

CITY OF DE SOTO
CITY COUNCIL
City Hall, 32905 W. 84th Street
December 1st, 2005 at 7:00 P.M.

MINUTES

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

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

The Mayor led the Pledge of Allegiance.

Citizens signed the book on page 53.

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 November 17, 2005
 - b. Approve Pay Ordinance No. 534.

Motion by Councilwoman Zindler to approve the Consent Agenda; second by Maniez.

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

Roger Sellers, on behalf of the VFW, stated he is here to give an updated review of the requirements per the Development Agreement for the annual renewal of the Cereal Malt Beverage license. The landscaping between the building and parking lot has been down. The parking lot is about 2/3 completed. He said they are ahead of schedule and they will be putting up the front building façade in 2007 or before, depending on the financial status of the VFW. Council discussion that the VFW improvements are progressing and look good.

Darrel Zimmerman, 34055 W. 86th Terrace, stated he is here on behalf of the Kaw Prairie Church. Last year they held a program in the barn last year on Christmas Eve that brought many people to De Soto. They plan to have two programs this year; one at 3 p.m. and again at 5 p.m. They are requesting permission to put up a banner sign on the barn to advertise the event this year. He is requesting Council's permission to put up a temporary banner for this purpose. This is a non-profit event for the barn and good advertising for the community.

Discussion by Mayor Anderson and City Engineer Brungardt that there isn't an allowance for this type of sign in the City's sign regulations. Discussion by Council on the size of the banner and where it will be placed. Mayor Anderson requested the Planning Commission review the language for size and time limits for temporary banner signs in the City. Council members said they will allow the banner for temporary advertising of this holiday program.

Mr. Zimmerman asked about the banner that is displayed on Lexington Avenue and the signs advertising hot tubs and blinds to go, and other advertising signs. Council agreed the signs should be reviewed for code violations.

Mr. Zimmerman also discussed with Council the Rotary project to place a sign on Kill Creek near the historical site of the old mill. He will keep Council apprised of the progress.

3. Chamber / EDC Report: Sara Ritter, Executive Director, said the Chamber hosted the Johnson County Chamber meeting with about 25 area executive members. They discussed several issues related to all cities, i.e. TABOR. More information regarding this move will be provided to area Chamber members and businesses regarding the full effect of the TABOR movement and the state legislature's actions. No formal stance has been taken at this time. Eminent Domain was also discussed; Mrs. Ritter will keep the Council apprised.

The Mayor's Christmas Tree lighting is this Saturday, December 3rd, at 5:30 p.m. at City Hall. The annual Chamber dinner will be on January 21st, 2006. Discussion.

The Community Guide is almost completed. The Incentive Policy discussion has been scheduled for January 5th at 5:30 p.m. Gary Anderson will be here to facilitate that meeting.

4. Old Business:
 - a. Consider a text amendment to Articles 4 and 5 and Appendix A of the Zoning Regulations pertaining to permitted land uses by zoning district. City Engineer Mike Brungardt reviewed the memo provided to Council dated November 28th, 2005. The staff has corrected the typographic error and recommends approval of the ordinance.

Motion by Councilman Morse to approve the text amendment to Articles 4 and 5 and Appendix A of the Zoning Regulations as Ordinance No. 2108; second by Cannon.

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

Motion carried.

- b. Consider an Ordinance amending Article 3 of City Code to permit fireworks within the City. City Attorney Reavey requested this item be tabled until the next meeting per his memo to Council.

Motion by Cannon to table the Code Amendment; second by Morse.

Roll Call:	Cannon	Yes	Templin	Absent
	Maniez	No	Zindler	No
	Morse	Yes	Mayor	Yes

Motion carried.

Discussion by Councilman Maniez and Attorney Reavey on why the recommendation to table this item. Attorney Reavey stated Fire Chief Ritter wanted to include some other

language and Chief Ritter is out of town and couldn't attend this meeting.

Discussion by Councilwoman Zindler on why the Mayor voted in this matter. Attorney Reavey stated since Councilwoman Templin is absent this evening, the Mayor has to vote to break the tie. Council discussion.

