

Mayor Walker called the meeting to order at 7:00 pm and led the Pledge of Allegiance.

Murdock - Present

Ritter – Present

Daniels – Present

Lane – Present

Honomichl – Present

All were Present.

Proclamation: Declaring Constitution Week 2023. Mayor Walker read the proclamation a loud and thanked the Daughters of the American Revolution for their support.

PUBLIC HEARING: Revenue Neutral Rate

Mr. Mike Brundgardt City Administrator, led on this item. He gave an overview of the revenue neutral rate and provided the council with an explanation of the process.

Mayor Walker opened the Public Hearing at 7:02 pm

Seeing no one wanting to speak, Mayor Walker closed the public hearing at 7:03 pm.

PUBLIC HEARING: 2024 Budget

Mr. Brungardt gave an overview of the 2024 budget. He noted that total budget is \$37,077,821 with an estimated mill levy of 19.50. He gave an overview of the increase in assessed valuation and projections of franchise fees, sales tax, and other revenue sources.

The council discussed the significant additions to the 2024 budget. Mayor Walker noted that the sheriff contract is increasing more than \$150,000. He noted that the increase in property taxes is less than \$150,000.

Mayor Walker opened the public hearing at 7:13 pm.

Seeing no one wanting to speak, the Mayor closed the public hearing at 7:14 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 August 17th City Council Meeting
- b. Approve Pay Ordinance No. 956
- c. Approve Funding Request for the De Soto Arts Council Fall Art Festival

Motion by Councilmember Murdock to approve the consent agenda items;
Second by Councilmember Lane.

Roll Call

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 chair moved to the next item.

3. Old Business: None

4. New Business:

- a. Discuss Incentive Request for The RIO Apartments at 8180 Shawnee Street

Mr. Patrick Reavey led on the item. He invited Mr. Dustin Baker to give a review of the proposed incentive package. He noted that this application seeks approval for the issuance of Industrial Revenue Bonds, which includes two key benefits: (1) the provision of a sales tax exemption certificate for construction materials and (2) a 100% tax abatement for a duration of 10 years for The RIO Apartments, located at 8180 Shawnee Street (formerly known as the old City Street Shop).

Councilmember Honomichl gave an overview of the history of the project. He noted that plan have underground parking and a rooftop amenity. He noted that the average abatement for recent housing developments has been approximately 70 percent. Councilmember Murdock discussed her wish to see the land developed and expressed her reservation with the 100% abatement.

Councilmember Daniels noted that he would like to see the property developed but would like to discuss the level of abatement further.

Councilmember Ritter noted that the clean-up efforts and groundwork are extensive and that this project is unique.

Councilmember Lane noted that extensive work is needed to make the site developable.

Mayor Walker noted that the general agreement is to lower the abatement to 75% as present but they would consider a larger percentage if additional improvements were made including adding more elevators.

- b. Consider Agreement Related to Remediation and Development of old Street Shop
Mr. Patrick Reavey gave an overview of the agreement. He noted that the agreement is set to allow the project to close. The council discussed the agreement and the timeline for cleanup the property.

Motion by Councilmember Honomichl to approve the agreement as written;
Second by Councilmember Ritter.

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

- c. Consider Resolution 2016 Exceeding Revenue Neutral Tax Rate

Motion by Councilmember Murdock to approve resolution 2016; Second by Ritter.

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

- d. Consider Resolution 2017 Scheduling Hearing for Property at 8260 Spring Drive
Mr. Patrick Reavey gave an overview of the resolution and provided pictures of the structure to the council.

Motion by Councilmember Honomichl to approve resolution 2017 as written;
Second by Councilmember Murdock.

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

- e. Consider \$13,100 Change Order Submitted by American Pipeline Solutions for pipe inspection.

Mr. Joe Johnson, Public Works Director, led on this item. He noted that APS is proposing a change order of \$13,100, resulting in a new total contract amount of \$160,000. He noted that staff is confident that the Smart Foam tool can provide a significantly higher level of information and data compared to CCTV inspection. He noted that staff recommends that the City Council approve Change Order 1, amounting to \$13,100.00.

Motion by Councilmember Murdock to approve change order #1 in an amount not to exceed \$13,100.; Second by Councilmember Ritter.

