maximum noise level be 68-db and as much noise reduction as possible be incorporated into the unit; 2) that the generator testing only occur between the hours of 8 a.m. to 6 p.m.; and that the generator meet all the requirements of Sections 9.34.040F for single-family dwellings. The motion was seconded by Marlene Nagel and passed unanimously.

NEW BUSINESS

There was no New Business to come before the Board.

OLD BUSINESS

Nancy Vennard asked if Board minutes could be distributed to members immediately after the meeting instead of waiting for the next meeting of the Board as there may be several months between meetings. The Board Secretary stated she would do so.

ADJOURNMENT

Ken Vaughn 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 6:50 p.m.

Randy Kronblad
Vice-Chairman

**PLANNING COMMISSION MINUTES
MEETING OF JUNE 3, 2008**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, June 3, 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, Marc Russell, Marlene Nagel, Rob McKim & 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 and Joyce Hagen Mundy, Planning Commission Secretary.

APPROVAL OF MINUTES

Bob Lindeblad noted Marc Russell was spelled "Mark" on page 4 and on page 10 "490,000" should be "400,000" and moved the approval of the Planning Commission minutes of May 6, 2008 with the corrections noted. The motion was seconded by Marlene Nagel and passed unanimously.

NON-PUBLIC HEARINGS

Chairman Ken Vaughn announced that applications PC2008-106, PC2008-108 and PC2008-109 have been withdrawn by the applicants.

**PC2008-110 Request for Temporary Use Permit for Retail Sales
3848 West 75th Street
Zoning: C-0
Applicant: Delaware Interiors**

Rob and Paula Leigh, owners of Delaware Interiors, addressed the Commission requesting a temporary use permit for a five and one-half month period for the operation of "March' de Jour" or "Market of the Day" on Saturday mornings. They propose utilizing the exterior space immediately in front of their business and interior courtyard for a small and limited market. Prairie Village has granted them previous permission for this market since 2001. They are not changing the size or venue of this market from the previous approved permit.

The Market is open every Saturday from 8:00 a.m. to 1:00 p.m., from Mother's Day through October 11th, and it features organically grown fresh fruits, vegetables, gourmet sauces, canned fruits and vegetables, salsas, flowers, plants, organic clothing, and artwork. The Market is held in the courtyard behind the Delaware Interiors shop and in a couple of parking spaces in front. It is held at times when very little of the parking area on the west side is used and is limited to only a few vendors.

Ron Williamson noted this property is zoned C-O Office Building District which does not permit retail sales. The applicant has applied for a Temporary Use Permit this time because their lease will expire this year and they are not sure they will stay in this location. This is a unique boutique-type use that fits the Prairie Village Vision and image. Neither the City nor the applicant has received any complaints about this use during its existence in the past seven years.

This proposed short-term use is conducted within an existing facility and on part of the parking lot; therefore, a site plan has not been required. The applicant is not planning to change the location or operation from its previous format.

The Planning Commission may approve the temporary use permit provided that the application meets the following:

1. **The applicant shall submit in written form a complete description of the proposed use, including drawings of proposed physical improvements, estimated accumulation of automobiles and persons, hours of operation, length of time requested, and other characteristics and affects on the neighborhood.**
The applicant has provided a detailed description of the proposed operation. This is the same venue that has been offered since 2001 and no physical improvements are proposed.
2. **If approved, a specific time period shall be determined and a short-term permit shall not be operated longer than the period stipulated in the permit.**
The applicant has requested that the use be approved for the period from May 10, 2008 to October 11, 2008, and that would be the maximum time of operation that would be permitted.
3. **Upon cessation of the short-term permit, all materials and equipment shall be promptly removed and the property restored to its normal condition. If after giving full consideration to the affect of the requested short-term permit on the neighborhood and the community, the Planning Commission deems the request reasonable, the permit for the short-term use may be approved. Conditions of operations, provision for surety bond, and other reasonable safeguards may be written into the permit. Such permit may be approved in any zoning district.**
There have been no complaints from either the businesses in the immediate area or the residential area to the north. This use is cleaned up every Saturday after the operation closes, and there are no adverse affects on the adjacent neighborhood.

