

MINUTES

THE JULY 1, 2004, MEETING WAS RESCHEDULED TO JUNE 30, 2004, DUE TO THE HOLIDAY.

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 19.

Mayor Anderson 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.

1. Consent Agenda:
 - a. Approve Minutes from the Council meeting of June 17th, 2004.
 - b. Approve Pay Ordinance No. 500.

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

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

Motion carried.

Motion by Councilman Maniez to amend the Agenda to include Item 4.d. under New Business, for discussion on the VFW request for a permit; second by Templin.

All Council approved by "ayes".

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. Old Business: NONE

4. New Business:

- a. Consider changes to project scope for Waverly Road Improvement (83rd Street to Explorer's Trail). Mike Brungardt, City Engineer, outlined his memo to the Council dated June 24, 2004, and the meeting that was held to discuss the project scope. Councilmen Maniez and Urbanek felt it would be better to provide a higher standard of road section, even though the full one-mile stretch cannot be funded totally

by the bond issue. The scope will need to be modified. One concern is the water line will need to be moved and reinstalled. The total one-mile stretch is approximately \$1.1 million. Mr. Brungardt outlined the utilities and property lines along the project scope. Discussion by Councilman Maniez that the right-of-way along this stretch jogs back and forth, and it needs to be evened out and a good roadbed designed. Councilman Maniez suggested the City staff contact the property owners where right-of-way is needed because the street cannot be repaired properly until the right-of-way issue is resolved, and the necessary right-of-way is obtained from the property owners.

Discussion by Mayor Anderson and Councilman Maniez. Councilman Maniez stated there have been minor repairs made to Waverly Road during the past several years and it has been to no avail. Until the roadbed and the drainage issues are properly corrected, any further repairs are not going to hold up. Mayor Anderson asked if this would make a new policy on road repair and construction in the rural areas. Councilman Maniez stated it would be better to invest the money into a true capital improvement program and not just a yearly maintenance program. Councilman Urbanek agreed. Discussion by Mayor Anderson and Council that the drainage issues need to be resolved and utilities moved. Further discussion. Councilmen Maniez and Urbanek suggested the property owners be approached first to discuss acquiring the necessary right-of-way to construct a proper street and bring it up to standard. If property owners are not interested in giving the necessary right-of-way, then the project will not be able to proceed. Mr. Brungardt will proceed with plans and keep the Council apprised of the progress.

Councilwoman Cannon asked about the sight distance from Waverly proceeding onto 83rd Street. Mr. Brungardt stated the high banks would have to be cut back some. Discussion by Councilman Urbanek on new construction and obtaining the necessary right-of-way for street improvements. Discussion by Mr. Brungardt and Council on a text amendment language. Discussion by Patrick Reavey, City Attorney, on the actual right-of-way acquisition.

- b. Discuss overview of 2005 Budget. Discussion by Greg Johnson, City Administrator, who provided an overview of the 2005 budget figures. The City has seen significant increases in the General Fund due, in part, to the streamlined sales tax. Mr. Johnson has calculated funding for the power shift in 2005 as an expansion of service with the Sheriff's Department. An initial draft of the personnel expenditures for the 2005 budget has consideration for merit adjustments along with adjustments for KPERS, unemployment, workers' compensation, and medical benefits. Council discussion. At this time, based on the estimated assessed valuation from the County, it is not anticipated that a property tax levy for debt service in 2005 will be necessary. Discussion by Council on the streamlined sales tax.

Discussion by Council on the budget recommendations. Councilwoman Templin suggested the Parks Department needs an additional employee. Councilwoman Cannon stated if the mill levy could be kept the same, she would like to enhance street improvements. Councilman Urbanek stated the power shift with the Sheriff's Department is a definite; and, he agrees streets could be improved. Councilman Maniez stated he feels a particular area needs to be concentrated on, mainly streets. Councilman Maniez said there should be another person in City Hall to replace Marge's position, and another Park employee. Councilwoman Zindler would like to keep the tax levy unchanged, and to put aside some money for the 2006 debt service on the swimming pool. She would also like to see more road improvement progress. Councilwoman Templin said she would like to see street improvement, but there are some needs in personnel, especially in the Parks Department.

- c. Consider approving construction bids for 2004 CDBG Project (Miller Park Parking Lot Improvements). Mr. Brungardt stated the bids were opened for the project. Discussion of the bids and project costs. He recommends the Council accept the low bid from LRM Industries in the amount of \$97,901.70, and authorize the Mayor to enter into the agreement. This project could be completed by De Soto Days, weather permitting. Council discussion on project completion.

Motion by Councilwoman Zindler to authorize the Mayor to enter into the agreement for contracting services with LRM Industries in an amount not to exceed \$97,901.70; second by Templin.

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

Motion carried.

