

MINUTES

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

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

Citizens signed the book on page 13.

Mayor Anderson led the Pledge of Allegiance.

A Proclamation was read by Mayor Anderson proclaiming April 18-24, 2004, as "National Volunteer Week" in the City.

A Proclamation was read by Mayor Anderson designating May 6th, 2004, as "National Day of Prayer" in the City.

NOTE: 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 from the Council meeting of April 1st, 2004.
- b. Approve Pay Ordinance No. 495.
- c. Approve Escrow Agreement between Bedford, Big Cedar Development LLC, and the City of De Soto.
- d. Approve Ordinance No. 2044 amending the City Code with regard to modifications of the Standard Traffic Ordinance.
- e. Approve Ordinance No. 2045 authorizing the posting of a stop sign at 83rd and High Streets.

Motion by Councilman Maniez to approve the Consent Agenda; second by Cannon.

Roll Call:	Cannon	Yes	Urbanek	Yes
	Maniez	Yes	Zindler	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."

Ron Crow, Jr., 33635 Hillcrest, as a co-chairman of the De Soto Days Entertainment Committee, said he is requesting the streets to be closed from Wea to Shawnee for the street dance Saturday night; and, from the entrance drive of Riverbend Apartments to Kaw Street for the car show. The ball field will not be used this year for the car show and they are requesting 83rd Street be closed. Councilman Maniez stated the entire street cannot be closed for public safety reasons. There must be a drive-thru lane for public safety

travel. Council agreed to close one lane of 83rd Street. The street dance will be held from 7 p.m. to midnight. All Council agreed to the requested closings for the De Soto Days festival.

- 3. Chamber / EDC Report: Sara Ritter, stated there were over 50 attendees for the CHAT process. The EDC will be meeting and preparing a plan for the Council's review. The branding session was held this week and the group will meet again on April 22nd to discuss what we want for our community. The State of the County event will be held next Tuesday. There are three openings available. The Economic Summit will be held on May 10th and is \$30 per person to attend. Councilman Urbanek stated he felt the lump sum of the CHAT was that the City should be giving developers some breaks. The City cannot continually afford to give developers breaks. Discussion by Mrs. Ritter that this could be an incentive for a particular type of development, but it doesn't have to become a policy. Further discussion by Mayor Anderson on the incentives that can be used to bring in a specific type of development or business. Discussion by Councilwoman Templin.

Mayor Anderson provided Council with an invitation to the Bi-State II Presentation.

4. Old Business: None

5. New Business:

- a. Presentation by Dean Palos regarding the updated K-10 Corridor Study. Mayor Anderson introduced Rich Caplan, Executive Director of the K-10 Association, and Mr. Caplan introduced Mr. Dean Palos of Johnson County Planning. He congratulated the citizens of De Soto on the approval of the bonds for the swimming pool complex. Mr. Caplan stated the Association has been very active in the Sunflower issue, and he encouraged the Council and citizens to submit names for the redevelopment board. Mr. Caplan stated the Association is in the process of updating their goals and objectives, and will be providing a copy for the Council's review in the near future. He stated the KDOT study is underway now and requests are being made for new interchanges, park-n-ride lots, and bicycle trails. The Association is also asking KDOT to look at public transportation along the K-10 Corridor.

Mr. Palos stated it has been a pleasure working with the City of De Soto. He stated the study was initially completed in 1991 and this report is an update of the K-10 Corridor. Mr. Palos and Mr. Caplan provided a power point presentation for Council and citizens. The focus of the corridor is one mile north and one mile south of the K-10 Corridor. Mr. Caplan stated there was a line item in the plan for De Soto to have a "Smart Corridor" sign in future. He would like to help De Soto in obtaining the monument sign.

- b. Consider request for a Cereal Malt Beverage license by De Soto Apple Market. Council discussion.

Motion by Councilwoman Zindler to approve the Cereal Malt Beverage license; second by Cannon.

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

Motion carried.

- c. Consider issuing an Order of violation for junked vehicles on private property at 30815 W. 82nd St. Patrick Reavey, City Attorney, stated this is not a public hearing and this is brought under the new Kansas law. Danny Dodge, Codes Enforcement Officer, has provided Council with the information. Councilwoman Templin requested that future Orders be placed on the Consent Agenda. Council members agreed.

Motion by Councilman Urbanek to issue the Order of Violation as written; second by Templin.

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

Motion carried.

- d. Consider issuing an Order of violation for junked vehicles on private property at 33165 W. 84th St. Mr. Reavey stated this is similar to the previous Order as provided under Kansas law. Council determined that Mr. Dodge will not be required to attend unless notified by Council. Councilwoman Templin stated this is just allowing Danny to do his job and there shouldn't be this much discussion at this point when there is an obvious violation.

