

MINUTES

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

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

Mayor Walker led the Pledge of Allegiance. Citizens signed the book on page 66.

PUBLIC HEARING: Consider CDBG Project Selection.

Planning Director Brad Weisenburger reported that there were six recommended projects and the 82nd Street to Delaware was the preferred option. He provided the Census Block 1 was the area that qualifies for the CDBG Grant. The project length is 15' long and there will be some driveways and power poles that will need to be relocated within the right of way. While there is no hard estimate, staff recommends submittal for the maximum amount of \$100,000.

The Public Hearin was opened to take comments on the 2020 CDBG Block Grant application. There were no public comments.

The application is due to the County by May 23, 2019.

Motion by Council member Council Member Murdock to approve the 82nd Street to Delaware Street project as De Soto's submittal for the 2020 CDBG project, seconded by Council Member Daniels.

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

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 May 2nd, 2019.
 - b. Approve Pay Ordinance No. 854.

Motion by Council member Council Member Murdock to approve the Consent Agenda; second by Council Member Ritter.

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

Motion carried.

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.”

Mr. Darrel Zimmerman expressed his concern regarding the Commerce Park TIF request. There is always unintended consequences and hopes that all the issues will be addressed and considered before action is taken by the Council. He understands that the developer will pay for the costs upfront and will be reimbursed from property taxes that are collected on the project. He is not sure how big the area is and would like to know if it includes undeveloped land. He wants to know what the impact is to the School District and any possible loss of revenue from real estate taxes. With any type of development, the streets have wear and tear, which ultimately ends up for the citizens to pay for. With more rapid growth, more emergency equipment will be needed. The request seems reminiscence of a tax abatement for a multi-family housing project that was approved. Actions that are considered to be legal are not always found to be just to all parties concerned. The town’s motto was a community built on small town values and the town is changing dramatically. He asks the Council to review these questions before considering the incentives.

3. Old Business:

- a. Discussion Regarding Items to Address as Part of TIF Development Agreement that Will Be Formally Considered at June 6, 2019 Meeting Between the City and HIKE Properties, LLC.

Administrator Brungardt reported that TIF District has had a number of actions at the Council level with a funding agreement, the establishment of the district and a Public Hearing meeting. There has not been a lot of discussion at the Council level with regards to what the elements might include in the development agreement. The agreement would go along with the TIF District and there is no limitation what would be included in the document. Four items were identified with individual discussions with the Council. Staff cautioned any discussion on the incentive until the Public Hearing has been held. Mr. Kevin Wempe, Gilmore & Bell, was available to answer any questions.

Council Member Lane stated that he wanted to make sure that the developer makes good faith efforts to use De Soto labor and business during the construction phase of the project and to provide an update on what efforts were made.

Council Member Daniels stated that the 2017 law shields the School District from any negative impact. The School Board has been briefed on the request and at their last meeting, chose not to take any action. The statutory requirement to notify the School Board as they have veto power on a TIF District. The majority of the mills are shielded from the TIF, although a small portion is not. As there was no residential impact, the School Board opted not to exercise the veto option.

Council Member Murdock stated that she has some questions and concerns with the project in general, but wanted to wait for the Public Hearing. Discussion if the intent was for the Council to take action at the next meeting after the Public Hearing on June 6, 2019. Council Member Murdock stated that Council does not see after the City’s investment, they have no idea what the developer is making. She wanted to make sure what the value is after the City’s incentive and that the City may or may not have a right to know. City Administrator Brungardt stated that Columbia Capital will be obtaining a 10-year pro forma to be included in the Cost Benefit Analysis, which is not statutorily required for the TIF which the city policy requires. Any information will be included in the Council packets the Friday before and in advance of the Public Hearing.

Mayor Walker asked what revenues were generated off the property in the past 20 years and what the City’s cost for improvements to Commerce Drive over that time. Even though this

property doesn't count for all of the costs, the \$105.80 collected doesn't begin to cover the frontage of the property. The vast majority of the total tax revenues is for the benefit district for the traffic signal.

Council Member Honomichl clarified that the School District is held harmless for their capital bills and they are not getting the advantage of the increment of the unprotected mills, meaning the unprotected portion will be used to pay down the obligations for the district. He understood that it was not all protected, adding that the position would be different if it were a different use. He would as well.