Ken Vaughn asked what type of advertising was used for the Market. Mr. Leigh responded the advertising is primarily word of mouth, small signs are placed at the entrance on Saturdays and notices are sent to individuals on their mailing list.

Robb Mckim moved the Planning Commission approve a Temporary Use Permit to Delaware Interiors for the retail sales for "Marche' du Jour", subject to the following conditions:

1. That the Short-Term Permit for an outdoor market be approved for a period from May 10, 2008 to October 11, 2008.
2. That the hours of operation shall be from 8:00 a.m. to 1:00 p.m. on Saturdays.
3. The Market shall be permitted only in the courtyard and two parking spaces on the west side of Delaware Interiors.
4. The applicant will properly maintain the area and remove all outdoor storage of merchandise after the sale concludes on each Saturday.

The motion was seconded by Randy Kronblad and passed unanimously.

OTHER BUSINESS

Discuss Cell Tower Policy

Ron Williamson stated on March 24th, he and Dennis Enslinger presented historical information to the City Council on the evolution of the current cell tower policy as well as research on cell tower ordinances and policies from other cities. The Council has directed the Planning Commission to review the existing policy, especially in relation to setbacks and buffers. This has not been discussed earlier due to full Planning Commission agendas and the Commission's consideration of an active cell tower application.

Mr. Williamson advised the Commission that T-Mobile has withdrawn their application for a 120' monopole at 4805 West 67th Street and announced to the City Council their intention to file a new application for an 85' tower on that site for consideration on the Commission's July 1st meeting.

Residents have asked to be able to address the Commission on what regulations they would like to see implemented.

Steve Price, 6730 Fonticello, asked the Planning Commission to place a moratorium on the acceptance of cell tower applications until the Commission and City Council have had the opportunity to reconsider the existing language.

Ron Williamson stated the Planning Commission can recommend a moratorium; however, they do not have the authority to set them. This is a City Council action and moratoriums are generally set for a specific period of time.

Mr. Williamson stated the current regulations are a Planning Commission policy and can be changed by the Planning Commission. New language could be added to the existing policy by the Planning Commission at a regular meeting..

Andrew Wang advised the Commission that at the Council meeting on June 2nd the request for a moratorium was denied because the city's legal counsel state the applicant's withdrawal of his application was done with the understanding they would be able to file a new application for consideration by the Commission on July 1st and setting a moratorium would be inappropriate.

Chairman Ken Vaughn asked those present to share what they would like to see in the cell tower regulations.

Steve Price stated he would like to see cell towers incorporated into existing structures and not free standing structures.

Mary Cordill, 4904 West 68th Street, would like to have the Planning Commission recommend that the City Council form a citizen's task force to look at how to handle towers in the City. She would like to see the City offer incentives to commercial properties to encourage them to allow the placement of towers on their properties rather than in residential neighborhoods. Mrs. Cordill noted under the current policy the residents are carrying the burden of protecting their neighborhoods from the impact of towers. She feels the towers are too high, should not be free standing structures, and should be a minimum of 25' from property lines. Speaking on the recent application, she stated this is not the best location and noted they would be willing to help find another location. When they met with T-Mobile, it was stated that once a tower was located in an area, others usually followed. This would have a significant impact on this small residential neighborhood, especially with the accompanying equipment compounds.

Kate Faerber, 4806 West 68th Street, stated that although this directly affects her family, this is really a Prairie Village issue. She would like the Commission to consider some of the restrictions set by other cities in their regulations, particularly those regarding setback. The tower in the recent application was closer to her home than to the church on the property where it was located. She would also like towers incorporated into existing structures. Mrs. Faerber would like to see a setback from residential property of 150'.

