

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Monday, December 15, 2003
7:30 p.m.**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PUBLIC PARTICIPATION**
- IV. 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 – December 1, 2003
2. Approve Claims Ordinances #2474 through #2477
3. Approve the agreement with Northeast Johnson County Chamber of Commerce for Economic Development Services during 2004 at a cost not to exceed \$18,035.00
4. Approve 2004 Cereal Malt Beverage Licenses for the Hen House at 4050 W 83rd St, the Hen House at 6950 Mission Road and Hy-Vee, Inc. at 7620 State Line Road.
5. Approve the renewal of the annual software maintenance agreement for Laserfiche with R & D Computer Systems at a cost of \$3,520 with funding from the 2004 City Clerk's operating budget.
6. Approve a short-term special use permit to Shawnee Mission East Students Against Drunk Driving (SADD) organization for the display of a wrecked car on the southwest corner of 75th Street and Mission Road from December 15th through January 6th with waiver of the application fee
7. Ratify the appointment of Patrick Delaney to the Prairie Village Civil Service Commission to complete the unexpired term of Jim Graham expiring in January 2005.
8. Ratify the reappointment of David Lillard to the Prairie Village Civil Service Commission for a three-year term expiring in January, 2007.

By Change Order:

9. Approve Construction Change Order #2 to the contract with D. F. Freeman for Project 190829: 71st Street – Belinder Avenue to State Line Road for an increase of \$2,592.15 with funding from the Capital Infrastructure Program.
10. Approve Construction Change Order #2 to the contract with D. F. Freeman for Project 190838: 79th Street-Aberdeen to Belinder Avenue for an increase of \$2,955.15 with funding from the Capital Infrastructure Program.
11. Approve Engineering Change Order #1 to the engineering agreement with the Affinis Corp for Project 190833: 2003 Crack/Slurry Seal Program for a decrease of \$3,862.95 and adding the funds to the Capital Infrastructure Program unallocated funds.
12. Approve Engineering Change Order #2 to the engineering agreement with the Affinis Corp for Project 190834: 2003 Street Paving Program for a decrease of \$737.40 and adding the funds to the Capital Infrastructure Program unallocated funds.

By Committee:

13. Adopt the Sister City Membership Policy as written. (Sister City Committee Minutes – December 8, 2003)
14. Approve the 2004 Aquatic Examiner Program Contract as amended between the American Red Cross and the City of Prairie Village (Park & Recreation Committee Minutes – December 10, 2003)

V. COMMITTEE REPORTS

Policy/Services Committee - Steve Noll

POL2003-18 Consider Position of Manager of Engineering Services

VI. OLD BUSINESS

VII. NEW BUSINESS

Authorize the creation of Workers Compensation Reserve Fund with an amount of \$25,305 with funds from the 2003 Operating Budget.

VIII. ANNOUNCEMENTS

IX. 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

**COUNCIL
CITY OF PRAIRIE VILLAGE
December 15, 2003
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, December 15, 2003, at 7:30 p.m. in the Council Chambers of the Municipal Building.

ROLL CALL

Council President Bill Griffith called the meeting to order with the following Council members responding to roll call: Al Herrera, Steve Noll, Ruth Hopkins, Greg Colston, Roy True, Jerry Kelso, Jeff Anthony, Kay Wolf and Diana Ewy Sharp.

Also present were: Barbara Vernon, City Administrator; Charles Wetzler, City Attorney; Charles Grover, Chief of Police; Bob Pryzby, Director of Public Works; Doug Luther, Assistant City Administrator; Jamie Shell, Finance Director and Joyce Hagen Mundy, City Clerk.

PUBLIC PARTICIPATION

No one was present to address the Council.

CONSENT AGENDA

Al Herrera asked that #3 “Approve the agreement with Northeast Johnson County Chamber of Commerce for Economic Development Services during 2004 at a cost not to exceed \$18,035 be removed from the Consent Agenda for discussion.

