

CITY OF DE SOTO  
CITY COUNCIL  
City Hall, 32905 W. 84<sup>th</sup> Street  
February 7<sup>th</sup>, 2008, at 7:45 P.M.  
(NOTE: Time Change for This Meeting)

**MINUTES**

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

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

Citizens signed the book on page 110. Mayor Anderson led the Pledge of Allegiance.

Special Presentation by David White, Employer Support of the National Guard and Reserve. Mayor Anderson introduced Mr. White. Mr. White recognized the City of De Soto for their commitment to the National Guard and the Reserve forces. Mr. White presented a plaque to Mayor Anderson for the City's recognition of their support of the National Guard and Reserve members. Mayor Anderson and Council members thanked Mr. White for coming this evening.

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 17<sup>th</sup>, 2008.
  - b. Approve Pay Ordinance No. 585.

Motion by Councilman Morse to approve the Consent Agenda; second by Templin.

Roll Call:	Cannon	Yes	Maniez	Abstained; was absent last meeting
	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: Sara Ritter, Executive Director, discussed the Transient Guest Tax request for 2008. She provided Council members with an outline of the items and the funding amounts for those projects in the total amount of \$13,000.00. Discussion by Council. Ms. Ritter will bring this back for Council consideration at the next meeting.
4. Old Business: None.
5. New Business:

- a. Consider Ordinance Authorizing Use of Electric Utility Fund for Purchase of Vehicles. Administrator Guilfoyle said this will allow the City to finance internally the costs for the purchase of the vehicles

Motion by Councilwoman Templin to approve Ordinance No. 2190 Authorizing Use of Electric Utility Fund in an amount up to \$40,780 to purchase city vehicles; second by Drennon.

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

Motion carried.

- b. Consider an application to amend a Special Use Permit for expansion of Kiddee Korner, a daycare located at 8960 Commerce Drive, Building 5A, to enlarge their space and provide services for infants. Planner Bohnsack said the daycare has the opportunity to expand into the empty space next to them and they would be able to increase the daycare and play area. The recommendation by the Planning Commission was to approve the request with some conditions imposed.

Motion by Councilman Morse to approve Ordinance No. 2191; second by Drennon.

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

Motion carried.

- c. Consider an application to amend a Special Use Permit for De Soto Athletic Club located at 8960 Commerce Drive, Building 5D to make changes to the services provided and for expansion of their space. Planner Bohnsack said the new owners are expanding the area and it will now be called De Soto Athletic Club. There will be new expansion, new equipment, and classes will be offered. There is an option requested by the owners to be open 24 hours with a security system. The Planning Commission recommended approval of the request with some conditions imposed.

Motion by Councilman Drennon to approve Ordinance No. 2192; second by Cannon.

Discussion by Councilman Maniez and Engineer Brungardt regarding the parking spaces. Based on city regulations and the calculations, there are sufficient parking spaces as most of the use of this facility will be in the off-peak parking during evening hours.

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

Motion carried.

- d. Discussion of draft Downtown TND Overlay District regulations to be addressed by the Planning Commission at a public meeting on February 26, 2008. Planner Bohnsack stated the Planning Commission has been working on these regulations and they are now ready for the public hearing process. A "Traditional Neighborhood Design" is to encourage an innovative, mixed use environment that strives to form a cohesive type of neighborhood that encourages pedestrian-oriented neighborhoods.

Mayor Anderson discussed his comments regarding the TND Overlay. He asked if Marty Shukert had seen this plan and Planner Bohnsack said he has not responded. Engineer Brungardt explained that the underlying zoning remains unchanged and the proposed TND is an overlay for this specific area. Mayor Anderson continued his discussion regarding the commercial that could be allowed in the small parcels no larger than one acre. Mayor Anderson said there needs to be an architectural element that must be reviewed.

Discussion by Councilman Maniez that the point was to give some flexibility for the improvement of the downtown area, and not to impose even more restrictions. Continued discussed by Mayor Anderson and Council members on the enterprise zone and the TND overlay district. Mayor Anderson said the lines should be drawn at Ottawa, 83<sup>rd</sup> Street, and Lexington Avenue. Mayor Anderson said architectural design and review must be included in this district. Discussion by Councilwoman Templin and Councilman Maniez with Mayor Anderson.