Robb McKim noted the current provisions state that applications for a new location need to allow additional carriers and asked if it specifically required more than one vendor.

Mr. Williamson stated the tower has to be able to handle more than one vendor. The rationale was to have taller towers but fewer of them.

Randy Kronblad noted the additional vendors require additional equipment on the ground and increases the size of the equipment compounds. Mr. Williamson noted equipment compounds have become larger while actual antennas have become smaller. Mr. Kronblad stated he was concerned with the ground level clutter caused by multiple equipment compounds.

Marlene Nagel asked if it was possible to have more than one carrier when the tower is constructed as part of a structure. Mr. Williamson stated there are two carriers on the St. Ann's tower located in their steeple.

Nancy Vennard asked if all the carriers had generators. Mr. Williamson responded currently none of the carriers have generators and noted this is an issue that should be addressed in the policy.

Mrs. Vennard asked if it would be possible to get samples of other city's regulations. Staff will distribute this information and the City Council minutes to the Commission.

Bob Lindeblad stated in the drafting of the policy it is important to also have input from the telecommunication providers as well as the residents. He also stressed the need to have a clear understanding of the city's authority under the Federal Telecommunications Act. This places more responsibility on the City.

Ken Vaughn agreed the Commission needs to review the Telecommunications Act and other city's ordinances and policies. He feels towers should be architecturally compatible with the site.

Ron Williamson stated the City has discussed the question of locating towers in commercial developments owned by Highwoods Properties, but they do not want anything placed on their property that might limit their ability to change their development.

Nancy Vennard noted it is possible for equipment units to be placed under ground but it is very expensive.

Bob Lindeblad noted the equipment must be located within a specific distance from the towers/antenna. Mr. Williamson added some carriers equipment can be placed inside their poles.

Robb McKim stated he would prefer to see the equipment compounds located adjacent to or be part of the existing tower. It would seem reasonable to have them located in close proximity.

Marlene Nagel confirmed the new T-Mobile application would be handled as a new application.

NEXT MEETING

The next meeting will be Tuesday, July 1st. It was confirmed there would be a quorum for the meeting. The secretary noted there will be a BZA application from Claridge Court for a variance to the side yard setback on the southeast corner of their property. The Planning Commission agenda will include two site plan approvals for retaining walls, the T-Mobile Application and an AT&T application for a conditional use permit for another utility box.

ADJOURNMENT

With no further business to come before the Commission, the meeting was adjourned at 7:45 p.m.

Ken Vaughn
Chairman

**75th Street Corridor
Steering Committee
June 10, 2008**

Meeting Notes

Steering Committee Members present: Ken Vaughn, David Voysey, Dale Warman, Bob Lindeblad, Cleo Simmonds, Ron Williamson, Nancy Vernard, Terrence Gallagher, Laura Wassmer, Michael Kelly.

City staff present: Quinn Bennion, Dennis Enslinger and Bob Pryzby.

Consultant team present: Brian Comer and Chris Handzel.

Workshop #2 Preparation

The Consultant walked through a presentation of the issues to be covered in the series of meetings constituting Public Workshop #2. These issues initially covered the comments heard from Public Workshop #1, identification of Village Vision ideals and existing urban design analysis. The consultant then covered topics such as existing land use, rental license locations along the corridor, and considerations for the planning stemming from the market analysis study.

The Consultant presented similar corridors that are located in St. Louis, Missouri (Olive Street and Delmar Ave). The intent of this study is to show how similar communities are handling reinvestment within a first-ring suburban corridor. Steering Committee members suggested there be more focus on similar corridors and reinvestment case studies that may have occurred throughout the country as a means of exploring other opportunities to enhance 75th Street from an aesthetic and land use point of view.

The topic of land use was discussed and images depicting the various types of land use opportunities (single family detached, medium density residential, commercial, office, mixed-use, etc.) were presented as well as a verbal definition describing each type.