Council Member Murdock asked if Jake's Fireworks would be included in the TIF District. City Administrator Brungardt stated that Jake's would be included in the District. Portions of the property tax would be paid back to the developer. The proposal includes the developer fronting costs of the infrastructure and the property tax collected would be included.

Council Member Daniels asked for clarification of what was included in the TIF as far as infrastructure and asked how many lots benefit by the roads being constructed and have Commerce Drive access.

Council Member Ritter asked how the existing TIF was performing. City Administrator Brungardt stated it was performing well and included bonds for sales tax. This TIF would not include sales tax, so all sales tax would not be captured into the TIF District.

4. New Business:

- a. Consider Resolution #1014 Authorizing the Acquisition of a New Public Works Facility and Providing for the Payment of the Costs Thereof.

The City is in process of acquiring funding to purchase property at 9620 Lexington Avenue for a Public Works Facility. The total cost is \$954,000 which includes the purchase price of \$949,000 plus \$3,000 for the appraisal and \$2,000 in closing and miscellaneous costs. Discussion on why this project is not going to public offering. Commerce Bank holds the last two bond offerings and knows the City well, and due to timing this will be a closed process for the placement of the bonds. Closing will occur July 3, 2019 and closing of the bonds will occur June 27, 2019. Staff and consultants will negotiate a good rate for the City.

Council Member Murdock stated that it was important for the citizens to know that this facility is something that has been on the CIP for many years and being able to purchase the existing building saves a significant amount as opposed to a new facility. The estimated cost to construct a new facility was \$2.3 million, and this building is half that. There will be \$250,000 - \$270,000 in modifications and equipment, but still is a \$1 million savings.

Motion by Council Member Murdock to approve Resolution #1014 Authorizing the Acquisition of a New Public Works Facility and Providing for the Payment of the Costs Thereof; second by Council member Lane.

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

Motion carried.

- b. Consider Resolution #1015 Authorizing General Obligation Bonds for the New Public Works Facility.

Motion by Council Member Murdock to approve Resolution #1015 Authorizing General Obligation Bonds for the New Public Works Facility; second by Council Member Daniels.

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

Motion carried.

- c. Consider Bids for Seal Coating. Planning Director Brad Weisenburger stated the budget amount for street maintenance in 2019 is \$470,000. In March, Staff evaluated areas and determined Oak Country 8, 90th Circle and Arbor Ridge 1st Subdivision needed crack fill and seal coat repairs. Staff put the project out to bid and the City received two submittals. Pavement Management of Lee's Summit was the low bidder. They have completed projects in De Meadows in 2017 and in Timber Trails in 2018.

Motion by Council Member Murdock to accept the bid from Pavement Management in the amount of \$76,226.00 for the 2019 seal coat work; second by Council Member Honomichl. A typographical error was found in the documents presented which the correct amount is \$76,236.00. The motion was amended and the second was acknowledged.

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

Motion carried.

- d. Review Draft Transportation Chapter of the Comprehensive Plan. Administrator Brungardt stated on March 21st, 2019, the City Council and Planning Commission met in a joint meeting to discuss the ongoing Comprehensive Plan update. Staff would like to continue the discussion and update the Council on Chapter 5, Future Transportation and Facilities Plan.

Mayor Walker stated that in the roadway discussion, there is no reference to including on street bike lanes. He feels that the City should be thinking about what routes would be appropriate to include on street bike lanes. The Council concurred that bike lanes should be considered. Discussion on what is considered a complete street. The Council should have policy decision is that bike lanes are important and therefore should be memorialized in the Comprehensive Plan.

Council Member Lane asked if 91st Street will include on street bike lanes. Mayor Walker stated that 91st Street plans included sidewalk, bike lanes and trails.

Council Member Murdock provided photos on two signs during past road trips from the communities of Junction City and Great Bend, Kansas. She feels that having signs at the gateways would be beneficial and were controlled by the City.

- e. 2020 Budget & CIP Discussion. Administrator Brungardt commented that during the 2020 budget discussion on May 2nd, there was some confusion about the funding and timing of projects included in the 5-year CIP. He provided a revised CIP program spreadsheet reflecting the new public works facility. He also gave an outline of the CIP in a narrative format.

