

MINUTES

The meeting was called to order with Roll Call by Mayor Rick Walker.

Roll Call:	Lane	Present	Ritter	Present
	Daniels	Absent	Murdock	Present
	Honomichl	Present		

Mayor Walker led the Pledge of Allegiance. Citizens signed the book on page 64.

PUBLIC HEARING: Consider Vacation of a portion of the 90th Street Right-of-way. City Attorney Patrick Reavey provided the background details on the variance request to the setback requirement. City Staff reviewed the application and the in meeting with the applicant, City Staff recommended vacation of part of the road right-of-way along 90th Street, and then giving the City an easement over the same ground. The City has done this process in other areas in the City.

Mayor Walker opened the public hearing for comment. No one appeared to comment and Mayor Walker closed the public hearing.

Council members had no further comments.

Motion by Council member Murdock to approve Ordinance No. 2464 Ordering the Vacation of a Public Right-of-Way; second by Honomichl.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Absent	Murdock	Yes
	Honomichl	Yes		

Motion carried.

PUBLIC HEARING: Consider the Establishment of a Redevelopment District in the 34000 Block of Commerce Drive. Attorney Reavey introduced Kevin Wempe, the City's Bond Counsel. Mr. Wempe outlined the TIF process and the documents necessary to establish the TIF district, and then adopting a project plan. Notice was provided by certified mailing to the proper taxing districts.

Council member Honomichl asking what the financing structure is for this project. Mr. Wempe said this is as a 'pay as you go' TIF structure. Mr. Wempe explained the funding of the project and the obligations of the developer's project cost. Mr. Wempe said the Development Agreement will outline the negotiated agreement of costs. Council member Honomichl asked if Hike Properties could transfer the assignment of the debt. Mr. Wempe said once the project plan is adopted, there is a mechanism to amend the project plan. Council member Lane asked about the 80% TIF being asked for. Mr. Wempe said tonight Council is setting the basis for the project plan. Council member Honomichl asked if the school district is being held harmless. Mr. Wempe commented on the held harmless portion of the school district's mills. Council member Honomichl said he is always going to advocate for the school district as long as the Council isn't going to be creating any harm. Discussion of assessed value ensued.

Mayor Walker opened the Public Hearing for comment.

Matt Gough, on behalf of Hike Properties, said he wanted to comment on the project plan. The project plan being submitted will be the exact same geography, and they don't anticipate any changes from the draft presented this evening. This project involves the construction of several new public streets which will make a safer area. He commented on the project's budgeted costs and explained the right-of-way component cost.

Council member Honomichl asked how the land value is set. Mr. Gough said the price to buy the ground was apportioned per acreage value. Discussion between Administrator Brungardt and Council member Honomichl as to whether the apportioned amount is a fair amount should the City go to purchase ground.

Planning Director Weisenburger stated the preliminary plat for this project is going before the Planning Commission on Tuesday, April 24th.

No one else appeared and the public hearing was closed.

Council member Honomichl said one of the items in the financial outline could be changed by certain economic conditions. He commented on the 'dark store' theory and how that assessment could be changed. He stated that none of this area should be subject to the 'dark store' theory and should the land change hands, how do you challenge that and can it be written into the agreement? Attorney Reavey said he is checking into that and Council member Honomichl said he doesn't think there should be anything in the agreement that could allow that to downgrade to happen.

Council member Murdock commented that the questions she had have been basically answered through the comments made. No further comments from Council members.

Mayor Walker said this ground has sat empty since 1995 and it might be more likely to attract businesses. Council Member Honomichl asked about the interior road in the proposed project. Discussion ensued between Administrator Brungardt on the roadway design and potential street access points. The property is included in this TIF project. Council member Honomichl said the access points need to be flushed out.

Mr. Gough commented on the expenses that the project developer requests. Discussion ensued between Mr. Goff, City Administrator Brungardt and Council members concerning the roadway proposed in the project development.

Motion by Council member Murdock to approve Ordinance No. 2465 Making Findings and Establishing a Redevelopment District Pursuant to K.S.A. 12-1770 et seq. and Amendments Thereto; second by Ritter.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Absent	Murdock	Yes
	Honomichl	Yes		

Motion carried.

PROCLAMATION: Proclaiming Arbor Day in De Soto on Friday, April 26th, 2019. Mayor Walker read the Proclamation.

PROCLAMATION: Proclaiming National Day of Prayer in De Soto on Thursday, May 2nd, 2019. Mayor Walker read the Proclamation.

Consent Agenda Items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action.

1. Consent Agenda:
 - a. Approve Minutes of the Council Meeting on April 4th, 2019.
 - b. Approve Pay Ordinance No. 852.

Motion by Council member Honomichl to include the Minutes from the April 11th, 2019 meeting; second by Murdock.

All Council approved by “ayes.”

Motion carried.

Motion by Council member Murdock to approve the Consent Agenda as amended; second by Honomichl.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Absent	Murdock	Yes
	Honomichl	Yes		

Motion carried.