Mayor Anderson and Planner Bohnsack further discussed the green space on the building lot. Discussion by Council members and Engineer Brungardt regarding permeable hard surfaces. Continued discussion by Mayor Anderson with Planner Bohnsack regarding businesses being encouraged north of 83<sup>rd</sup> Street.

Staff was directed to revise the district boundaries to include the street corridors of 83<sup>rd</sup> Street, Lexington Avenue, and Ottawa Street and also include the three enterprise zones in the downtown area. Architectural review elements for residential developments will be addressed in a separate regulation amendment.

- e. Discussion Regarding the Naming of the River Front Park. Administrative Guilfoyle provided Council with several suggested names for the new park. Councilman Drennon said he likes Kaw Landing and De Soto River Front Park. Councilwoman Templin said she likes the name Celebration Landing. Councilman Morse said there are several landings along the Kaw River. Discussion by Council members that “De Soto” needs to be a part of the name so people will know where the park is. After more discussion, the Council will continue discussion of the park names at the next meeting.
- f. Consider bids for the Cedar Creek Road Guardrail & Erosion Control Project. Engineer Brungardt said there were five bids received and the low bidder was RL Duncan of De Soto.

Motion by Councilwoman Cannon to authorize the Mayor to sign the construction contract for the Cedar Creek Road Guardrail & Erosion Control project with RL Duncan Construction in the amount of \$79,211.00, and to authorize funding from the capital improvement fund with additional contingency expenditures not to exceed \$6,589.00; second by Drennon.

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

Motion carried.

#### 6. Executive Session:

Motion by Councilman Maniez to go into Executive Session for attorney/client privilege for 30 minutes at 9:05 p.m. and return at 9:35 p.m. and invite Pat and Mike into the session; second by Cannon.

All Council approved by “ayes”.

At 9:35 p.m., Engineer Brungardt said the Council is requesting an extension to 10:00 p.m.

Motion by Councilman Maniez to return from Executive Session at 10:03 p.m., with one extension of time, and only the item stated was discussed and no votes were taken; second by Templin.

All Council approved by “ayes”.

Motion carried.

7. Advisory Reports:

- a. City Administrator, Pat Guilfoyle, had no report.
- b. City Attorney, Patrick Reavey, had no report.
- c. City Engineer, Mike Brungardt, provided Council with a memo from Brian McElvoy, the president of the DeMeadows Homes Association. Mr. McElvoy would like Council to consider a proposal from the Homes Association to deed two lots to the City. Councilman Maniez and Engineer Brungardt discussed the two lots. Engineer Brungardt will provide more information to Council as it becomes available.

Engineer Brungardt requested Council read through the memo that was in the packet regarding the formation of a Transportation Cooperation Council.

- d. City Planner, Linda Bohnsack, had no report.
- e. City Clerk, Lana McPherson, reminded Council of the LKM conference in October.

8. Council & Mayor Comments:

Councilwoman Cannon had no comments.

No comments from Councilman Morse.

Mayor Anderson stated he would request Council approve Charlie McNamee, Dave Servos, and Doug White for the Site Plan Review Committee.

Motion by Councilman Maniez to accept the Mayor’s recommendation for the Site Plan Review appointments; second by Cannon.

All Council approved by “ayes”.

Motion carried.

Mayor Anderson stated he is recommending Steve Winslow to fill the vacancy on the Board of Zoning Appeals.

Motion by Councilman Maniez to approve the Mayor’s recommendation of Steve Winslow to the Board of Zoning Appeals; second by Templin

All Council approved by “ayes”.

Motion carried.

No comments by Councilman Maniez or Councilwoman Templin.

Councilman Drennon said he would like to attend the LKM conference in October.  
Councilwoman Templin requested Lana make the hotel reservations tomorrow.

Motion by Councilman Maniez to adjourn at 10:16 p.m.; second by Templin.

All Council approved by "ayes".

Motion carried.

Respectfully submitted:

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Lana R. McPherson, MMC  
City Clerk