

**Meeting Minutes**

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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 – Absent

Councilmember Honomichl was absent.

**PUBLIC HEARING:** Relating to the Issuance of \$12,500,000 in Industrial Revenue Bonds, Property Tax Abatement, and Sales Tax Exemption for Construction Material For Rio Vista, LLC.

Mr. Patrick Reavey led on this item. He gave an overview of the staff report and noted that the issuance would not impact the city’s credit rating. He noted that the financial analysis of the abatement shows a net benefit to the city and county.

Mayor Walker opened the public hearing at 7:05 pm.

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|------------------|----------------------------------|--|
| Charlotte O’Hara | 15712 Windsor St. Overland Park  | She expressed her displeasure with the tax abatement. She questioned the financial analysis prepared for the development. She gave an overview of the recent financial incentives given to the other developments in the city. |
| Nancy Moneymaker | 36715 W. 95 <sup>th</sup> Street | She gave an overview of the design of the development. She noted the level of abatement for the project. She noted that the value of property in the county continues to increase.   |

Seeing no one else wanting to speak, the Mayor closed the public hearing at 7:11 p.m.

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 September 19<sup>th</sup> and 21<sup>st</sup> City Council Meetings
- b. Approve Pay Ordinance No. 958
- c. Authorize the Mayor to Sign a Termination Agreement Regarding Prior Well Maintenance Contracts with USCI
- d. Approve Alcohol Consumption on City Property for De Soto Fine Arts Show

Motion by Councilmember Murdock to approve the consent agenda as presented; second by Councilmember Lane.

Murdock – Yes

Daniels – Yes

Honomichl – Absent

Ritter – Yes

Lane – Yes

Motion Carried

1.5 Approve Pay Ordinance 958a.

Councilmember Ritter noted a conflict of interest and left the meeting at 7:12 p.m.

Motion by Councilmember Murdock to approve pay ordinance 958a as presented;  
Second by Councilmember Daniels.

Murdock – Yes

Daniels – Yes

Honomichl – Absent

Ritter – Absent

Lane – Yes

Motion Carried

Councilmember Ritter returned to the room at 7:13 pm.

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. Receive County Update from Commissioner Allenbrand

Commissioner Allenbrand gave a presentation regarding the several significant updates to development in Johnson County. They included improvements to workforce development, the Johnson County Airport, the Commissioner on Aging, and Affordable Housing. She noted that there will be a public meeting in De Soto regarding rural broadband internet access. Mr. Joe Connor, Assistant County Administrator with Johnson County, gave an update on the Northwest Johnson Consolidated Fire District fire station construction on Lexington Ave.

Councilmember Murdock asked about the growth in Springhill. Commissioner Allenbrand noted that Springhill is one of the fastest-growing communities in the state by population. Councilmember Murdock asked how De Soto residents could be more involved in the Johnson County Library Capital Improvement Plan.

b. Consider Resolution 2020 Regarding City Facility Rentals

Mr. Brandon Mills led on this item. He noted that the De Soto Park Board is suggesting a modification to the fee resolution related to rental charges for De Soto School District-sponsored events at De Soto facilities. He recommended that the City Council approve resolution 2020 as written.

Motion by Councilmember Daniels to approve resolution 2020 as written;  
Second by Councilmember Ritter.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Absent

Motion Carried

c. Consider De Soto Arts Council Recommendation for Public Art Program

Mr. Brandon Mills led on this item. He noted that in 2021, the Council granted approval to the collaboration between the De Soto Arts Council (DAC) and the Arts in Public Places Program (AIPPP). He stated that this initiative involves commissioning art installations to be showcased on public properties or rights-of-way within the city for specified durations. He gave an overview of the recommendations from the De Soto Arts Council.

Motion by Councilmember Murdock to accept the recommendation from the De Soto Arts Council; Second by Councilmember Ritter.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Absent

Motion Carried

d. Consider Conceptual Site Plan for Riverfest Park Enhancements

Mr. Brandon Mills and Mr. Jay Garvin led this item. They noted that this proposal sought approval to initiate the design phase for soccer fields at Riverfest Park, commencing in November of the current year. They added that the objective is to prepare a comprehensive design as part of the Capital Improvement Plan (CIP) overhaul, which will be considered during the 2025 budget development deliberations.

The council discussed the plan. They asked staff to come back with a revised plan that showed soccer fields on the northwest side of 79<sup>th</sup> street.

- e. Consider Resolution 2021 Expressing Intent of City to Issue \$12,500,000 in IRBS, Tax Abatement, and PILOT Agreement for Rio Vista, LLC

Mayor Walker noted that the net impact on the school district is less than ten students. He noted that the service requirements are like other apartment complexes in the area. The council discussed in-field development and the need for housing in the community. The commission discussed the history of the property.

