

## MINUTES

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

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

Citizens signed the book on page 24.

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 September 2<sup>nd</sup>, 2004.
  - b. Approve Pay Ordinance No. 505.

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

Roll Call:	Cannon	Yes	Urbanek	Yes
	Maniez	Abstain	Zindler	Absent
	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, Director, invited the Council to attend the next quarterly EDC meeting at the Mr. Goodcents' headquarters. Mr. Charley Vogt has arranged for representatives from Kessinger-Hunter to also attend this meeting. Mrs. Ritter discussed a publication by Ingram's Magazine that advertises development opportunities in Johnson County. The cost to advertise for the City would be approximately \$1,500. She would like to use funds from the Transient Guest Tax that were set aside for the web site upgrades to pay for this advertising rather than update the web site. Council agreed to use the funds for the advertising. The EDC will receive 200 copies of the magazine and 1,000 copies of the City's profile that will be in the magazine. Discussion by Councilwoman Templin and Mrs. Ritter on the contents of the advertising for De Soto.
4. Old Business:
  - a. Consider revisions to excise tax ordinance -- TABLED

5. New Business:

- a. Presentation by Lisa Briscoe on Design Criteria for Smaller Cities. Greg Johnson stated that Ms. Briscoe has made this presentation to the Planning Commission and Site Plan Review Committee. She will be discussing more qualitative issues on both the residential and commercial guidelines. Ms. Briscoe provided Council with a handout and a power point presentation regarding planning for creating quality places on a smaller scale. She outlined the three important aspects: Natural Resource Assessment; Traditional Neighborhood Design; and, Streets as a Framework for Development.

Ms. Briscoe also outlined three goals: Inventory the places to preserve; prioritize the resources that are most important to retain; and develop protection strategies to retain identified, high priority resources.

Mayor Anderson commended Ms. Briscoe on a fabulous presentation. Discussion by Mayor Anderson and Ms. Briscoe.

- b. Consider bids for improvements to parking lot at Miller Park by the tennis courts. Mike Brungardt, City Engineer, explained the project and provided Council with a summary. Three bids were received for this project. The low bidder was LRM in the amount of \$23,041.83, which includes the overlay of the alternate basketball court. This year's 2004 CDBG project will most likely come in under budget and the remaining funds could be used to expand this parking lot, along with additional funding from the park fee revenues that have accumulated in the special parks fund. Greg Johnson stated the basketball court was added since it was already included for a 2005 project. Costs at this time will be greatly reduced if the improvement is done at the same time the parking lot improvements are made.

Discussion by Councilwoman Cannon and Mr. Brungardt on the adjoining property boundary lines. Councilman Maniez stated he would like to see the boundary line question resolved before any more improvements are done at the park. The issue needs to be resolved now. Discussion by Mayor Anderson and Mr. Brungardt. Discussion by Councilman Maniez, Councilman Urbanek and Mr. Brungardt on the property line references. Council agreed the property owner needs to be aware that the occupancy permit is conditioned upon the property line question being resolved. Mr. Brungardt has had discussions with the property owner. Discussion by Councilman Urbanek.

Motion by Councilman Maniez to authorize the Mayor to accept the low bid from LRM for the amount of \$23,041.83, and authorize the Mayor to proceed with the project upon completion of the easement being settled with Jim Carpenter; second by Urbanek. Discussion by Councilman Maniez that settling with Mr. Carpenter is resolving the issue of the easement of the road in whatever manner it takes to resolve it.

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

Motion carried.

Mayor Anderson called a five-minute recess at 8:45 p.m. He reconvened the meeting at 8:50 p.m.

Mr. Mike Boatright, candidate for the 9<sup>th</sup> District of the Kansas State Senate, introduced himself to the Council, and gave a brief synopsis of his political platform.

6. Executive Session.

Motion by Councilman Maniez to go into Executive Session at 8:52 p.m. for an attorney-client privilege matter under land acquisition and for personnel issues, and to return at 9:20 p.m.; second by Templin.

All Council approved by "ayes".

Motion by Councilman Maniez to return to regular session at 9:20 p.m., and only the items mentioned were discussed and no votes were taken; second by Templin.

All Council approved by "ayes".

7. Advisory Reports:

- a. City Administrator, Greg Johnson, attended another county-sponsored meeting on fire services last evening. There is no consensus among the participants to change their positions. The County will be meeting with the various departments during the coming year. Mr. Johnson stated it might behoove the Council to meet with the Planning Commission to discuss the sewer infrastructure and wastewater treatment plant for future development practices. Discussion by Council. Discussion by Mike Brungardt that a policy issue needs to be determined based on the sewer and wastewater capacity at this time. Mr. Johnson will schedule an informational workshop and notify Council.
- b. City Attorney, Patrick Reavey, stated he has met with Mr. Zimmerman and his son regarding the special use permit process for Kill Creek Farm. The City held a Board of Zoning Appeals meeting and he and Mike Brungardt are working through some issues concerning a property on Peoria Street.
- c. City Engineer, Mike Brungardt, said the Kill Creek Watershed Study has been completed. He would like to schedule an open public informational meeting and ask the County to give a presentation in the next couple of weeks. The County submits the technical data to FEMA. The County will ask for Council approval of the study after FEMA has reviewed the data. Discussion.

Shafer, Kline & Warren have said the sewer study is almost ready to initiate the public involvement stage. Mr. Brungardt will notify the Council.

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

8. Council & Mayor Comments:

Discussion by Councilwoman Cannon on the property at 84<sup>th</sup> and Wyandotte.

Councilman Urbanek said he went out to the newly opened Lumber One today. He said the ditch work looks good. Mr. Johnson said the County and the City are doing some joint repairs on Sunflower Road.

Mayor Anderson stated he received several calls regarding the door-to-door solicitation that was going on last week in the City. He asked Council to consider an ordinance regarding door-to-door solicitation. Mr. Reavey will research this matter and report his findings to the Council.

Mayor Anderson said the Council will be hosting a joint supper with the City of Lenexa and the USD #232, to be held at the district administration building. The date is Thursday, October 14<sup>th</sup>, 2004, at 6:00 p.m.

Councilman Maniez asked if any agreement had been worked out with Kent Fry on the maintenance of the median on Commerce Drive. The shrubbery height needs to be kept low for visual safety. Mr. Johnson stated he will take care of this matter.

No comments by Councilwoman Templin.

9. Motion by Councilman Maniez to adjourn at 9:50 p.m.; second by Urbanek.  
All Council approved by "ayes".

Respectfully submitted:

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Lana R. McPherson, CMC  
City Clerk