Diana Ewy Sharp moved the approval of the Consent Agenda for Monday, December 15, 2003 as amended with the removal of #3:

1. Approve Regular Council Meeting Minutes – December 1, 2003
2. Approve Claims Ordinances #2474 through #2477
3. Removed
4. Approve 2004 Cereal Malt Beverage licenses for the Hen House at 4050 West 83rd Street, the Hens House at 6950 Mission Road and Hy-Vee, Inc. at 7620 State Line Road
5. Approve the renewal of the annual software maintenance agreement for Laserfiche with R & D Computer Systems at a cost of \$3,520 with funding from the 2004 City Clerk’s operating budget
6. Approve a short-term special use permit to Shawnee Mission East Students Against Drunk Driving (SADD) organization for the display of a wrecked car

- on the corner of 75th Street and Mission Road from December 15th through January 6th with waiver of the application fee
7. Ratify the appointment of Patrick Delaney to the Prairie Village Civil Service Commission to complete the unexpired term of Jim Graham expiring in January, 2005
 8. Ratify the reappointment of David Lillard to the Prairie Village Civil Service Commission for a three-year term expiring in January, 2007
 9. Approve Construction Change Order #2 to the contract with D. F. Freeman for Project 190829: 71st Street – Belinder Avenue to State Line Road for an increase of \$2,592.15 with funding from the Capital Infrastructure Program
 10. Approve Construction Change Order #2 to the contract with D.F. Freeman for Project 190838: 79th Street – Aberdeen to Belinder Avenue for an increase of \$2,955.15 with funding from the Capital Infrastructure Program
 11. Approve Engineering Change Order #1 to the engineering agreement with the Affinis Corporation for Project 190833: 2003 Crack/Slurry Seal Program for a decrease of \$3,862.95 and adding the funds to the Capital Infrastructure Program unallocated funds
 12. Approve Engineering Change Order #2 to the engineering agreement with Affinis Corporation for Project 190834: 2003 Street Paving Program for a decrease of \$737.40 and adding the funds to the Capital Infrastructure Program unallocated funds
 13. Adopt the Sister City Membership Policy as written
 14. Approve the 2004 Aquatic examiner Program contract as amended between the American Red Cross and the City of Prairie Village

A roll call vote was taken with the following members voting “aye”: Herrera, Noll, Hopkins, Colston, True, Kelso, Anthony, Wolf and Ewy Sharp.

Roy True stated that he had questions regarding the priorities listed for the Economic Development Council in 2004 and noted he is still concerned whether the City is getting their relative value from their contribution to the Chamber’s Economic Development Council. Barbara Vernon responded that she did not feel qualified to respond to his questions; however, noted that Kate Michaelis could attend a meeting to respond to questions.

Al Herrera stated that he does not want to vote on this at this time. He also is uncertain of the value the City is receiving from their participation in his program. He noted that the City’s primary business concerns are the loss of retail businesses and Ms Michaelis stated at an earlier meeting that she really doesn’t work with retail businesses. Mr. Herrera said that he was under the impression that the Council would review the program before continuing its participation in 2004.

Ruth Hopkins stated that Ms Michaelis has been in this position for less than a year and she feels more time should be given to her to become familiar with each of the cities and their needs and develop programs to address those needs. She felt that at the last meeting Ms Michaelis attended the Council agreed to go ahead with their support of the program.

Mr. Herrera responded that Ms Michaelis had been in her position since February and made no contact with the Prairie Village merchants until the situation with the loss of businesses escalated. He feels that the Council has done more to retain retail businesses than her program has and feels that the program needs further review.

Jeff Anthony stated he did not feel the Council has given Ms Michaelis enough time to get quantitative results; however, he agrees with Mr. Herrera that she needs to come back to address the Council and supports tabling this item to a later date.

Jerry Kelso stated that the Council has not given Ms Michaelis enough direction.

Diana Ewy Sharp stated she was disappointed that this item was placed on the Consent Agenda as she does not feel it is routine. She supports the chamber and its efforts, but with the lack of support for the development and retention of retail businesses, she questions if the City could get more from its \$18,000 investment elsewhere.

Kay Wolf noted that Ms Michaelis has brought people into the City and clarified that Ms Michaelis' earlier statement that she didn't have tools for retail development/retention, meant that there are not many incentives available to encourage retail development as there are for other types of development.

Roy True moved to continue discussion and action on the approval of the agreement with Northeast Johnson County Chamber of Commerce for Economic Development Services in 2004 with the intention of having Ms Michaelis make a presentation to the Council. The motion was seconded by Kay Wolf and passed by a majority vote with Ruth Hopkins voting "nay"

It was determined that it would be best to discuss this item after the Council had had the opportunity to discuss what direction to give Ms Michaelis either at the Council worksession or planning session. Mr. Noll stated that he would also like to have information on the fee structure for other cities participation in the EDC. Kay Wolf responded that she could get that information and noted that the proportion and relative dollar value has not changed. Mrs. Vernon stated she would try to schedule Ms Michaelis for the February Council Committee of the Whole meeting.

