



SPECIAL CITY COUNCIL MEETING

City Hall, 32905 W. 84th Street
6:00 p.m. May 18, 2023

Meeting Minutes

Mayor Walker called the meeting to order at 6:00 pm.

Roll Call by Mayor Rick Walker.

Murdock - Present	Ritter – Present
Daniels – Present	Lane – Present
Honomichl – Present	All were Present.

Motion by Councilmember Murdock to recess into the workshop at 6:01 pm; second by Councilmember Daniels.
All ayes. Motion Carried

Ms. Nancy Mays, Founder of Mays Communications, gave a presentation on communication strategies.

Motion by Councilmember Murdock to adjourn the meeting; Second by Councilmember Daniels. All ayes. The meeting was adjourned at 6:55 pm.

Respectfully Submitted by,

Brandon Mills
Brandon Mills, MPA, City Clerk

Meeting Minutes

Roll Call by Mayor Rick Walker and Pledge of Allegiance.

Murdock - Present

Ritter – Present

Daniels – Present

Lane – Present

Honomichl – Present

All were Present.

Public Hearing: Consider Vacating Excess Public Right of Way in the vicinity of 8180 Shawnee Street, specifically right-of-way previously reserved for Shawnee Street but no longer needed.

Mr. Patrick Reavey led on this item. He gave an overview of the action required to return the right of way near 8180 Shawnee Street. He recommended that the Mayor open the public hearing and asked council to receive comments from the public.

Mayor Walker opened the public hearing at 6:01 pm.

Seeing no one wanting to speak, the Mayor closed the public hearing at 6:02 pm.

Public Hearing: Consider 2024 CDBG Project.

Mayor Walker opened the public hearing at 7:33 pm.

Mr. Brad Weisenburger led on this item. He announced that the project submission deadline for the 2024 Community Development Block Grant (CDBG) is May 25th, 2023. Following Council's guidance, a public hearing has been scheduled for May 18th to gather public input before finalizing the selection of a CDBG project for 2024.

The council discussed adding a storm siren in the Southwest Growth Area.

Seeing no one wanting to speak, the Mayor closed the public hearing at 7:35 pm.

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 May 4th City Council Meeting.
 - b. Approve Pay Ordinance No. 949.

Motion by Councilmember Daniel to approve the Consent agenda; Second by Councilmember Murdock.

Murdock – Yes	Ritter – Yes
Daniels – Yes	Lane – Yes
Honomichl – 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 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.

Seeing no one wanting to speak, the Mayor moved to the next item.

3. Old Business:
 - a. Consider 2024 CDBG Project.

Motion by Councilmember Murdock to select the Siren Project for the Southwest Growth Area as the 2024 CDBG; Second by Councilmember Ritter.

Murdock – Yes	Ritter – Yes
Daniels – Yes	Lane – Yes
Honomichl – Yes	Motion Carried

4. New Business:
 - a. Receive 2022 Audit Report.

Ms. Karen Linn, representing BT&CO, P.A, gave a presentation on the 2022 audit. She noted that the audit team found no significant findings. She complimented city staff for their commitment to transparency.

Motion by Councilmember Daniels to accept the 2022 audit; Second by Councilmember Lane.

Murdock – Yes	Ritter – Yes
Daniels – Yes	Lane – Yes
Honomichl – Yes	Motion Carried

- b. Discuss Economic Incentive Application from JWB and Alcove Development for a Townhome Development on Valley Spring Drive.

Mr. Mike Brungardt led on the item. He noted that an incentive request has been submitted by JWB LLC and Alcove Development for a tax abatement concerning a 24-unit townhome duplex project located in the 8300 block of Valley Springs Drive. He noted that the updated Incentives Policy requires that the application is presented to the Council for discussion without any feedback or recommendations from City Staff.

The Council discussed the incentive request on the property. Councilmember Murdock asked the applicant Dustin Baker, why he decided to keep the buildings for rent. Mr. Dustin Baker from Alcove Development addressed the council and noted that there is a demand for senior housing in the area. The Council discussed the timeline for voting on the proposal. Mr. Dustin Baker noted that he would be willing to remove the request for the tap fees.

Motion by Councilmember Murdock to approve the incentive proposal for a 50% tax abatement for ten years, plus a sales tax exemption via Industrial Revenue Bonds on construction materials; Second by Councilmember Ritter.