NOTE: Council member Ritter recused himself from the Council Chamber at this time.

1.5 Approve Pay Ordinance 852a.

Motion by Council member Murdock to approve Pay Ordinance No. 852a; second by Lane.

Roll Call:	Lane	Yes	Ritter	Recused
	Daniels	Absent	Murdock	Yes
	Honomichl	Yes		

Motion carried.

Council member Ritter was recalled to the Council Chamber.

2. Call to Public:

“Members of the public are welcome to use this time to comment about any matter relating to City business not listed on this Agenda. The comments that are discussed under Call to Public may or may not be acted upon by the Council during this meeting. **There is a four-minute time limit.** Please stand and wait to be recognized by the Mayor. You must state your name and address.”

No one appeared.

3. Old Business: None

4. New Business:

Receive 2018 Audit Report. Administrator Brungardt introduced Karen Linn, of Berberich Trahan & Co., P.A., and also introduced Bonnie Bennett, Finance Officer, for the City. Ms. Linn introduced Emily Sheldon. Ms. Linn reviewed the Accounting Report as published and provided to the City Council.

Council members thanked Ms. Linn for the audit report.

Motion by Council member Honomichl to receive the 2018 Audit Report; second by Murdock.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Absent	Murdock	Yes
	Honomichl	Yes		

Motion carried.

Council member Honomichl complimented Staff. Administrator Brungardt said Bonnie does a great job and he really appreciates the work she does every day and he gives her lots of credit.

- a. Consider Zoning Change for Commerce Drive Parcels. Planning Director Weisenburger provided the background information for the rezoning change. He said the Planning Commission reviewed the findings and provided their comments for Council's consideration. The findings were discussed and found to be 'positive' in favor of granting the rezoning.

Motion by Council member Honomichl to approve Ordinance No. 2466 Rezoning Property at 33991 Commerce Drive from "M-1" Industrial – Light District to "C-2" Business – General District; second by Lane.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Absent	Murdock	Yes
	Honomichl	Yes	Mayor	Yes

Motion carried.

- b. Consider Donation Application from Kaw Valley Sportsman Association. Administrator Brungardt commented on the charitable donations line in the City's budget. He said this week he has also received a donation request from the De Soto Alumni Association in the amount of \$1,000. Administrator Brungardt provided Council with the criteria attached to the staff report along with the items set aside in the Charitable Contributions budget.

Mayor Walker said this is an event that brings a lot of people out and he thinks the City should continue to support the event. This is the 42nd year of the Fishing Derby.

Motion by Council member Murdock to approve the \$1,000.00 funding request for the Kaw Valley Sportsman Association; second by Ritter.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Absent	Murdock	Yes
	Honomichl	Yes		

Motion carried.

Administrator Brungardt provided the information received in the donation application request from the De Soto Alumni Association. The application was submitted by Patsy Allenbrand. Administrator Brungardt said the application request meets the criteria. Council discussion. Mayor Walker said he applauds the efforts of this group.

Motion by Council member Ritter to approve the \$1,000.00 funding request from the De Soto Alumni Association; second by Lane.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Absent	Murdock	Yes
	Honomichl	Yes		

Motion carried.

- c. Discuss 2020 Budget: Administrator Brungardt provided a power point presentation to the Council. There is currently a proposal of a 'level' mill levy. He commented on the assessed property valuations. New growth in the City is 3.85%. He gave a five-year forecast on the General Fund end of year balances. Sales tax revenues have halted their double-digit increases that were seen over the past two years. Council members commented on various portions of the proposed budget items. Administrator Brungardt provided a budget timeline for Council.

5. Executive Session:

Motion by Council member Murdock to recess into Executive Session at 8:35 p.m. for ten minutes to discuss land acquisition pursuant to K.S.A. 75-4319(b)(6), with the open meeting resuming in the City Council Chamber at 8:45 p.m.; second by Honomichl.

All Council approved by "ayes."

Motion carried.

Members of the Council returned to the Council Chamber from Executive Session at 8:45 p.m.

6. Advisory Reports:

- a. City Administrator, Mike Brungardt, no report.
- b. City Attorney, Patrick Reavey, no report
- c. City Planner, Brad Weisenburger, commented on the repairs and bids going out.
- d. City Clerk, Lana McPherson, no reports.

7. Council & Mayor Comments:

Council member Ritter said he talked with Mike about contractors working out on the streets without safety vests. He said there is a need for law enforcement on Waverly Road.

Council member Honomichl said he went to the broadband summit in Austin, TX last week. Our situation here is very common. Rural electric coops are now getting into the underserved citizens in the outlying areas. He commented on some ways to promote the community and be out there telling our story. He shared some of the technical tips and objectives he learned of.

No further comments.

Motion by Council member Murdock to adjourn at 8:55 p.m.; second by Honomichl.

All Council approved by "ayes".

Respectfully submitted:

Lana R. McPherson, MMC, City Clerk