

CITY OF DE SOTO
CITY COUNCIL
City Hall, 32905 W. 84th Street
March 22nd, 2007, at 7:00 P.M.

MINUTES

The meeting was called to order with Roll Call by Council President Linda Zindler in the absence of Mayor David Anderson.

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

Guests signed the book on page 89.

Council President Zindler led the Pledge of Allegiance.

Consent Agenda Items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action.

Motion by Councilman Maniez to amend the Consent Agenda under item 1.a. to include the Minutes of the Council meeting on March 15th, 2007; second by Cannon.

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

1. Consent Agenda:

- a. Approve Minutes of the Council Meeting of March 1st and March 15th, 2007.
- b. Approve Pay Ordinance No. 565.
- c. Approve Resolution No. 776 for Environmental Code Violation at 8475 Kickapoo.
- d. Approve Resolution No. 777 for Environmental Code Violation at 8525 High Street.
- e. Approve Ordinance No. 2154 amending City Code Pertaining to the Accounting Department.

Councilwoman Cannon asked about the washer and dryer that was purchased by the Wastewater Treatment Plant. Discussion by Administrator Guilfoyle that it is used to clean the clothes that have been subjected to the treatment chemicals.

Motion by Councilwoman Templin to approve the Consent Agenda as amended; second by Cannon.

Roll Call:	Cannon	Yes	Templin	Yes
	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.”

Kirk Johnson, 8705 Golden Lane, stated he wanted to give Council some background first. He stated his father was a fire chief in Lincoln, Nebraska, for many years. Mr. Johnson said he teaches “goal setting” for franchisees at Mr. Goodcents Corporation. He said this to state that he has attended two CIP workshops. He discussed the fire department expenditures and a date when the consolidation would take place. This is relevant to the purchasing of fire equipment.

3. Chamber / EDC Report: Sara Ritter, Executive Director, said the EDC will have its quarterly membership meeting next week. On April 12th, the Chamber will host Congressman Dennis Moore at FCB Bank. There will also be a legislative event later that evening that is open to the public. The signage committee met today to review the committee’s goals and objectives. They will meet again next week to discuss directional signage within the City.
4. Old Business: None
5. New Business:
 - a. Consider Resolution Supporting Formation of a Johnson County Transportation Cooperation Council. City Administrator Guilfoyle stated this is a request from Johnson County concerning a cooperation council to reach out to communities to come together in a task force to work on transportation issues within the County. The County sponsored a meeting about a year ago. This does not involve any funds at this time. Discussion by Councilman Maniez on who would be appointed to this position. Discussion by Councilwoman Zindler and Council members to direct Administrator Guilfoyle to appoint a staff member.

Motion by Councilman Maniez to approve Resolution No. 778 Supporting Formation of a Johnson County Transportation Cooperation Council; second by Cannon.

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

Motion carried.

- b. Consider Resolution Supporting Proposed Development Using Housing Tax Credits for De Soto Senior Housing – Phase II. Engineer Brungardt provided background information for the first resolution in support the City gave in 2001, and discussed the comments made in his staff report directed to the Council. Engineer Brungardt stated there have been some ongoing maintenance concerns that have been brought to the attention of City staff. He provided Council with a letter that was directed to Commercial Group regarding these concerns. Discussion by Council and Engineer Brungardt on the problems of property maintenance. Comments by Councilman Maniez on whether or not to table this item until the matters have been resolved. Discussion by Councilwoman Zindler on some of the complaints she has heard on some questionable construction concerns that affect the low-income elderly. Councilman Maniez said he would like to see a plan of how the problems are being addressed by the ownership of the property.

Motion by Councilwoman Cannon to table this matter until a response is heard from the owners of the property; second by Maniez.

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

Motion carried.

- c. Consider amendments to Section 11 of Article 5 of the City of De Soto Zoning Regulations pertaining to personal care services (beauty salons) as home occupations. City Planner Buttrum discussed the history of this amendment and the request initiated by Councilman Maniez. She said the Planning Commission has reviewed the text and was recommended for approval. Councilman Maniez asked about the parking regulations for employee and non-resident. Discussion by Council members Maniez and Templin with Planner Buttrum.

Motion by Councilman Maniez to send the text amendment back to the Planning Commission to address the exclusion of the “employee vehicle“ in item A. 7; second by Templin.

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

Motion carried.

- d. Review Results of 5-Year Capital Improvement Program Process. City Administrator Guilfoyle discussed the consensus building between all the City groups and the pared down list of the CIP project. The City Council has met and reduced a list of projects that are under the \$6 million budget. He has provided a copy of the CIP list to those who participated in the workshops. The downtown plan and the public-related projects are included in the five-year plan. Administrator Guilfoyle discussed the public works plans as well as the public works facility in the five-year plan. The Kansas River boat ramp project, Phase I, was included, as well as the Lexington Avenue par, Phase 1. The City Council also concluded that the water and sewer projects will be further discussed by the staff as they are more technical in detail. The results of that effort will be brought back to the Council.