Murdock – Yes	Ritter – Yes
Daniels – Yes	Lane – Yes
Honomichl – Yes	Motion Carried

- c. Consider a Proposal From Abcreative for the Miller Park Playground Replacement Project.

Mr. Jay Garvin, Director of Parks and Recreation, led on this item. He noted that the 2023 CIP includes funding for the Miller Park Playground. He noted that staff solicited proposals in the spring. He noted that City staff received two proposals for this project. He gave an overview of the features of the playground equipment. He noted that staff recommends that the Council approve the proposal presented by ABCreative, which amounts to \$99,265 along with a 10% contingency.

Motion by Councilmember Murdock to approve the proposal by Abcreative for the Miller Park Playground Replacement Project in amount not to exceed \$99,265 with a 10% contingency and authorize the City Administrator to sign the contract: Second by Councilmember Daniel.

Murdock – Yes	Ritter – Yes
Daniels – Yes	Lane – Yes
Honomichl – Yes	Motion Carried

d. Consider Bids for the Miller Park Parking Lot Project.

Mr. Jay Garvin led on this item. He noted that the 2023 Capital Improvement Plan includes funding for expanded parking at Miller Park. He announced that City staff solicited bids from numerous regional businesses. He noted that staff recommends approval of low qualified bid from Lineweaver Construction in an amount not to exceed \$180,728.00.

Motion by Councilmember Honomichl to accept the low bid from Lineweaver Construction in an amount not to exceed \$180,728.00 with a 10% Contingency and authorize the City Administrator to sign the contract; Second by Councilmember Daniels.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Motion Carried

e. Consider Ordinance No. 2576 Adopting Planning Commission’s Recommendation for Text Amendment Pertaining to Cul-De-Sac Size, Street Tree Buffering, and Corner Lot Definition.

Mr. Brad Weisenburger led on this item. He noted that the City Code needs to be refined and clarified periodically by city staff. He outlined three specific items were brought to his attention. He noted that several of these items include the need for a clear definition of corners in the front yard to determine setback determination for side and rear yards, the size of De Soto Cul-de-sacs exceeds the standards set by the KC American Public Works Association, and the recognition that the spacing for De Soto street tree and the buffer is currently set at 75', while the common standard in the KC Metro area is 40'. He gave an overview of the reasoning for each recommendation.

Motion by Councilmember Murdock to adopt ordinance 2576 as written; Second by Councilmember Daniels.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Mayor Walker – Yes

f. Consider Ordinance No. 2577 Vacating Excess Right-of-Way Near 8180 Shawnee Street.

Motion by Councilmember Honomichl to adopt ordinance 2577 Vacating Excess Right-of - Way near 8180 Shawnee Street; Second by Councilmember Murdock.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Mayor Walker- Yes

Motion Carried

- g. Consider Ordinance No. 2578 Adopting Planning Commission’s Recommendation to Rezone 22 Acres of land (on 95th Street, West of Lexington Avenue) From “M-2” Industrial – Heavy District to “C-2” Business General District.

Mr. Brad Weisenburger led on this item. He noted that the northern 22 acres of a 76-acre tract located along 95th Street, Tax ID AF221305-1001, have a pending application for rezoning. He gave an overview of the rezoning application and the process for rezoning the property. He recommended that the Council approve the rezoning request.

Motion by Councilmember Murdock to approve ordinance 2578 as written; Second by Councilmember Daniels.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Mayor Walker- Yes

Motion Carried

- h. Consider Ordinance No. 2579 Adopting Planning Commission’s Recommendation to Rezone 54 Acres of Land (on 95th Street, West of Lexington Avenue) From “M-2” Industrial – Heavy District to “R-3” Multifamily Dwelling District.

Mr. Brad Weisenburger led this item. He noted that a request for rezoning has been submitted for the southern 54 acres of a 76-acre tract located along 95th Street, identified by Tax ID AF221305-1001. He gave an overview of the application and process for rezoning the property. He recommended that the Council approve the rezoning request.

Motion by Councilmember Murdock to approve ordinance 2579 as written; Second by Councilmember Honomichl.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Mayor Walker- Yes

Motion Carried

- i. Consider Ordinance No. 2580 Adopting Planning Commission's Recommendation to Rezone 20 Acres of Land (at 35000 West 95th Street) From "C-2" Business General District to "R-3" Multifamily Dwelling District

Mr. Brad Weisenburger led on this item. He announced that a request to rezone a 20-acre tract located at 35000 W 95th Street has been submitted. Following the Zoning Regulations, the Planning Commission is obligated to conduct a public hearing regarding this rezoning application. Subsequently, they will provide a recommendation to the City Council for their final decision.