Motion by Councilman Urbanek to issue the Order of Violation as written; second by Cannon.

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

Motion carried.

- e. Consider approval of Resolution authorizing the public sale of \$2,650,000 principal amount of General Obligation Bonds, Series 2004A, of the City of De Soto, Kansas. Greg Johnson, City Administrator, said this is the first step in issuing the general obligation bond for the pool project. He provided Council with a Memo dated April 9, 2004, providing a proposed calendar of activity for the 2004A bond issue. The bond proceeds will be received on June 9, 2004. Councilman Maniez asked if the City is bound by the vote as far as the location of the proposed pool. Discussion by Councilman Maniez that he is having second thoughts about spending this amount of money for a pool complex that is going to be hidden behind a building. He feels this complex should be seen.

Dotty Riley, Bond Counsel, stated the location was stated in the question and this is what the voters approved. Councilwoman Zindler stated she feels the plan shows that Lexington Avenue will be opened up and made more attractive so that the complex can be seen. Discussion by Councilman Urbanek regarding the proposed new sidewalk on Lexington Avenue. Discussion by Mike Brungardt, City Engineer, on the new sidewalk design. He stated the conceptual alignment is to join up with the Johnson County Park trail; however, there could be a pedestrian walk way access to the north side of Lexington at the pool complex. Discussion by Mr. Brungardt on the engineering issues and concepts that he will be bringing before the Council in the near future. Discussion by Councilman Maniez on the sewer line behind City Hall.

Motion by Councilwoman Templin to adopt Resolution No. 684; second by Zindler.

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

Motion carried.

- f. Discussion to establish priorities for Planning Commission regarding planning and zoning issues. Mayor Anderson said there are a lot of items to be discussed and he asked Council if they would prefer to do this in a joint meeting with the Planning Commission. Councilman Urbanek stated the Council spent 30 minutes discussing Item 22 and he wants a 13,500 square feet lot for R-1 lot size. Council agreed there should be a joint meeting.

Mayor Anderson asked Council to respond to Kevin Honomichl's memo dated April 8, 2004, regarding consideration of future development proposals on the adequacy of existing public utilities and infrastructure. Discussion by Councilman Maniez that this should be discussed further as there is a big difference in what the Council and Planning Commission see. Council agreed there should be more joint discussion and Council members will need to look at the "golden criteria" and be ready to answer questions.

Discussion by Councilman Maniez that there should be some discussions before new development is approved. Mr. Brungardt stated there needs to be some policy decisions made.

Motion by Councilman Maniez to table 5.f until a joint meeting can be established with the Planning Commission ; second by Cannon.

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

Motion carried.

- g. Consider approval of request for proposals for municipal pool design services. Mr. Johnson stated he has prepared an RFP and provided a draft copy to the Council. He shared some comments from Councilwoman Templin in making some suggestions on the pool features. Mr. Johnson stated there are six actual design firms have contacted him wanting to bid. Councilwoman Zindler asked about the demo and removal of the existing pool and structures. Discussion by Mr. Johnson on what Council may envision in this area. Councilman Urbanek asked about the eating area within the pool facility. Mr. Johnson stated this proposal is not overly specific so as to evaluate each firm's creativity in design. Mayor Anderson asked about the selection committee. Councilwoman Templin stated she would like to be on the committee; City Staff members are Mike Brungardt and Jay Garvin. Kay Speed was recommended as a citizen representative. Senior representative recommended is Leon Coker. A Park Board representative will be named to the committee.
- h. Consider approval of design concept for Miller Park Parking Lot Improvements (2004 CDBG project). Mr. Brungardt provided a memo with the layout concepts and discussed the options with Council. Both layout concepts were presented to the Park Board and they preferred Option 2 because it provides more parking spaces, costs slightly less, and allows for two-way traffic through the lot. Discussion by Councilwoman Templin on two-way traffic being a public safety hazard with children. Councilman Urbanek discussed a one-way traffic option that could be implemented. Discussion by Councilwoman Templin on where the handicap parking spaces will be located. Discussion by Mr. Brungardt and Council.

Discussion by Council to go with Option 2 with one-way traffic.

- i. Consider awarding bids for parts and installation of waterline on Commerce Drive. Mr. Johnson stated an improvement suggestion to consider is installation of a water line on Commerce Drive to increase the City's ability to distribute water to the Waverly Tower from Sunflower. Discussion by Councilman Maniez and Mr. Brungardt that there will be about 161 feet of pipe, including three valves on the west side and one valve on the east side of the tracks. Discussion by Mr. Brungardt and Mayor Anderson on the specifications.

