

CITY OF DE SOTO
CITY COUNCIL
City Hall, 32905 W. 84th Street
January 17th, 2008, at 7:00 P.M.

MINUTES

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

Roll Call:	Cannon	Present	Maniez	Absent
	Drennon	Present	Morse	Present
	Templin	Present		

Mayor Anderson led the Pledge of Allegiance. Citizens signed the book on page 109.

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 January 3rd, 2008.
 - b. Approve Pay Ordinance No. 585.
 - c. Approve Ordinance 2184 Adopting 2006 International Building Codes.
 - d. Approve Ordinance 2185 Adopting 2005 National Electric Code.
 - e. Approve Ordinance 2186 Adopting 2006 International Fire Code.

Motion by Councilwoman Templin to approve the Consent Agenda and also to amend the Agenda to include Item 5.f to consider Ordinance Amending Article 4 of Chapter XV of City Code Related to Solid Waste; second by Drennon.

Roll Call:	Cannon	Yes	Maniez	Absent
	Drennon	Yes	Morse	Yes
	Templin	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."

No one appeared.

3. Chamber / EDC Report: Executive Director, Sara Ritter, was not present. Administrator Guilfoyle said Ms. Ritter is preparing for the Annual Chamber Dinner. There are approximately 185 people planning to attend. The dinner will begin at 6:00 p.m.
4. Old Business:
 - a. Consider Ordinance Levying Special Assessments for Traffic Signals at Lexington and Commerce Drive. City Attorney Reavey said 45% of the cost of the traffic signal is included in the benefit district. Administrator Guilfoyle stated he has talked with Superintendent Zoellner regarding waiving some fees for the recreational programs. This was discussed at the school board's meeting on Monday evening and the item was tabled.

Motion by Councilwoman Templin to approve Ordinance No. 2187 Levying Special Assessments for Traffic Signals at Lexington and Commerce Drive; second by Drennon.

Roll Call:	Cannon	Yes	Maniez	Absent
	Drennon	Yes	Morse	Yes
	Templin	Yes		

Motion carried.

- (1.) Consider Ordinance Providing USD #232 with Economic Development Grant. City Attorney Reavey stated this ordinance represents the amounts of the assessment and this ordinance is very specific for this situation in providing the economic development grant to the school district.

Motion by Councilman Drennon to approve Ordinance No. 2188, Providing USD #232 with Economic Development Grant; second by Templin.

Roll Call:	Cannon	Yes	Maniez	Absent
	Drennon	Yes	Morse	Yes
	Templin	Yes		

Motion carried.

5. New Business:

- a. Consider Recommendation to Finance Lease/Purchase of Two Pick-Ups Internally. City Administrator Guilfoyle said funds are included in the budget this year for the building inspector and the CIP manager. Three quotes were received and this is a typical lease. Rather than borrow money, Administrator Guilfoyle is recommending the Council borrow the \$40,780 from the City's Electric Utility Fund and repay the loan over a four-year time period, charging interest at the 3.9% rate as quoted above by De Lage Landen Public Finance. Discussion by Council and Administrator Guilfoyle on interest. Council directed Administrator Guilfoyle to proceed with an ordinance to allow for the use of the Electric Utility Fund as the internal source to finance the lease/purchase. Council directed that the interest rate to be charged by the Electric Utility Fund be tied to the current Kansas MIP investment rates.
- b. Consider Planning Commission's recommendation to adopt updated Maps 1 through 14 of the City's Comprehensive Plan. Engineer Brungardt requested this item be tabled until the Planning Commission holds a public hearing on this matter.

Motion by Councilwoman Templin to table this item until the March 20th Council meeting; second by Cannon.

All Council approved by "ayes".

Attorney Reavey stated this item will be removed from the Agenda until the March meeting.

- c. Consider Fee Resolution Adjusting Rates for Refuse Service and Water Service. Administrator Guilfoyle said the rates are going into effect on February 1st regarding the refuse service. He further discussed the need to adjust the water rate fees by five percent (5%) as outlined in the 2008 budget. He provided a power point presentation for the benefit of Council regarding the past seven years of water rate history. Discussion by

Mayor Anderson with Administrator Guilfoyle on the projection of expenses in the Water Department. Councilman Drennon said he has done some checking on rates and he does disagree with a 14½% increase in a year and a half. He said a typical household in De Soto is around 8,000 gallons per month, and we are more expensive than surrounding cities. He recommends that the City not do a rate increase in January and, during the next six months, review whether or not the City should be in the water business. Councilman Morse said surrounding cities are larger and it costs less to produce more. Mayor Anderson said the Council has talked about water for many years.

Engineer Brungardt said De Soto isn't the highest rates around, but costs are rising. Mayor Anderson asked him what the costs would be to hook up with Olathe and buy water from them. He discussed the cost analysis that was done a couple of years ago. He stated the City has been working with Rural Water #6 in a cooperative arrangement on water. The costs involved with the cooperative effort would lower the costs. To hook into Water One would increase by a \$9 million dollar connection fee.

Administrator Guilfoyle said he has talked with Water #6 and they have just completed an engineering study to cooperate with the City. They will be coming to the City to further discuss this cooperative arrangement. Also, the City of Olathe is very interested in doing business with us. However, it is still going to require months to bring either interested party into a cooperative arrangement.

Mayor Anderson asked Councilwoman Cannon what is holding her back from getting out of the water production business as Engineer Brungardt is suggesting. A discussion continued between Mayor Anderson, Administrator Guilfoyle and Council. Administrator Guilfoyle said Rural Water District #6 is better capable in serving the western area than De Soto is.