Motion by Councilmember Murdock to approve ordinance 2580 as written; Second by Councilmember Daniels.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Mayor Walker- Yes

Motion Carried.

- j. Consider an Agreement With Blue Water for Engineering Services Related to Well Field Maintenance.

Mr. Chet Belcher, Public Works Director, led this item. He announced that is necessary to clean the raw waterlines in the well field in order to enhance their capacity and alleviate pressure on the well pumps. To facilitate this, a contract has been proposed, which includes design and construction observation services for pipe cleaning and valve installation, aiming to improve future line maintenance access. He recommended that the council approve the well field engineer services with Blue Water Solutions Group, Inc., with a maximum amount not to exceed \$17,088.

Motion by Councilmember Murdock to approve the contract with Blue Water Engineering Services for Well Field Maintenance in an amount not to exceed of \$17,088; Second by Councilmember Daniels.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Motion Carried

- k. Consider an Agreement with Garney Construction for Preconstruction Services Related to the Construction of the Water Treatment Plant.

Mr. Chet Belcher led this item. He noted that Waste Water Plant selection committee conducted interviews with four contractors on April 28, 2023, to choose a Construction Manager at Risk (CMAR) for the WTP expansion. Garney Construction was identified as the preferred contractor due to their innovative solution of constructing a new WTP on-site, extending its useful life to 50 years and minimizing disruptions to water production during construction. He continued by stating that the proposed contract is for preconstruction services, including collaboration with the design firm (HDR) to identify efficiencies. He noted that a separate contract for construction services will be presented once a Guaranteed Maximum Price (GMP) is available, anticipated by January 2024. He recommended that the council approve the preconstruction services with Garney Construction for a maximum amount of \$336,015 and a CMAR fee percentage of 6 percent.

Motion by Councilmember Daniel to approve the agreement with Garney Construction in an amount does not exceed \$336,0015 with a 6% CMAR fee; Second by Councilmember Honomichl.

Murdock – Yes	Ritter – Yes
Daniels – Yes	Lane – Yes
Honomichl – Yes	Motion Carried

- l. Consider Ordinance No. 2581 Amending City Code Regulations on Cul-De-Sacs.

Motion by Councilmember Murdock to adopt Ordinance 2581 as written; Second by Councilmember Honomichl.

Murdock – Yes	Ritter – Yes
Daniels – Yes	Lane – Yes
Honomichl – Yes	Motion Carried

- m. Discuss 2024 Budget.

Mr. Mike Brungardt led on the item. He gave an overview of the draft 2024 budget. The council discussed several items including the proposed mill levy, proposed positions, and the road maintenance program.

5. Executive Session: Land Acquisition.

Motion by Councilmember Murdock to recess into executive session at 9:12 p.m. for 5 minutes to discuss acquisition of right of way pursuant to statutory basis: land

acquisition, K.S.A. 75-4319(b)(G)), with the open meeting in the City Council chamber at 9:17 p.m. Second by Councilmember Ritter. All ayes. Motion Carried.

Councilmember Honomichl announced a conflict of interest, abstained from the executive session, and remained in the room.

Mayor Walker called the meeting back to order at 9:17 pm.

Motion by Councilmember Daniels to authorize the City Administrator to enter into an agreement for land acquisition in an amount not to exceed \$67,000.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Abstained

Motion Carried

6. Advisory Reports:

- a. City Administrator- No Report
- b. City Attorney – No Report
- c. City Planner – Noted that several rezonings are the next Planning Commission meeting.
- d. City Engineer – No Report
- e. Assistant City Administrator- No Report

7. Council & Mayor Comments

Mayor Walker- No Report
Councilmember Honomichl - No Report
Councilmember Murdock – No Report
Councilmember Daniels – No Report
Councilmember Ritter – No Report
Councilmember Lane- No Report

8. Adjournment

Motion by Councilmember Murdock to adjourn; Second by Councilmember Daniels. All ayes. The meeting was adjourned at 9:19 pm

Respectfully Submitted by

Brandon Mills
Brandon Mills, MPA, City Clerk