

Meeting Minutes

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Mayor Rick Walker opened the meeting at 7:37 pm and led the Pledge of Allegiance.

Roll Call

Murdock – Present  
Daniels – Present  
Honomichl Present

Ritter – Present  
Lane – Present

All are present

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 on January 20, 2022.
  - b. Approve Pay Ordinance No. 919.
  - c. Approve Low Bid for Door replacements at City Hall.
  - d. Approve Low Bid for Painting at City Aquatics Center.
  - e. Approve design contract with RLS Associates for Miller Park restroom.
  - f. Approve Purchase of Pump Motor for the De Meadows Lift Station.
  - g. Approve Audio System Improvements for the Aquatic Center

Motion by Councilmember Murdock to approve the consent agenda; second by Councilmember Daniels.

Roll Call

Murdock - Yea  
Daniels – Yea  
Honomichl Yea

Ritter – Yea  
Lane – Yea

Motion Carries

2. Call to Public:

“Members of the public are welcome to use this time to comment about any matter relating to City business 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. You must state your name and address.”

Speaker#	Name	Address	Topic
1.	Linda Lane	9355 Cedar Creek Road	She discussed the sculpture outside of city hall on behalf of the arts council. She asked council to discuss the placement of art piece and timeline for replacement or purchasing the sculpture. Staff will review the contract and report back to council at the next meeting. She also discussed a request for a dedicated budget line-item for arts programing.

3. Old Business:

- a. Consider Resolution 1066 Granting Limited Special Exception for Evergy from Underground Requirement of City Right-of-Way Regulations.

Council member Ritter has recused himself from this item and left the room at 7: 43 pm.

Mr. Patrick Reavey, City Attorney, led on this item. He reminded the council of the discussion from October on this item. Mr. Patrick Reavey outlined the resolution and his conversations with Evergy. The council discussed the power lines connecting the Merek property on 87<sup>th</sup> street. Councilmember Honomichl discussed the language of the resolution. The council discussed the locations of the overhead lines around 87<sup>th</sup> street and sunflower road on the eastern edge of the Merek property. Councilmember Honomichl suggested that the city review its utility regulations to meet this criterion instead of granting an exception. The council discussed the placement of the overhead lines. Councilmember Honomichl discussed his preference to see a difference between residential and commercial or residential requirements. Councilmember Daniels asked about the location of the overhead powerline near the property. The Council discussed language of the resolution regarding the city limits.

Motion by Councilmember Honomichl to approve resolution 1066 with an edit to the first paragraph and exhibit A as it pertains to the land within De Soto city limits of De Soto. Second by Councilmember Daniel.

Roll Call

Murdock - Yea  
 Daniels – Yea  
 Honomichl Yea

Ritter – Abstained  
 Lane – Yea

Motion Carries.

Councilmember Ritter returned to the room at 8:10 pm.

4. New Business:

- a. Consider Bids for the Miller Park Drainage Project.

Mr. Mike Brungardt, City Administrator, led on this item. He reminded the council of the agreement between the city and Affinis Engineering to perform the design for the Miller Park Drainage Project. He mentioned the original estimate of \$237,000 and discussed the project scope. He announced that the revised engineers estimate was approximately \$280,000. The city sent the project out for bid and received 8 responses. The low bid was \$282,758. He recommended the council accept the low bid from Louise & Sons Excavating of Kansas City, Kansas in the total amount of \$282,758.26 and authorize a contingency of \$17,000 from the capital improvement fund.

Motion by Councilmember Murdock to accept the low bid from Louise & Sons Excavating of Kansas City Kansas in the total amount of \$282,758.26 and authorize the City Administrator to allocate a contingency of \$17,000 from the capital improvement fund; second by Councilmember Lane.

Roll Call

Murdock - Yea  
Daniels – Yea  
Honomichl Yea

Ritter –Yea  
Lane – Yea

Motion carries.

- b. Consider Ordinance 2530 Annexing 10-acre parcel at 95<sup>th</sup> and Waverly Into the City.

Mr. Brad Weisenburger led on this item. He outlined the voluntary annexation of 9.8 acres adjacent to the existing city boundary. The property is currently zoned under Johnson County zoning as Rural Agricultural (RUR). He announced that the property will need to be rezoned within 90 days of the annexation into De Soto. The council discussed the property owner's plan to split the parcel.

Motion by Councilmember Murdock to adopt ordinance 2530; second by Councilmember Honomichl.

