

## Meeting Minutes

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

### Roll Call

Murdock – Present

Ritter – Present

Daniels – Present

Lane – Present

Honomichl – Present

All are Present

**PUBLIC HEARING:** To Vacate Excess Public Right of Way located within City-owned land along the east and south side of Lexington Avenue, to the north of the Penner Avenue intersection.

Mayor Walker opened the public hearing at 7:01 pm.

Seeing no one wanting to speak the mayor closed the public hearing at 7:02 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 Council Meeting on October 07, 2022.

b. Approve Pay Ordinance No. 936

c. Authorize City Administrator to Accept Low Bid for Diving Boards.

d. Approve Resolution 1088 Calling a Public Hearing for Expansion of Sunflower Tax Increment Financing District to encompass Sunflower property in unincorporated Johnson County that is not within the Gardner-Edgerton School District.

Motion by Councilmember Murdock; Second by Councilmember Daniels.

### Roll Call

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – No

Honomichl – Yes

Motion Carries 4-1

### 2. Call to Public:

Members of the public are welcome to use this time to comment about any matter relating to

the 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 the mayor moved on to the next item.

3. Old Business: None

4. New Business:

- a. Consider Agreement with Johnson County Stormwater Management for Ottawa Street Funding.

Mr. Mike Brungardt led on this item. He reminded the council at the city was awarded \$150,000 from the Johnson County Stormwater Management Advisory Council for the Ottawa Street reconstruction project. The funds are to be used to pay for the replacement of two large culverts just north of the BNSF railroad. He outlined the terms of the agreement and recommended council approve the agreement.

Motion by Councilmember Daniels to approve the agreement Johnson County for the Ottawa Street Stormwater Renewal Project; Second by Councilmember Lane.

Roll Call

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Motion Carries

- b. Consider Agreement with Johnson County CARS for Lexington Avenue Funding.

Mr. Brungardt led on this item. He noted that Johnson County has committed \$2.0 million from the CARS program toward the reconstruction of 103<sup>rd</sup> Street and Lexington Avenue. The overall project is being administered by the Kansas Department of Transportation and is estimated to cost \$40.0 million. He announced that all CARS funding requires the city and county to enter into an interlocal agreement before the county will formally commit to the fund.

Motion by Councilmember Murdock to authorize the Mayor to sign the interlocal agreement with Johnson County providing for CARS funding for the 2023 Lexington Avenue Reconstruction Project; Second by Councilmember Ritter.

Roll Call

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Motion Carries

c. Consider Public Art Fund Policy

Mr. Brandon Mills, Assistant City Administrator, led on this item. He gave an overview of the policy and the restrictions for the public art fund. He recommended that the council discuss the policy and noted that he would bring back an ordinance for the next city council meeting.

Councilmember Murdock discussed how the council would control the fund and that the fund is open to all arts-based non-profits in the community.

d. Consider Proposal from IBTS for Third-Party Plan Review and Building Inspection Services for the Panasonic Project

Mr. Mike Brungardt led on this item. He announced that he and Mr. Cameron Maughmer, Building Official had received two bids for inspection services for the proposed Panasonic battery facility. He noted that due to the accelerated timeline for the project competition, the staff is asking that council authorize staff to engage with IBTS for 3<sup>rd</sup> Party Plan Review and Inspection Services Proposals.

The council discussed its requirement that the city receives a deposit or down payment for services in the form of a building permit before the city would move forward with the development.

Councilmember Lane discussed the proposed TIF agreements with Panasonic or Sunflower Redevelopment.

Motion by Councilmember Honomichl to authorize staff to engage with IBTS for third-party Plan Review and Building Inspection Services with the caveat of the city receiving a deposit from the developer for inspection fees; Second by Councilmember Murdock.

Roll Call

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – No

Honomichl – Yes

Motion Carries 4-1

e. Receive Report on 83rd Street Bridge and Consider Design Contract with Lochner.

Mr. Brungardt led on this item. He announced that in April the city had engaged Lochner Engineering to design the 83rd Street Bridge replacement project. The agreement is structured in phases, with the first phase including surveying and a study of bridge type and alignment options. The study findings are now complete, and we want to present them to the Council before starting the public involvement.

Motion by councilmember Daniels table until the November 3<sup>rd</sup> City Council meeting; Second by Councilmember Honomichl.

Murdock – Yes  
Daniels – Yes  
Honomichl – Yes

Ritter – Yes  
Lane – Yes

Motion Carries

- f. Consider Task Orders with HDR for Continued Support Activities Related to the Panasonic Project.  
Mr. Brungardt led on this item. He noted that HDR had completed several task orders in support of economic development opportunities in the southwest growth area. He has asked HDR to complete two more task orders connected to the next phase of their work on the water plant expansion. He gave a brief overview of each task order and asked that the city council approve two task orders.