Motion by Councilman Maniez to approve the water line project on Commerce Drive and to authorize Clarence to purchase parts estimated at \$3707; and, to award the contract to Conley Backhoe for \$10,500; second by Templin.

Roll Call:	Cannon	No	Urbanek	No
	Maniez	Yes	Zindler	Yes
	Templin	Yes		

Motion carried.

Councilwoman Cannon stated the exclusions of Conley's bid concerned her. Councilwoman Cannon asked if the City had experienced any problems in the past. Mr. Brungardt stated there was only one experience on a clean-up issue several years.

6. Advisory Reports:

- a. City Administrator, Greg Johnson, said before the next Council meeting on May 6th, the Sheriff's Department would like some direction from the City for the 2005 budget, and would like to come for a workshop at 5:30 p.m..

The Selection Committee has selected three firms for the RFQ's for the Planning services. They will be conducting interviews and will report back to the Council.

- b. City Attorney, Patrick Reavey, stated he will update the Council in memo form on the four litigation matters. Mr. Reavey stated he has spoken with Nate Harding and JoAnn Thompson on pursuing a benefit district for the construction of Primrose Drive. He will move forward with this on staff level and then bring it before the Council. Mr. Reavey discussed the reasons for the benefit district. Discussion by Councilman Urbanek and Councilman Maniez regarding the proposed benefit district. Councilman Maniez stated the construction of streets was upon the developer; and he does not want this to become the norm for developers thinking they can get around constructing new streets. Councilman Maniez stated he wanted specific language in this benefit district document that this is an exception to City policy and the reasons why.

Mr. Reavey introduced John Gorkos of Wildcat Wireless. Mr. Reavey stated there has been some issues arise between Wildcat Wireless and Tann Communications. He feels that staff time should not be involved in working out disputes between the two carriers. Mr. Reavey stated he has told both parties that he was bringing it up to the Council. Mr. Reavey stated there are interference issues and equipment issues between the two providers. Mayor Anderson stated the issues will be worked out between the two parties or the leases will be torn up. Mayor Anderson stated he will contact Mr. Tann and make that perfectly clear.

Mr. Gorkos responded that he understood. He further stated the City has had his lease for seven months and his customers have enjoyed the service he provides. There were not any problems until the other provider installed his equipment. Mr. Gorkos stated the background conditions and requirements for the leases was not equitable, in his opinion. He did his homework with the lessees.

- c. City Engineer, Mike Brungardt, stated he has provided Council updates in their packets. He said there is a need for Council direction on several issues on the Lexington Avenue projects. He has met with HNTB on sidewalk alignment, bike lanes, pedestrian tunnel concepts, and parking areas.

Mr. Brungardt said it is time to begin thinking about the 2005 CDBG projects and he requested Council input. The application is due mid-June. CDBG projects must go for the lower-income areas of the City. A project needs to be selected by the second meeting in May. Mr. Brungardt will prepare a list of projects and requests Council provide any suggestions.

- d. City Clerk, Lana McPherson, had no report.

7. Council & Mayor Comments:

Councilwoman Templin had no comments.

Councilwoman Zindler asked if there could be some "dressing up" and painting done on the south side of the Community Center. Mr. Johnson will look into this.

Councilman Maniez stated there is a sign on 83rd Street on the north side before Corliss Road stating "hole". This is a huge drop off right at the edge of the pavement. He asked that there be some fill or a plate put over the hole. Mr. Brungardt stated he will get with Ron Creason and take care of it.

Councilman Urbanek asked if there was a virus on the City network as he is getting strange emails. Discussion. He stated there is a lot of money being spent on Waverly, south of 95th Street; he thought this was a contract job. Discussion by Mr. Brungardt that the seeding and strawing is being billed to the project. Councilman Urbanek stated he wants something done about the signs that were removed during elections. This is an ongoing problem and he says the City should offer a reward and prosecute the ones stealing signs.

Councilwoman Cannon asked about the status on the houses at 32955 W. 83rd Street and the one on Wea Street that was being purchase by Nate Harding. Mr. Reavey will follow up on these properties.

Mayor Anderson stated he had the privilege of attending Mary Bichelmeyer's surprise birthday party and he thanked Roy Schultz, Jodi Hitchcock and Lana for the invitation. The Mayor stated he is very proud of the website the City has and it is very important in economic development.

Mayor Anderson said he gave a speech for the National Honor Society at the high school this week. He also attended the KC One meeting this week. There were 15 mayors and 8 county commissioners attending. Mayor Anderson will attend a future meeting with Kessinger-Hunter and John Peterson.

Motion by Councilman Maniez to adjourn at 9:10 p.m.; second by Cannon

Respectfully submitted:

Lana R. McPherson, CMC
City Clerk