The Consultant explained the various traffic scenarios that would be presented to the public as part of Workshop #2. They include a four-lane scenario (existing), three-lane scenario and a four-lane profile with on-street parking during off-peak traffic periods. These scenarios were studied based on public feedback from Workshop #1 and the public will have the opportunity to comment on their preferred scenario after noting the pros and cons of each.

To spur discussion of the aesthetics of the corridor, visual graphics were presented to show various improvements to the streetscape character and land use opportunities. Streetscape enhancements included the potential to underground utilities as well as street trees, sidewalk and lighting improvements.

Steering Committee Feedback

The Steering Committee provided several comments they felt will help to strengthen the presentation for Public Workshop #2. The comments are as follows:

- Provide more land use images to better convey the potential of 75th Street.
- Show more examples from similar corridors across the county to show a full range of possibilities for 75th Street.
- Make the break out sessions as visual as possible.
- Verify that the selected images reflect the ideas outlined in the Village Vision Plan (i.e. no “typical suburban” examples should be shown such as parking lots between the street and the building).
- All potential land use images should reflect the realities of the market study.
- Provide local examples such as Quality Hill, Mission Farms, and Southwest Trafficway at 39th Street.
- Identify the differences between a “nodal concept” for this corridor versus a wholesale redevelopment plan.
- Stress to the public that this plan is a long-term (30+ year) vision for the corridor; individuals should consider what their property could become if they (or their neighbor) decide to sell in the future. This plan will essentially put rules in place to guide development should a developer come forward (land use change will be initiated by the property owner).
- Clarify that all transportation improvements will be within the existing road right-of-way; there is no intent to widen 75th Street for transportation improvements.
- On the comment forms, address the possibility of obtaining a landscape easement to accommodate a green strip buffer and streetscape improvements.
- Do not show something to the public if you know it can’t be done on 75th Street. There was some discussion about the feasibility of a 3-lane section. It was decided that the concept could be shown but the Consultant should present the full implications of a 3-lane section including traffic impacts to adjacent streets, congestion at intersections, etc.
- The Committee stressed trying to make the presentations as creative as possible and to allow for interaction.

Next Steps

The Consultant advised the Steering Committee that they would take into integrate their recommendations for the public presentation. The Consultant also agreed to provide a refined presentation dry run of the sessions for City staff that reflected the issues, concerns and suggestions of the Steering Committee and City staff prior to the public meetings.

PARK AND RECREATION COMMITTEE

June 11, 2008

The Park and Recreation Committee met June 11, 2008 at 7:00 pm. Present and presiding, Chairperson Diana Ewy Sharp. Members present: Diane Mares, Kathy Peterson, Shawn Hickey, Shelly Trewolla, Jim Bernard, Jr., Sally Holmes and Peggy Couch. Staff: Bob Pryzby, Mike Helms and Chris Engel.

CONSENT AGENDA

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

PUBLIC PARTICIPATION

Being no one in attendance, the public participation section was closed.

REPORTS

1. Public Works Report

Mike passed around pictures of the deteriorating stone work at the Santa Fe Pavilion. There is no money in the budget for repair but the City has received a bid in the amount of \$6850. Mike also reported he has placed lock boxes over the electrical outlets in both of the Harmon Park Pavilions. A key is located at dispatch if a renter would like to check it out and then return it.

Mike reported there is still a bad element hanging out at the Santa Fe shelter. Two weeks ago a lock box was ripped off the wall. In addition, kids have been busted for drugs, vandalized the lights, and are ripping the shingles off the roof. Mike recommended the electricity be removed from the pavilions and the fire pit at Santa Fe be bricked in permanently. Kathy mentioned it is really dark and secluded up at the Santa Fe shelter and possibly lights would help. Mike said he would look into that option. Diana and Al will visit with PD about these ongoing concerns in the parks.

Mike mentioned there was an assumption that renting a pavilion means Public Works will be coming out to clean it up before you arrive. Mike pointed out there were no weekend employees available for this and the cleanliness of the pavilion rested upon the individuals that rented it earlier in the weekend. There was discussion over how to remedy this situation but the consensus was there is no feasible solution.