Motion by Councilmember Ritter to approve the task with HDR for Basis for Design report; Second by Councilmember Daniels.

Murdock – Yes  
Daniels – Yes  
Honomichl – Yes

Ritter – Yes  
Lane – Yes

Motion Carries

Motion by Councilmember Murdock to approve task order with HDR for staff support for utility and planning coordination; Second by Councilmember Daniels.

Murdock – Yes  
Daniels – Yes  
Honomichl – Yes

Ritter – Yes  
Lane – Yes

Motion Carries

- G. Consider Ordinance No. 2548 Rezoning Portion of Sunflower Property at 95th and Lexington Ave (1,351 acres) from RUR to M1.  
Mr. Brad Weisenburger, City Planner, led on this item. He noted that this is the first rezoning request within the annexation of 6,000 acres of property which was annexed in January 2022. This re-zoning request is for 1,351 acres. He stated that any annexation of property that enters the city with the current county zoning and by state statute must be rezoned to a City of De Soto zoning category. The owner of the property, Sunflower Redevelopment Group is requesting a rezoning to M-1.

Motion by councilmember Murdock to approve ordinance 2548 rezoning 1,351 to M1: Second by councilmember Daniels.

Murdock – Yes

Daniels – Yes

Honomichl – Yes

Ritter – Yes

Lane – Yes

Mayor Walker - Yes

- H. Consider Ordinance No. 2549 Rezoning Portion of Sunflower Property at 95th and Lexington Ave (1,351 acres) from RUR to M1.

Mr. Brad Weisenburger announced that the application had been submitted to rezone a 2-acre tract of land along Lexington Ave, north of the Dollar General to PD–Planned Development. He noted that the tract is currently unzoned, it is vacant right-of-way for Lexington Avenue. He informed the council that the request is being made by Dustin Baker of Alcove Development and Matt Fehr. Mr. Weisenburger recommended approval of the rezoning request.

Motion by Councilmember Daniels to approve Ordinance No. 2549; Second by Councilmember Murdock.

Roll Call

Murdock – Yes

Daniels – Yes

Honomichl – Yes

Ritter – Yes

Lane – Yes

Mayor Walker – Yes

Motion Carries

- I. Consider Resolution No. 1087 Approving City Concert Event, to Include Allowing Consumption of Alcohol on Public Property.

Mr. Patrick Reavey, City Attorney led on this item. He gave an overview of the resolution and recommended approval of the resolution.

Motion by Councilmember to approve resolution 1087; Second by Councilmember Ritter.

Roll Call

Murdock – Yes

Daniels – Yes

Honomichl – Yes

Ritter – Yes

Lane – Yes

- J. Consider Ordinance No. 2550 Vacating Public Right-of-Way Within City-Owned Land along Lexington Avenue.

Mr. Reavey led on this item. He noted that the ordinance would authorize the city clerk to file the ordinance with Johnson County and remove the property from the right of way.

Motion by Councilmember Murdock; Second by Councilmember Honomichl

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Motion Carries

5. Executive Session:

6. Advisory Reports:

- a. City Administrator – Welcomed Mr. Chet Belcher, City Engineer to the city. Mr. Brungardt discussed the right-of-way acquisitions improvements to 103<sup>rd</sup> street, Lexington Ave, Evening Star RD, and throughout the Southwest Growth Area. He discussed several parcels that could be impacted. He noted that the city had begun the negotiation process with the landowners.
- b. City Attorney – Asked Dustin Baker to give an update to a storage facility located at 32855 Lexington Ave. Mr. Baker announced that he was under contract to purchase the property.
- c. City Planner- No Report
- d. Assistant City Administrator- Announced that the Chamber of Commerce had invited City Council to the Kansas City Area Development Council annual lunch.

7. Council & Mayor Comments

Councilmember Ritter- No Report

Councilmember Lane- No Report

Councilmember Daniel – Thanked the Communication Director for the good-to-know weekly email.

Councilmember Murdock – No Report

Councilmember Honomichl – No Report

Mayor Walker – Asked Council to appoint Catherine Triplett to the Drug And Alcoholism Council

Motion by Councilmember Murdock to appoint Catherine Triplett to the Drug and Alcoholism Council; Second by Councilmember Daniels.

Murdock – Yes

Ritter – Yes

Daniels – Yes

Lane – Yes

Honomichl – Yes

Motion Carries.

8. Adjournment

Motion by Councilmember Murdock to adjourn; Second by Councilmember Honomichl. All councilmember stated yes. The meeting was adjourned at 8:03 pm.

Respectfully Submitted by

*Brandon Mills*  
Brandon Mills, MPA, City Clerk