Council Member Honomichl stated in the CIP sewer program, that the green identified on the map is Phase I and blue is Phase II. His thought is that it may make financial sense to

identify an area to provide sewer relative to Phasing. The area south of K-10 between Lexington and Sunflower is Phase III which also goes into the new area that will be south of 91st Street bounded by Phase I areas. It seems logical that that a Phase II would be less opportunity than other areas as a whole. Discussion regarding informing property owners along 95th Street if they would be willing to form a Benefit District for infrastructure as the City would not extend sewer speculatively.

Mayor Walker asked if Riverfest Park's restrooms were included in the CIP. City Administrator Brungardt stated that the funding would be a discretionary project from contingency funds.

5. Executive Session: There was no Executive Session.
6. Advisory Reports:
 - a. City Administrator, Mike Brungardt, did not have a report.
 - b. City Attorney, Patrick Reavey, was not present.
 - c. City Planner, Brad Weisenburger, provided a report on his activities.
 - d. City Clerk, Lana McPherson, was not present.
7. Council & Mayor Comments:

Council Member Murdock requested feedback from the Council on the Farmer's Market at The Barn at Kill Creek Farm. For a good market, support is needed. She would like to see the City support it more even if it is only social media. This is a great opportunity for the City to derive benefit from this activity.

Council Member Daniels stated that he has had some positive conversations with the community regarding the roundabout. He said people say they hate the roundabout but couldn't provide a solution other than a roundabout. When educated, there has been some positive comments. Everyone wants the students to be safe. Many schools are starting to put roundabouts at the school entrances. Alvie Cater with the School District had mentioned to Council member Daniels was that Mill Valley is dealing with traffic congestion and a senior project was to study the options for the road and consider what would be the solution for the options and to provide a recommendation. Their project recommended a roundabout. Discussion from the Council has to how refreshing it was to involve the students, and that many students do not even think a lot about a roundabout and are used to them. Studies have indicated that accidents are less and those that do happen, are property damage as opposed to bodily injury.

Council Member Daniels wanted input from the Council on the digital billboard discussion. The Planning Commission, when evaluating the text amendment voted on a split vote. It was his understanding that this was a topic for many months. The topic was carried forward with the desire to have the full Commission. By February, it was decided to vote with those members present. Three Commissioners voted no for various reasons: one was not in favor at all without any reason, one was a no due to perceived size and the other was because the lack of city control. The fact that there was potential advertising that didn't have City control meant that it would have passed if the City had control. That being said, he wanted discussion on if the Council would be interested in revisiting the discussion if the City had its own signage and paid for the entire cost, keeping in mind that there are other projects that would likely be a higher priority. The cost-effective approach would be to partner with a developer and share the costs and still have partial control with the City having one rotation every eight seconds. The end result is cost is important and with other priorities, it still would be nice to have signage for the

community and businesses. There must be a significant benefit to the City if it partners with a private business. Another alternative concept was partnering with a private business giving up full control and having entry signage at both ends of our city.

City Council Member Lane was not in support of partnering with a business as it would not provide enough benefit for the City as the time span wasn't enough and there was not City control. City Council Member Daniels would be in full support of a smaller sign to save on costs but it comes down to priority. Partnering is more cost-effective.

Discussion by the Council on digital billboards. Consensus was that control is a priority and partnering would not make it cost-effective for local businesses. Regarding the Planning Commission, perhaps it was timing or the split vote, if there had been an overwhelming ambition to make the change, they would have found a way to make it happen. Council Member Honomichl felt that communication needs to be focused on the community and if any large funds available, he felt that funding allocations should go to the Chamber/EDC for economic development growth and marketing of existing businesses. He would be more inclined for a community sign feature such as Eudora. Council Member Ritter liked the idea of smaller signage at both ends of the city. He is not against digital billboards but thought that one digital sign in the middle of the highway may not benefit the city as a whole. Mayor Walker stated that this item would continue to be discussed and that the City would not give up on signage. Council Member Murdock said that if we are patient it will happen and in a manner that is best for the community.

City Council Member Honomichl stated that regarding incentives, he would like to see in the Development Agreement that the developer participate at the highest level in the Chamber and EDC. Councilman Honomichl stated that it was very common in these types of agreements to have this request.

Motion by Council Member Murdock to adjourn at 8:37 p.m.; second by Honomichl.

All Council approved by "ayes."

Motion carried.

Respectfully submitted:

Sara Ritter, IOM, Executive Director of EDC