Roll Call

Murdock - Yea  
Daniels – Yea  
Honomichl Yea

Ritter –Yea  
Lane – Yea

Motion Carries

- c. Consider Text Amendment Recommended by the Planning Commission for eating establishments within the city.

Mr. Brad Weisenburger led on this item. He announced that the owner of Mr. Goodscents would like to have restaurant sale and food delivery services in the M-1 zoning district. Mr. Weisenburger discussed the impact of the change and how future developments in the M-1 district may require additional changes to the zoning of the M-1 District. The council reviewed the requirements for a commercial and industrial kitchen in the M-1 district. The council discussed the long -term effects of changing the zoning. The council discussed the regulations regarding food trucks. Mr. Weisenburger outlined the actions taken by the Planning Commission and the public notices sent out. As a result, he recommended that the council send the recommendation back to the Planning Commission.

Motion by Councilmember Honomichl to remand the text amendment back to the Planning Commission with the direction to study the zoning of C1, C2, M1 district regarding retail restaurant and food delivery services and bring back recommendations to the city council; second by Councilmember Murdock.

Roll Call

Murdock - Yea  
Daniels – Yea  
Honomichl Yea

Ritter –Yea  
Lane – Yea

Motion Carries.

- d. Consider Proposals for Stage Cover Structure.

Mr. Brungardt, City Administrator, led on this item. He outlined the plan for the stage cover structure at Riverfest Park, the budget estimate, and timeline for project completion. Mr, Brungardt noted that the stage would not be completed until after the summer concert series. Mr. Brungardt led on announced that the low bid was \$282,480. He introduced Mr. Pickert to review the stage cover and outlined some potential design changes that could lower the overall costs. Councilmember Ritter asked if the stage design could be equipped with lighting for summer concerts. Mr. Pickert said some stationary lights could be mounted on the structure. Councilmembers Murdock and Honomichl discussed seeking grants to pay for the stage cover. The council discussed the option of tabling the item until a funding source can be identified and asked for the project to be redesigned to lower the construction costs.

Motion by Councilmember Murdock to table the item and seek revisions to design and come back to council; second by Honomichl.

Roll Call

Murdock - Yea  
Daniels – Yea  
Honomichl Yea

Ritter –Yea  
Lane – Yea

e. Discuss Sales Tax Referendum.

Mr. Brandon Mills, City Clerk/ Assistant to the City Administrator led on this item. He outlined the history of the  $\frac{3}{4}$  cent sales tax dedicated to debt service payments for capital projects related to roads, sidewalks, drainage, water, and sewer improvements in the city of De Soto. He led the council through three different scenarios for a sales tax renewal including a renewal of a  $\frac{3}{4}$  cent sales tax and the sunseting of the  $\frac{3}{4}$  sales tax. Mr. Mills asked council how they would like to proceed with the proposed bond referendum for recreation trails. He gave an overview of a potential sale tax renewal election timeline in June of 2022 and asked council for direction on how they would like to proceed. Mayor Walker discussed his interest in reducing the sales tax from  $\frac{3}{4}$  of a cent to  $\frac{1}{2}$  of a cent. The council discussed its preference to complete the sales tax renewal before a bond referendum. The council discussed different scenarios and the timelines for an election. Council asked staff to prepare an updated report with a scenario that shows a reduction of the  $\frac{3}{4}$  cent sales tax to  $\frac{1}{2}$  cent.

5. Executive Session:

6. Advisory Reports:

- a. City Administrator – The Johnson County Board of County Commissioners discussed the Sunflower TIF district and approved a motion of support for the TIF district by the vote of 5-2. The county commission will revise it development agreement with the Sunflower Redevelopment Group on the February 10 meeting. The De Soto School board will meet on Monday February 7<sup>th</sup> to discuss the at the Sunflower Ammunition Plant TIF.
- b. City Attorney – No Report
- c. City Planner- No Report
- d. City Clerk – No Report

Council & Mayor Comments

Councilmember Lane: Thanked the street department for their work during the snowstorm

Councilmember Ritter – No report

Councilmember Daniels- Mentioned the De Soto Chamber of Commerce Annual Dinner moved to March 25<sup>th</sup>.

Councilmember Murdock: No Report

Councilmember Honomichl: No Report

Mayor Walker: Announced the Greater Kansas City Mayor Christmas Prayers on February 25<sup>th</sup> He invited all council to the breakfast.

b. Adjournment

Motion by Councilmember Murdock to adjourn at 9:16 pm; second by Daniels.

All Council approved by "yeas."

Respectfully Submitted by

*Brandon Mills*

Brandon Mills, MPA, City Clerk