5. New Business:

- a. Discussion and consideration of holiday bonuses. Mayor Anderson reviewed the memo to the Council provided by City Administrator Michael Webb. Discussion by Councilman Maniez and Mayor Anderson on past history. Councilman Maniez stated he isn't against the bonuses; however, he remembers that the Council used to host a joint dinner for the employees and then some of the employees decided they didn't want to have dinner with the Council and circulated a petition among the employees. Councilman Maniez stated he felt this was inappropriate. Councilman Morse stated it is too late to organize a dinner now and it's too hectic this time of year. Discussion by Mayor Anderson and Council that a policy needs to be set before next year's holiday so this is clearly defined in future. Discussion by Councilman Morse and Attorney Reavey.

Motion by Councilwoman Cannon to give the holiday bonus of \$100 to full-time employees and \$50 to part-time employees; and, that a new plan be reviewed by next year; second by Zindler.

Roll Call:	Cannon	Yes	Templin	Absent
	Maniez	Yes	Zindler	Yes
	Morse	Abstained		

Motion carried.

6. Advisory Reports:

- a. City Administrator, Michael Webb, was absent.

Mayor Anderson asked how the interview went with staff. Lana McPherson thanked the Council for allowing staff the opportunity to meet with the candidate. She said it was her opinion the candidate was received well and staff members appreciated meeting the candidate. City Engineer Mike Brungardt stated he also appreciated the opportunity to meet the candidate and said it was a good meeting.

- b. City Attorney, Patrick Reavey, had no report.

- c. City Engineer, Mike Brungardt, provided Council with a copy of the bid opening today on the wastewater treatment plant bids. They are still reviewing the bids and scope and will provide Council with a report at the next meeting.

There was an injury accident at Lexington Avenue this morning. This is very typical of the accidents that have occurred there before. This will have an impact on the traffic study and he will contact KDOT on their assistance with installing a traffic light. Mr. Brungardt stated he would like Council's direction on how to proceed with the study for the signals with Bucher Willis & Ratliff. Discussion by Council on the scope of the contract and the fees. Mr. Brungardt will obtain a scope and fee structure and bring it back to the Council for discussion. Councilman Morse stated he has a concern about the intersection at 91st and Lexington and would like to include that in the study. Discussion by Mr. Brungardt and Councilman Morse on the intersections being coordinated and the warranting of the lights. Council discussion.

d. City Clerk, Lana McPherson, reminded Council of the Council of Mayors' Dinner on Tuesday, December 13th, at 5:30 p.m. Reservations have been made.

7. Council & Mayor Comments:

Councilwoman Zindler asked about the vacant house at 84th & Wyandotte being demolished. Attorney Reavey stated he has been working on a demolition crew to raze the house. She also asked about the Golden Lane expansion. Michael Webb has been working with the new owners of the property and will most likely have a report at the next meeting.

Councilman Maniez stated Waverly Road and Rik-Mar Drive are both heavy with gravel. Discussion by Engineer Brungardt that this is only the first chip-seal application and that is why the heavier gravel is exposed. The second coat will be put on in a few months. Councilman Maniez stated he is receiving complaints that Waverly is a washboard. Engineer Brungardt stated he has asked the contractor to come back and grade down the washboards in the road. Discussion that Southwestern Bell has to come in and move their lines. The second coats will most likely be done in February or March.

Councilman Maniez asked about updated negotiations on the city administrator candidates. Attorney Reavey stated he is working with Mr. Chesney on a contract negotiation. Discussion by Council and Mr. Reavey.

Councilman Morse had no report this evening.

Councilwoman Cannon stated work has been started on the boat ramp project. The contractors have moved about 170 loads of dirt. R. L. Duncan, Blacktop Paving, and Walt Johnston have all been donating their employees, equipment and time on this project.

Councilwoman Cannon asked about the new east "we" and stated the turning radius is terrible coming from the east. There isn't enough room to turn into 83rd Street. Engineer Brungardt stated these are temporary stripes and they need to be realigned. Mayor Anderson stated there is a problem with the design because at night you can't see the curb nor that 83rd Street doesn't go straight anymore. Council discussion. Councilman Maniez stated there needs to be a dirt berm so people can see that the road doesn't go straight. Council requested there be only one turn lane onto Lexington Avenue for each direction.

Mayor Anderson had no comments.

Dave Vigness thanked Michael Webb for getting the recycling bin set on Lexington Avenue.

Motion by Councilman Maniez to adjourn at 8:02 p.m; second by Cannon.
All Council approved by "ayes".

Respectfully submitted:

Lana R. McPherson, CMC
City Clerk