2. Recreation Program Report

Chris reported the pool was up and running. The leak in the diving well was repaired by Public Works quickly enough to open on time for the season. There were still some early kinks in the computer system to work out but things were running pretty smoothly. Chris reported the aquatics season had begun and there was a Dive and Synchro team this year. The minimum number of kids had signed up by the deadline and this year's numbers were close to last years. Dive Team had 37 kids, Synchro 34, and Swim 187. Tennis was also doing well this year. Lessons were filling up nicely and the JTL Team had 81 members. Committee acknowledged the daily efforts from Chris to get the minimum numbers met so no teams had to be cancelled.

3. Aquatics Program Report

Diana mentioned that Clarence would like to publicize the aquatics deadline better next year. It was felt this may have played a role in people not signing up until the last minute.

4. Community Center

Mike reported Johnson County Meals on Wheels will be vacating the Community Center shortly and wanted to know what to do about the kitchen. The kitchen has been previously locked off to protect the Meals on Wheels kitchen supplies from individuals that rent the facility. The problem in the past has been leaving the kitchen a mess for city staff to clean up. There was discussion over how to incentivize renters to clean up after themselves and it was decided to explore the option of charging a large deposit. Diana will talk to Joyce Mundy about this option.

5. Island Sub-Committee

Shawn had nothing to report. However, he did inform the committee he would be vacating his position on the committee when he moves to Leewood at the end of the month. Diana acknowledged Shawn's service on the VillageFest, PRC, and the Island sub-committee. She asked committee members for input on this newly created vacancy.

6. Parks Master Plan Sub-Committee

Jim reported the sub-committee had interviewed the final four firms on Tuesday, May 27. They were narrowed down to two finalists and Chris was working on a scope of services contract to send to each firm to be priced out. Chris explained this was in the draft stage and would be going out soon. Diana shared with members that there would be opportunities for their input during upcoming meeting(s) with the selected consultant.

7. Chairperson's Report

Diana reported the City Council had approved the El Monte Fountain design agreement but nothing about funding had been discussed. Peggy asked if an estimate for lighting the area would be included for the Council to consider. Bob stated he would obtain that but reminded the committee that there was not enough funding to complete the project and wasn't certain where any further funding might come from.

New Business

1. 2009 CIP Budget

Bob reported he would be presenting the 2009 Capital Improvement Program budget to the City Council on Monday, June 16. There was \$75,000 in the budget for the swimming pool reserve fund and an additional \$150,000 for the Parks Master Plan.

INFORMATIONAL ITEMS

Jim reminded everyone Villagefest was on Friday, July 4 this year and volunteers are always welcome.

Unless a pressing matter should arise, the next meeting will be September 10, 2008.

The meeting adjourned at 8.00 pm.

Diana Ewy Sharp
Chairperson

PRAIRIE VILLAGE ENVIRONMENTAL COMMITTEE

Minutes, June 18, 2008

Margaret Thomas, Chair, called the meeting to order at 7:00 p.m. Attending were Margaret, Margaret Goldstein, Pete Jarchow, Cheryl Landes, Don Landes, Penny Mahon, Karin McAdams, Bob Pierson, Kathy Riordan, Linda Smith, Polly Swafford and Ruth Hopkins.

Bob Solger spoke about the need for Prairie Village to update its code to allow a greater variety of energy-saving devices on homes. The committee approved the following statement, to be given to the city council:

Resolved: The Prairie Village Environmental Committee recommends that the city adopt contemporary ordinances to support best practices for renewable energy and for green design and building of homes and businesses. We would like these ordinances to be adaptable to meet rapidly changing best practices. We feel that this is supportive of the objective of the Village Vision and the U.S. Mayors Climate Protection Agreement.

Upcoming events:

June 30, 1:00 p.m.: Bob Solger and Dennis Enslinger will report on wind turbines at city hall. Ruth Hopkins will attend and others are invited.