Motion by Councilmember Daniels to approve resolution 2021 expressing the intent of the city to issue 12,500,000 in IRBs, a tax abatement of 90% and a Pilot Agreement for the Rio Vista, LLC; Second by Councilmember Ritter.

Murdock – Yes

Daniels – Yes

Honomichl – Absent

Ritter – Yes

Lane – Yes

Motion Carried

- f. Consider a Temporary Use Permit for the Reach Church Halloween Event

Mr. Brad Weisenburger, Community Development Director, led on this item. He noted that Ryan McDaniel from De Soto Reach Church has applied for a Temporary Use Permit (TUP) for an event scheduled on the evening of Saturday, October 28th. The request is to temporarily close a section of 83rd Street in front of Reach Church on 83rd Street. He gave an overview of the staff report and noted that the event is scheduled to commence at 5 p.m. and conclude at 7 p.m., with some additional time allocated for event preparation and post-event cleanup. He recommended that the city council approve the temporary use permit.

Motion by Councilmember Murdock to approve the Temporary Use Permit as presented; Second by Councilmember Lane.

Murdock – Yes

Daniels – Yes

Honomichl – Absent

Ritter – Yes

Lane – Yes

Mayor Walker – Yes

Motion Carried

- g. Consider Ordinance 2592 Amending Zoning Regulations to Allow Public Safety uses by right in the M-1 Light Industrial District

Mr. Weisenburger led on this item. He noted that after carefully examining the De Soto city code, it became known that the M1 zoning district doesn't permit activities related to Justice, Public Order/Safety as per NAICS Code 922. He gave an overview of the staff report and Exhibit A and provided a list of codes and permitted uses within the 922 categories. He noted that even though Correctional Institutions are permissible under 922, the De Soto Code explicitly separates them as a distinct land use. He added that establishing a correctional facility would require obtaining a Special Use Permit (SUP).

The Council agreed that given the industrial nature of the area, a public safety facility in the area is in the community's best interest.

Motion by Councilmember Ritter to approve ordinance 2592 as written;  
Second by Councilmember Daniels.

Murdock – Yes

Daniels – Yes

Honomichl – Absent

Ritter – Yes

Lane – Yes

Mayor Walker – Yes

Motion Carried

- h. Consider Ordinance 2593 Initiating Eminent Domain Proceedings for the Sanitary Sewer Main Installation Near Kill Creek Road and 95th Street.

Mr. Brundgardt gave an overview of the item. He noted that the city is still working with the property owners to attempt to find a solution outside of Eminent Domain.

Motion by Councilmember Daniels to approve Ordinance 2593 as written: Second by Councilmember Ritter.

Murdock – Yes

Daniels – Yes

Honomichl – Absent

Ritter – Yes

Lane – Yes

Motion Carried

5. Executive Session: Land Acquisition

Motion by Councilmember Daniels to recess into executive session at 8:50 p.m. for 7 minutes to discuss discussion regarding the acquisition of right of way pursuant to land acquisition, K.S.A. 75-4319(b)(6)), with the open meeting resuming in the City Council chamber at 8:57 p.m.  
Second by Councilmember Lane.

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|--------------------|----------------|
| Murdock – Yes      | Ritter – Yes   |
| Daniels – Yes      | Lane – Yes     |
| Honomichl – Absent | Motion Carried |

Mayor Walker called the meeting back to order at 8:57 p.m.

Motion by Councilmember Daniels to authorize the City Administrator to purchase land in an amount not to exceed \$139,000; Second by Councilmember Murdock.

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

6. Advisory Reports:

- a. City Administrator – No Report
- b. City Attorney – No Report
- c. City Planner – No Report
- d. City Engineer – Noted several road improvements throughout the city.
- e. Assistant City Administrator – Noted several community events in the city.

7. Council & Mayor Comments

Councilmember Murdock – No Report  
Councilmember Daniels – Discussed a proposal from the De Soto School District to consider starting a senior property tax rebate.  
Councilmember Ritter – Asked about placing a speed limit signs near K-10  
Mayor Walker- No Report  
Councilmember Lane – Reminded the group about the Arts Show on Oct. 13<sup>th</sup> & 14<sup>th</sup>.

8. Adjournment

Motion to adjourn by Councilmember Murdock; Second by Councilmember Daniels.  
All Ayes. The meeting was adjourned at 9:03 p.m.

Respectfully Submitted by

*Brandon Mills*  
Brandon Mills, MPA, City Clerk