

CITY OF DE SOTO
CITY COUNCIL
City Hall, 32905 W. 84th Street
September 17th, at 7:00 P.M.

MINUTES

The meeting was called to order with Roll Call by Mayor David Anderson.

Roll Call:	Cannon	Present	McDaniel	Present
	Drennon	Present	Templin	Present
	Walker	Present		

Mayor Anderson led the Pledge of Allegiance. Guests signed the book on page 150.

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 of September 3rd, 2009.
 - b. Approve Pay Ordinance No. 625.

Motion by Councilwoman Templin to approve the Consent Agenda with the amended pay ordinance; second by Walker.

Roll Call:	Cannon	Yes	McDaniel	Yes
	Drennon	Yes	Templin	Yes
	Walker	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 that is 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."

Danny Hall, 8445 Dicken Avenue, said he has spoken with city staff regarding the property next door to him at 8345 Dicken Avenue. The grass has only been mowed twice all year and it is three feet high in some places. Mr. Hall stated the neighborhood is concerned. Mr. Hall stated Pam Graff, Codes Enforcement Officer told him she has talked with the bank that has the foreclosure on this property and advised them the property needs mowed. Discussion among Council members and staff. Mr. Hall said no one wants to live next door to these conditions; and, it isn't a good selling point either. Mayor Anderson said Administrator Guilfoyle will have the Codes Enforcement Officer follow up on this tomorrow.

Mr. Hall discussed the privacy fence that has been constructed by Hillside Village between the chain link fencing that the neighborhood residents installed years before the privacy fence. There is tall grass between the two fences and it is unsightly. Engineer Brungardt and staff will look into this and follow up with Codes Enforcement and Mr. Hall. Council discussion. Mr. Hall and Attorney Reavey discussed the 12-inch high grass ordinance. Attorney Reavey stated this can be addressed as an environmental and nuisance issue.

Darrel Zimmerman, 34055 W. 86th Terrace, said he is working with the Kansas Barn Alliance in celebrating Kansas' 150th anniversary of statehood in 2011. There will be an opportunity for people to come out and paint a sunflower to be placed on the barn.

Bob Garrett stated the blue house on the corner of Jaycee and Lexington hasn't been mowed in months. This is contributing to other problems. Council discussion.

3. Chamber / EDC Report: Executive Director, Sara Ritter, is out of town.
4. Old Business: N/A
5. New Business:
 - a. Consider a text amendment to the Zoning Regulations concerning fence regulations. Planner Bohnsack provided remarks as stated in her memo to Council dated September 11, 2009. The Planning Commission reviewed the changes, and Attorney Reavey has recommended the Planning Commission again review some suggested revisions regarding fencing in City right-of-way easements. Discussion by Mayor Anderson regarding fences in a rural area. Staff stated the City ordinance does not allow barbed wire fences within the City. A discussion ensued between Council and staff regarding the amendments. Comments from the audience regarding the fences along the railroad property.

Motion by Councilman Walker to send the text amendment back to the Planning Commission for reconsideration; second by Templin.

Roll Call:	Cannon	Yes	McDaniel	Yes
	Drennon	Yes	Templin	Yes
	Walker	Yes		

Motion carried.

- b. Consider recommendation from selection committee on Water Treatment Plant design consultant. Engineer Brungardt stated this process began in August and a selection committee was formed at that time. Engineer Brungardt stated there were five proposals reviewed and then narrowed down to Larkin Engineering and PEC. Each firm was interviewed with 20 pre-selected specific questions. Engineer Brungardt stated this was not an easy decision; however, the committee recommends Larkin Group. Councilman Walker said both firms were very good, as did Councilman McDaniel, who stated Larkin's presentation really stood out.

Motion by Councilman Drennon to accept the selection committee's recommendation and enter into a contract scope and fee negotiations with Larkin Group for the first phases of the water treatment plant rehabilitation project; second by Cannon.

Roll Call:	Cannon	Yes	McDaniel	Yes
	Drennon	Yes	Templin	Yes
	Walker	Yes		

Motion carried.

Mayor Anderson introduced Tony O'Malley from Larkin Group. Mr. O'Malley said Larkin will work closely with the city on this project. Council thanked Mr. O'Malley for coming.

- c. Consider Proposal by Citizen for Moratorium on Excise Tax. Attorney Reavey provided

Council with a memo and text of the state statute and attorney general opinion concerning a moratorium. Discussion between Councilman Walker and Attorney Reavey regarding Neighborhood Revitalization. Council agreed that the excise tax will remain per the ordinance and no moratorium will be granted.

6. Executive Session: N/A

7. Advisory Reports:

a. City Administrator, Pat Guilfoyle, no report.

b. City Attorney, Patrick Reavey, no report.

c. City Engineer, Mike Brungardt, said the Wea Street project started this week. The mill and overlay projects started Thursday. The 83rd Street mill and overlay project is progressing and some joint repair work is being done. At this time, there will be a savings of about \$75,000. The joint water study met today and there is another meeting set in three weeks to review a feasibility report. Discussion between Councilman McDaniel and Mr. O'Malley regarding talking with Eudora on the study.

d. City Planner, Linda Bohnsack, said there is a workshop on October 3rd. She provided Council an email with the workshop information.

e. City Clerk, Lana McPherson, reminded Council the October 1st, 2009, Council Meeting will start at 5:00 p.m. for this meeting only.

8. Council & Mayor Comments:

No comments from Councilwoman Cannon.

Councilman McDaniel and Mayor Anderson talked about the brick at the Lenexa city limit on 83rd Street that was removed.

Councilman Walker said he attended the MARC regional assembly on Thursday.

No further comments from Council members.

Motion by Councilwoman Templin to adjourn at 7:45 p.m.; second by Cannon.

All Council approved by "ayes".

Motion carried.

Respectfully submitted:

Lana R. McPherson, MMC, City Clerk