July 21, 6:00 p.m.: our committee's group on the Mayors' Climate Protection Agreement will make a presentation to city council members. All are urged to attend.

Committee reports:

Village Fest (July 4) Volunteers will manage the recycling, by making sure the recycling bins are in place and putting the recyclables, devoid of liquid and caps, into large bags for collection. We will help staff the Bridging the Gap table, promote signups for the electronics recycling event (Kathy R), and present a display on line-drying clothing (Karin M). Volunteers now scheduled are: Karin McAdams, Margaret Goldstein, Polly Swafford and Pete Jarchow (10 a.m. – noon) and Dave Morrison, Barbara Brown and Linda Smith (noon – 2 p.m.).

Community Forum (October 9) The registration forms for exhibitors are now ready, and some organizations have been contacted with publicity for the event. It was moved that we charge \$20 per person, and the motion passed. It was noted that Village Presbyterian's environmental committee is hosting this event.

Electronics recycling (October 25) We will solicit volunteers at the August meeting.

Future directions and upcoming tasks

Ambitious plans for posters illustrating climate change elements or a possibility "barn raising" approach to local environmental education were rejected, at least for use at Village Fest.

Other ideas for the future included:

- Canceling Earth Fair in 2009, due to construction. This will give us an excuse to reconsider our actions and priorities in light of the urgency of our mission.
- Becoming two committees, one to develop a wide-ranging sustainability plan, the other to continue our educational and recycling efforts.
- Staying together as one committee and focusing more intensely on sustainability, including education.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted, Karin McAdams, Secretary

Minutes

The Prairie Village Arts Council met at 7:00 pm in the Council Chambers. Members present: Randy Kronblad, Chairman, David Morrison, Pam Marshall, Annie Brabson, Dan Andersen, Kyran Wilson, Angi Jones, Jack Shearer, Christina Hoffman and Bill Rose. Also present: Dennis Enslinger and Bob Pryzby.

Dennis Enslinger noted the times and location for the funeral and wake services for Bob Endres who passed away over the weekend. The Council expressed great sorrow and noted that the Arts Council and the City of Prairie Village have lost a valued citizen and volunteer.

It as agreed to allow Bob Pryzby to present information from the Island Committee. Bob provided a PowerPoint presentation showing all of the existing islands and the associated works of art. Bob indicated that he had conducted an inventory of the islands and hoped to achieve the following items:

- Educating the public on the value of the islands and the works of art
- Eventually added to the works of art
- Maintaining the islands and works of art
- Helping with determining appropriate planting materials
- Conducting research on works of art

Bob Przby noted that he has budgeted \$5000 for rehabilitating islands in fiscal year 2008 and had requested \$30,000 in fiscal year 2009.

Dan Andersen noted that he talked with Joni Shields, Save Our Sculptures, about creating an endowment to help maintain some of the valuable works of art. There was a general discussion that the Municipal Foundation 501c3 could be used to help generate funds which would be tax deductible.

Dan also mentioned that he and Connie Walsh were developing an inventory of all city owned art and would be including some of the pieces represented in the islands. The goal would be to have purchase data, artist information, and a photograph of each work of art for tracking purposes.

Minutes

Committee approved minutes from the 21 May 2008 meeting as submitted

Council Report

No report at this time.

Financial Report

Dennis Enslinger indicated that they were trying to provide a more detailed breakdown of budget expenditures and hoped to have something for the July or August Meeting. Mr. Enslinger also indicated that staff had presented a budget of 13,500 for fiscal year 2009 which was the same amount the Arts Council received in 2008.

June/July Exhibit/Reception

It was reported that the reception for Steve Karol went well and that the artist sold several pieces.

Kyran Wilson, Pam Marshall and Annie Brabson volunteered for the August 8th reception.

State of the Arts

Kyran Wilson indicated that Bob Endres was reviewing all of the forms for the State of the Arts and that the items were almost ready to send to the printers. With Bob's passing she would work to resolve the remaining issues.