- d. Discuss request from VFW for a building permit. Greg Johnson provided the Council with background information. This matter was requested to be tabled by the VFW committee. Mr. Brungardt met with the VFW representatives and discussed the permit process. Council discussion with Mr. Reavey and Mr. Brungardt. There is now a routing sheet that must be completed before any building permit will be issued and a project representative must be named. Discussion by Mr. Johnson on this new process. Councilman Maniez asked about the building permit check-off sheet. Discussion by Mr. Reavey and Mr. Johnson.

Motion by Councilman Maniez to suspend the building permit to the VFW and table this to the next Council meeting; second by Urbanek. Discussion by Councilwoman Templin and Mr. Reavey on the difference between "suspended" and "revoked". She feels this is a disservice to the VFW to suspend this, rather than revoke it. Discussion by Councilwoman Zindler and Mr. Reavey on the legalities of the matter.

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

Motion carried.

Motion by Councilman Urbanek to call an Executive Session for an attorney-client privilege for twenty minutes at 8:25 p.m. and to return at 8:45 p.m., with a five-minute break prior to the Executive Session; second by Cannon.

All Council approved by "ayes".

At 8:45 p.m., Councilman Urbanek requested an additional 10 minutes for Executive Session.

Motion by Councilman Urbanek to return to regular session at 8:59 p.m. four minutes late, and only the item mentioned was discussed and no votes were taken; second by Cannon.

All Council approved by "ayes".

5. Advisory Reports:

- a. City Administrator, Greg Johnson, reminded the Council of the Budget Workshop dates of July 14th, 21st, and 28th, from 5:30 p.m. to 6:30 p.m. A light supper will be provided to Council at 5:00 p.m.

Mr. Johnson will be attending the Redevelopment Proposal meeting at Johnson County on Thursday morning at 9:00 a.m. Mr. Reavey stated he sent a letter to Mr. Don Jarrett. Several months ago, Mr. Jarrett and Ms. Surbaugh had told the City that the Water Plant at Sunflower would be transferred to the City if the GSA had not accomplished that by the time the County received acquisition. As of this date, the City has still not received the written agreement from Mr. Jarrett that was promised. Discussion by Mayor Anderson that the document currently provided by the County for this meeting on Thursday does not mention any transfer to the City, or to any other entity. Discussion by Councilman Maniez that the City should file a protest. Council agreed that there should be a specific reference made on behalf of the City to the County Commission at this meeting. Mayor Anderson, Greg Johnson and Patrick Reavey will attend the meeting on Thursday, July 1st, at the County Commission. Discussion by Council.

- b. City Attorney, Patrick Reavey, has provided Greg Johnson with a draft of the proposed Time-Warner contract, and they will be working on this and bringing it back for the Council's review.
- c. City Engineer, Mike Brungardt, stated the sewer master plan study is proceeding. The first of the interim reports are scheduled for July. They are also nearing completion on the capacity study. Meetings will be held with KDHE and Council will need to be involved in these discussions. The consultant will be making an interim presentation to the Council near the end of July.

d. City Clerk, Lana McPherson, said Bonnie and she are enjoying the new utility bill scanner. There continues to be signups for the auto-debit service for utility bill payment.

6. Council & Mayor Comments:

Councilwoman Templin had no comments.

Councilwoman Zindler stated she had received a call from Dorothy Nalley regarding the candidate forum that is sponsored by the Willow Springs Extension Unit. She is requesting the Council waive the fees for the candidate forum. Discussion by Mr. Johnson that this a forum for all candidates.

Motion by Councilwoman Zindler to waive the fees for the Willow Springs Extension Unit for the candidate forum on July 22nd; second by Templin.

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

Motion carried.

Councilman Maniez said on 87th Street between Waverly and Corliss, the City has put down gravel, but no dust control has been done and the dust is bad. Discussion by Mr. Brungardt that the gravel will have to be graded before the dust control is put down. Dust control should go down next week, weather permitting. The island by McDonald's is overgrown again. Mr. Johnson stated he has called Kent Fry and he will call him again to request the vegetation be cut back.

Councilman Urbanek asked how many part-time employees have been hired for the summer. He also asked about the 83rd Street project. Mr. Brungardt stated the contractor has not been meeting their scheduled dates. The contractor is now saying the project will be completed in a couple of weeks.

The waterline by McDonald's has been completed and the valving was done last week. Discussion.

Councilwoman Cannon stated the Street Department did a very good job on the patching job on 89th Street. Mrs. Cannon asked about the house that is for sale on 89th Street. She said the property owner told her she had called City Hall and was told the right-of-way was very close to her house. Discussion by Mr. Brungardt that he does not recall talking with this person. Council hasn't discussed any widening of 89th Street. Councilwoman Cannon will ask the property owner to call and talk with Mr. Brungardt.

Councilman Maniez asked about the completion of the Penner Avenue repairs. Mr. Brungardt stated some of the repairs will have to be rejected.

Motion by Councilman Maniez to adjourn at 9:25 p.m.; second by Cannon.
All Council approved by "ayes".

Respectfully submitted:

Lana R. McPherson, CMC
City Clerk