Mayor Anderson said the question is, "do you really want to be in the water business?" Councilman Morse said the City doesn't have anyone outside to sell water to and as far as he is concerned, we can get out of the water business. He feels we should concentrate on the sewer business. Councilwoman Templin said we should get out of the water business. Discussion by Councilman Drennon with Engineer Brungardt on why high users pay more here; in Gardner, high users pay less. Engineer Brungardt stated it is the costs associated in producing peak water demands, the storage capacity, and the treatment capacity. Continued discussion by Council.

Mayor Anderson said all water rates are going up in the surrounding areas. Water One is anticipating a five to seven percent increase for 2008. Mayor Anderson stated we really need to understand the cost of water and the cost of distribution. Mayor Anderson said the Water Department has done an excellent job in what they are working with.

Motion by Councilman Morse to adopt Fee Resolution No. 808, to raise water rates by 3% by using Option F, to be reviewed again in July; second by Cannon.

Roll Call:	Cannon	Yes	Maniez	Absent
	Drennon	Yes	Morse	Yes
	Templin	Yes		

Motion carried.

- d. Consider Transition of Part-Time Building Maintenance Position to Full-Time Status. Administrator Guilfoyle said Rockey was a "jack of all trades" and we benefited greatly from his experience and talent. The concern is that Jay spends a lot of time with "hands on" building maintenance. In order to save contracting costs, they would like to make this

job a full-time position and incorporate some skilled labor trades as in HVAC systems, plumbing, electrical, carpentry, etc. The reality is, to get these skills, this would require a full-time position. Administrator Guilfoyle said this person could take the place of a contractor. All Council members agreed to change this new position to full-time status.

- e. Consider Approval of Annual Lease Agreement for Street Dept. Bobcat. Administrator Guilfoyle said the lease is the same amount as it has been the past two years.

Motion by Councilwoman Templin to authorize the City to execute the Lease Agreement for the Street Department bobcat; second by Drennon.

Roll Call:	Cannon	Yes	Maniez	Absent
	Drennon	Yes	Morse	Yes
	Templin	Yes		

Motion carried.

- f. Consider Ordinance Amending Article 4 of Chapter XV of City Code Related to Solid Waste. Attorney Reavey said there is a section within the City Code that addresses solid waste. The new refuse collection contract language required the Code to be amended.

Motion by Councilwoman Templin to approve Ordinance No. 2189 Amending the City Code on Refuse Collection; second by Cannon.

Roll Call:	Cannon	Yes	Maniez	Absent
	Drennon	Yes	Morse	Yes
	Templin	yes		

Motion carried.

6. Executive Session: None

7. Advisory Reports:

- a. City Administrator, Pat Guilfoyle, said he and Engineer Brungardt spent three hours at the County Commission meeting. The County Commissioners accepted the Park Board's recommendation for a \$56, 685.90 grant from the County. The only stipulation is that the City has to sign an agreement stating what the money is going to be spent on and the project must be started this year.

Motion by Councilwoman Templin to authorize the Mayor to enter into the Agreement with Johnson County regarding the grant awarded by Johnson County Parks & Recreation; second by Cannon.

All Council approved by "ayes".

Motion carried.

Administrator Guilfoyle said the pole sign removal was scheduled for yesterday, but due to the snow storm coming in, the pole will be coming down next week.

Administrator Guilfoyle said he has received a request from the Kaw Valley Sportsman Association for \$650 to sponsor the annual Kids Fishing Derby.

Motion by Councilwoman Templin to award Kaw Valley Sportsman Association the amount of \$650 for the annual fishing derby; second by Cannon.

All Council approved by “ayes”.

Motion carried.

- b. City Attorney, Patrick Reavey, said at the workshop with the Fire District there was some discussion on the naming of the new district. He is talking with the County on the names and is asking for comments from Council members.
- c. City Engineer, Mike Brungardt, provided Council with inserts for text amendments to the Zoning Regulations that have been amended. He then provided Council with an updated schedule of the 95th Street Land Use workshop meetings. Discussion.
- d. City Planner, Linda Bohnsack, is not present.
- e. City Clerk, Lana McPherson, had no comments.

8. Council & Mayor Comments:

Councilwoman Cannon and Councilman Morse had no comments.

Councilwoman Templin said the parking lot at the recycling center needs to be snow-plowed so people can access the bins. Also, she thinks there should be a second recycling site considered possibly on the western side of the City.

Councilman Drennon said the Street Department did a great job this time. He and Engineer Brungardt discussed the Agenda for the forthcoming Planning Commission meeting. He discussed the downtown plan and the amendments to the current regulations the Planning Commission is working on.

Councilman Drennon said he will be out of town on January 31st.

Mayor Anderson said he and Administrator Guilfoyle were asked to attend a meeting of the Johnson County delegation concerning the fire district discussions. The Economic Development goals that were discussed have been noted. Mayor Anderson said he has heard from some developers and asked the Council how fast they want to move on this process. He stated he wants the Council to become involved if they would like. Council discussion that Council would like to be involved.

Mayor Anderson showed the Council an article regarding Senator Lynn and her promotion of the City of De Soto in Topeka. She has been a very large force in bringing De Soto to the front

Mayor Anderson introduced Beth Burkhart and said she would like to serve on the Park Board. He also stated Larry Johnson wants to serve on the Park Board. He requested Council approve his recommendations for these two appointments to the Park Board.

Motion by Councilwoman Templin to approve the Mayor’s recommendation of Beth Burkhart and Larry Johnson to the Park Board; second by Cannon.

All Council approved by “ayes”.

Motion carried.

Mayor Anderson asked if Council members would like to attend the annual Mayors’

Breakfast on February 27th in Kansas City. Lana noted the names of those who will attend.

Motion by Councilman Morse to adjourn at 8:30 p.m.; second by Cannon.

All Council approved by "ayes".

Respectfully submitted:

Lana R. McPherson, MMC
City Clerk