There was a discussion about the need to move dates based on the fact they had hoped to have the call for entries out by June 1st. It was agreed to changes the following dates:

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

The Council decided they would explore not putting the call for entries in an envelope and direct mail them if possible. This would reduce the overall cost.

Bill Rose would confirm that the jurist was available under this schedule and provide the final mailing list to Connie Walsh so that they could be processed.

It was noted that Connie would also notify the selected artists by email and send them all of the appropriate forms. In addition, City staff would put the call for artists on the city's web site.

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

Dan Andersen and Angi Jones indicated that they were still working on plans for the reception and would have an update at the July meeting.

Jack Shearer indicated that the music had been secured for \$350 and the band would be Double Day & Meise. Jack also indicated that the Arts Council would be approaching the City Council to request serving wine at the State of the Arts event on July 21st. He encouraged members of the Arts Council to attend.

Dennis Enslinger reported that the 20 X 20 tent had been ordered.

There was discussion of naming one of the awards for Bob Endres at the State of the Arts Event. Randy Kronblad and Dan Andersen indicated that they would approach Columbia Bank to make sure they were ok with that concept and to confirm sponsorship of the awards and the tent.

VillageFest

It was agreed that they would have brochures about the Endres Gallery Exhibits and sign-up cards for individuals to provide information to be notified of the events. These items would be placed on the booth space at Villagefest along with the a banner for the Arts Council and the State of the Arts event.

New Business

Dan Andersen indicated that he would like to create a guest sign-in for the reception events which would be more prominent and contain contact information so that the Arts Council could send attendees future event notices.

The next meeting will be at 7:00 pm on Wednesday, July 16, 2008.

There being no further business, the meeting adjourned at 8:50 p.m.

Randy Kronblad
Chairman

**Council Members
Mark Your Calendars
July 7, 2008**

July 2008	Senior Arts Council exhibit in the R. G. Endres Gallery
July 11	Artist reception in the R. G. Endres Gallery 6:30 to 7:30 p.m.
July 21	City Council Meeting
August 2008	Venus Auxier botanical art exhibit in the R. G. Endres Gallery
August 4	City Council Meeting
August 8	Artist exhibit in the R. G. Endres Gallery 6:30 to 7:30 p.m.
August 18	City Council Meeting
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 2 (Tues.)	City Council Meeting
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 Confernece 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

July 7, 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)
- COU2008-34 Consider recommendation from the Smoke-Free Task Force regarding the City's Smoking Ordinance (assigned 4/30/2008)
- COU2008-36 Consider rezoning of 91st & Nall from R-1a (Single family residential) to MXD (Mixed Use District) (assigned 5/7/2008)
- COU2008-42 Consider Design Agreement for Project 190876: 2009 CARS, 83rd Street Resurfacing - Roe to Somerset (assigned 6/12/2008)
- COU2008-43 Consider approval of a personnel policy relating to differential pay for employees called to active duty in the military (assigned 6/12/2008)
- COU2008-44 Consider Contract for Financial Software Consultant (assigned 6/30/2008)
- COU2008-45 Consider Project 190864: 2008 Street Resurfacing Program Construction Change Order #3 (assigned 7/1/2008)
- COU2008-46 Consider Geotechnical Services for Project 190871: Mission Lane Bridge Replacement (assigned 7/1/2008)
- COU2008-47 Consider Annual Employee Appreciation Event (assigned 7/1/2008)
- COU2008-48 Consider Directing Staff to Investigate Development of Ordinances related to Best Practices for Renewable Energy and Green Design (assigned 7/1/2008)

PARKS AND RECREATION COMMITTEE

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

PLANNING COMMISSION

- PC2007-01 Study City zoning regulations to address those items identified by the Village Vision Strategic Investment Plan in 2007 (assigned 8/20/2007)
- PC2008-01 Consider Cell Tower Policy (assigned 3/19/2008)

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)