The two Fire Department projects were discussed. Because of the ongoing discussions over the past years of moving toward the consolidation of the Rural Fire and De Soto Fire, as well as the taxing districts in both, the Council made a policy statement to get this consolidation completed within the five-year plan. The new unified department would then determine the needs of the reconstituted fire district. Administrator Guilfoyle has talked with the Fire Chief and two items, the air packs and a rescue boat, will be items considered as part of the process for future annual City operating budgets.

Administrator Guilfoyle stated the development of the 2008 budget will begin soon. Discussion by Councilwoman Zindler on the projects. Administrator Guilfoyle said the final CIP list has been reviewed with the City’s financial advisor. Discussion by Councilwoman Cannon on what happens if the projects are higher in costs than originally thought. Guilfoyle responded that some projects may come in higher than originally estimated, some lower. Staff will review any bottom-line cost problems with the Council if any such problems materialize. Further discussion between Council, Administrator Guilfoyle and Engineer Brungardt.

6. Executive Session: None.

7. Advisory Reports:

- a. City Administrator, Pat Guilfoyle, said mowing season is coming. The City has been very pleased with the services provided by S&F Mowing. Staff has reviewed the areas that have been mowed in the past. The contractor has said that he will give the City the same rate that was charged in 2006, if the City would provide a contract for 2007 and 2008. Council said they think the contractor is doing a good job. Discussion to continue with the contract. Councilman Morse and Councilman Maniez said the area out by K-10 needs to be addressed by City staff.
- b. City Attorney, Patrick Reavey, was not present.
- c. City Engineer, Mike Brungardt, said the traffic signal is up and it will begin flashing on Monday. On Thursday mid-morning, the signal will become fully activated. Councilman Maniez asked why there isn't a left-turn arrow on the straight ahead north lane. Discussion by Councilman Maniez and Engineer Brungardt on the southbound traffic turning onto Commerce.

Engineer Brungardt asked for a date for the ribbon-cutting for the new wastewater treatment facility. Discussion for the date of April 19th, 2007.

- d. City Planner, Kim Buttrum, said the CDBG funds have been increased by \$20,000 for the 82nd Street project. She also provided an update on the home-based companies that are not in conformance with the City's ordinances. She asked Council to provide comments to her regarding the letters.
- e. City Clerk, Lana McPherson, had no report.

8. Council & Mayor Comments:

Councilman Morse had no comments.

Councilwoman Cannon asked about the oil peeling up on 95th Street. Discussion by Engineer Brungardt that he and Ron Creason looked at this area. It is scheduled for a chip seal this year.

Councilwoman Cannon asked about the Engineered Air project and the residential properties to the west. Engineer Brungardt and Planner Buttrum have met with two of the property owners regarding Engineered Air purchasing the properties. Discussion by Councilwoman Cannon and Councilwoman Templin.

No comments from Councilwoman Templin.

Councilman Maniez asked about safety violations that Engineered Air has. He asked if the City does any inspections or has any OSHA reports regarding the injuries. Engineer Brungardt said he isn't sure if the local municipality has any authority. Councilman Maniez said he heard about a defective machine at Eng Air that wasn't safe and several people had lost fingers. Councilman Maniez said he has some concern as to whether or not the Engineered Air owners are really going to be a good-neighbor company in the City. He said the rumors and all the discussions coming from Engineered Air haven't been that good. Discussion by staff and Councilman Maniez. He feels there are some safety issues at Engineered Air that the City should be having discussions about. A discussion ensued regarding OSHA compliance not being monitored by local government.

Councilman Maniez said on the west side of Kill Creek bridge, driving west, there is getting to be quite a drop again on the asphalt transition. Engineer Brungardt said it has to be patched every two or three years, and it is to be patched again this year.

Councilman Maniez asked about the status of Waverly Road. Engineer Brungardt has notified the contractor to come in and fix those areas. Lexington Avenue is going to be crack sealed this summer, as well as some areas that need to be patched.

Darrel Zimmerman provided Council members with a "Call for Artists" brochure for the Sesquicentennial Art Fair in September. He also gave a questionnaire to Council to fill out for the Johnson County Museum. The Museum will be sponsoring a "De Soto History Month" in celebration of the City's Sesquicentennial this year.

No further comments from Councilwoman Zindler.

Motion by Councilman Maniez to adjourn at 8:10 p.m.; second by Cannon.

All Council approved by "ayes".

Respectfully submitted:

Lana R. McPherson, MMC
City Clerk