COMMITTEE REPORTS

Policy/Services Committee

POL2003-18 Consider position of Manager of Engineering Services

Steve Noll reported that during discussion of the selection of the City Engineer the Policy/Services Committee discussed the possibility of creating a new Public Works position. This new position would permit Public Works to provide bid documents and perform construction administration plus management of the infrastructure inventory and condition-rating program. The funding for this position would come from currently budgeted fees for outside consultants who are providing these services.

The proposed position description is broad in nature allowing for flexibility in the tasks covered and is more managerial than technical in nature. It creates an intermediate position between the Director of Public Works and the Project Coordinator and Field Superintendent. The proposed salary range for the position is \$42,000 to \$60,000.

Diana Ewy Sharp expressed strong support for this new position.

Bill Griffith asked what the budget impact of the new position would be. Bob Pryzby responded that the initial start-up costs would be greater but he sees the opportunity to save approximately one-half of the currently budgeted \$150,000 for consultant fees by performing some of this work in-house.

Roy True asked if other cities had similar positions. Mr. Pryzby responded that larger cities have engineering departments that provide these services, smaller cities contract these services out through consultants as Prairie Village has done for the past several years. He sees this as a step forward for the City.

Jerry Kelso noted that this position would also provide an experienced back-up person to support the Director of Public Works and act in his place as needed.

Steve Noll moved the City Council approve a new City position of Manager of Engineering Services with a salary range of \$42,000 to \$60,000 and authorize the Public Works Director to begin the hiring process. The motion was seconded by Jerry Kelso and passed unanimously.

OLD BUSINESS

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

NEW BUSINESS

Consider establishing a reserve for Workers Compensation Insurance Claims as recommended by the Insurance Committee

The City recently increased the deductible for its workers compensation coverage from \$500 to \$5,000 per occurrence. The savings resulting from the increased deductible was \$23,305. To safeguard against the increased liability resulting from the higher deductible, the Insurance Committee recommends that the \$25,305 of premium savings be placed into a reserve account for claims paid by the City up to the \$5,000 deductible.

Establishing the reserve fund will require \$25,305 be placed into a restricted reserve account. Once placed in the reserve account, these funds may only be used for the payment of workers compensation claims under the deductible limit of \$5,000. The reserve fund can be established with current year funds.

Roy True asked the average number of claims experienced by the City. Mr. Noll stated that he'd rather not respond without the information in front of him, but noted that the usual range of claims is 8 to 20 per year. He noted that the number of claims varies annually with several factors involved. He also stated that the average claim is less than \$5,000.

Jamie Shell stated that the City's insurance agent prepared a cost analysis for this City based on past claim history and estimates the projected annual savings to be approximately \$9,000.

Steve Noll moved the City Council authorize the creation of a Workers' Compensation Reserve Fund with an amount of \$25,305 with funding from the 2003 Operating Budget. The motion was seconded by Roy True and passed unanimously.

Snow

Al Herrera commended the Public Works crews on their efforts during the past week clearing City streets after the two snow events. Mr. Pryzby noted that his crews handled both events without his involvement and expressed his pride in their performance.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Prairie Village Arts Council	12/17/2003	7:00 p.m.
Skate Park Committee	12/22/2003	7:00 p.m.
Policy/Services Committee	01/05/2004	6:00 p.m.

Legislative/Finance Committee	01/05/2004	6:00 p.m.
City Council	01/05/2004	7:30 p.m.

The Prairie Village Arts Council currently features Gloria Hawkins' exhibit of one-room schoolhouses in the R. G. Endres Gallery during the month of December. In January an exhibit of Bob Stewart's photography will be featured in the R. G. Endres.

The Mayor's Holiday Tree Lighting Ceremony has received \$6,247 in donations as of December 11th. Donations to the Holiday Tree Fund will be utilized in assisting Prairie Village families and Senior citizens needing help to pay their heating and electric bills during the cold winter months, as well as with home maintenance throughout the year. Your tax-deductible contributions are appreciated.

The Employee Holiday Brunch will be held on Wednesday, December 17, 2003 at noon.

City offices will close at noon on December 24th and be closed on the 25th and 26th in observance of the Christmas holiday and Thursday, January 1st in observance of the New Years. Emergency Services/Dispatch will be available during that time.

Deffenbaugh will be one day late on the weeks of Christmas and New Years. Thursday trash will be picked up Friday; Friday's trash will be picked up on Saturday.

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

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:05 p.m.

Joyce Hagen Mundy
City Clerk