Murdock – Yes

Daniels – Yes

Honomichl – Yes

Ritter – Yes

Lane – Yes

Motion Carried

- f. Consider Ordinance 2591 Rezoning Property at 33475 W 85th Street - R1 to RH

Mr. Brad Weisenburger led on this item. He noted that a request to rezone a parcel located at 33475 W 85th Street to the RH (Residential Historic) designation has been submitted. He stated that per the zoning regulations, these requests for rezoning necessitate the Planning Commission to conduct a public hearing on the matter and subsequently provide a recommendation to the City Council for their ultimate decision. He gave an overview of the staff report including the staff findings, and the recommendation from the Planning Commission.

Councilmember Daniels asked how staff evaluated the rezoning requests. Mr. Weisenburger gave an overview of the review process.

Councilmember Honomichl asked about the setbacks of the property. Mr. Weisenburger gave an overview of the setback regulations.

Motion by Councilmember Honomichl as approve Ordinance number 2591 written as Second by Councilmember Murdock.

Murdock – Yes

Daniels – Yes

Honomichl – Yes

Motion Carried

Ritter – Yes

Lane – Yes

Mayor Walker – Yes

g. Consider Final Plat for Carriage Houses Phase No. 13

Mr. Weisenburger led on this item. He noted that the Final Plat for Carriage Houses #13 comprises Tract M, Building K, and an allocated space for a septic tank and lateral field. He noted that the initial final plat for each building only displays the property boundary and the outline of the building's footprint. He noted that after the construction of the structures, there will be a subsequent plat revision for each building, specifying the positions of the interior walls.

Motion by Councilmember Daniels to formally accept the easements and rights of way for the Carriage House Phase No. 13; Second by Councilmember Murdock.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Mayor Walker – Yes

Motion Carried.

h. Consider Final Plat for Residences at Eagle Creek

Mr. Weisenburger led on this item. He noted that the Planning Commission has recently granted approval for the rezoning and preliminary plat of the Eagle Creek duplex development. He gave an overview of the staff report.

Motion by Councilmember Murdock to accept the easement and rights of way for Residences at Eagle Creek; Second by Councilmember Daniels.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Mayor Walker – Yes

Motion Carried.

i. Consider Task Order with HDR for Well field engineering work.

Mr. Joe Johnson led on this item. He noted that the Scope of Services involves HDR Engineering providing engineering support to the City of De Soto, focusing on identifying new raw water sources to achieve a consistent water supply of 8 million gallons per day. He gave an overview of the timeline for completion. He noted that staffs recommend approval of the scope and services agreement.

Motion by Councilmember Honomichl to approve the task order with HDR; Second by Councilmember Murdock.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Motion Carries

j. Adopt 2024 Budget

Motion by Councilmember Ritter to approve the 2024 budget and exhibit c as presented: Second by Councilmember Lane.

Murdock – Yes

Daniels – Yes

Honomichl – Yes

Ritter – Yes

Lane – Yes

Motion Carries

k. Consider Public Art Recommendations from the De Soto Arts Council

Motion by Councilmember Lane to table item 4k to a future meeting; Second by Councilmember Ritter.

All Ayes. Motion carried.

5. Executive Session:

Motion by Councilmember Daniels to recess into executive session at 8:09 p.m. for 5 minutes to discuss the acquisition of road right-of-way pursuant to land acquisition, K.S.A. 75-4319(b)(6)), with the meeting to resume 8:14 pm; Second by Councilmember Murdock.

Murdock – Yes

Daniels – Yes

Honomichl – Yes

Ritter – Yes

Lane – Yes

Motion Carried

Councilmembers Honomichl and Ritter noted a conflict of interest and abstained from the executive session.

Mayor Walker resumed the meeting at 8:14 pm.

Motion by Councilmember Murdock authorize the purchase of right in the 23,000; Second by Councilmember Daniels.

Murdock – Yes

Daniels – Yes

Honomichl – Abstained

Ritter – Abstained

Lane – Yes

Motion Carries

6. Advisory Reports:

- a. City Administrator – No report
- b. City Attorney – No Report
- c. City Planner – No Report
- d. City Engineer – Noted several constructions related issues throughout the city. He noted that the k-10 ramp was closed for the day.
- e. Assistant City Administrator – Noted several city sponsored events in the coming weeks.

7. Council & Mayor Comments

Councilmember Lane – No Report

Councilmember Ritter – No Report

Councilmember Daniels – Noted that he will attend the next meeting virtual.

Councilmember Murdock – No Report

Councilmember Honomichl – No Report

Mayor Rick Walker – No Report

8. Adjournment

Motion by Councilmember to Murdock to adjourn; Second by Councilmember Daniels.
All Ayes. The meeting was adjourned at 8:20 pm.

Respectfully submitted by

Brandon Mills

Brandon Mills, MPA, City Clerk