

MINUTES

Due to public health orders related to COVID-19, the meeting will be closed to the public. Members of the public who wish to observe the meeting can do so via the City's YouTube channel at

<https://www.youtube.com/user/DeSotoKansas/live>.

Meeting information materials can be viewed here:

https://drive.google.com/open?id=1EZevjmw6jDj-ze7NX_3I9O3dyLmSXhbj

Applicants or members of the public who wish to participate during the meeting may join the video conference at <https://www.gotomeet.me/DeSotoKS>

The meeting was called to order with Roll Call by Mayor Rick Walker.

Roll Call:	Lane	Present	Ritter	Present
	Daniels	Present	Murdock	Present
	Honomichl	Present		

Mayor Walker led the Pledge of Allegiance.

Public Hearing: Consider Projects for 2021 CDBG Application. Planning Director Brad Weisenburger said this is a follow up from the last Council meeting. Staff provided a list of projects for consideration. The deadline for submittal is June 1st.

Mayor Walker opened the public hearing for comments. No one commented from the public and the public hearing was closed.

Motion by Council member Honomichl to approve the Project of replacement of the water line on Wea Street and construct the new sidewalk north of 82nd Street; second by Murdock.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Yes	Murdock	Yes
	Honomichl	Yes		

Motion carried.

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 May 7, 2020.
 - b. Approve Pay Ordinance No. 878.
 - c. Approve Collateral Assignment for K TEN PLACE II, LLC Project.

Motion by Council member Murdock to approve the Consent Agenda; second by Lane.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Yes	Murdock	Yes
	Honomichl	Yes		

Motion carried.

2. Call to Public:

Because members of the public cannot attend council meetings at this time, the public comment portion of the agenda is temporarily suspended. No notifications were presented.

3. Old Business: None

4. New Business:

a. Consider Ordinance No. 2491 Approving Special Use Permit for Mill Creek Gun Club.

Planning Director Brad Weisenburger provided Council with comments from his report dated May 21, 2020. Staff conclusions on the criteria are generally positive, in favor of granting the application. The Planning Commission has requested Council review the existing terms and specifically consider the hours of operation and the items that are a part of the special use permit. Attorney Reavey stated the fact that the Gun Club is changing some items, this triggers the review of the existing terms by the City Council. Attorney Reavey explained the ordinance presented to the Council.

Mayor Walker said he hasn't received any complaints about the Gun Club. Attorney Reavey said he has not received any complaints. Discussion ensued concerning the hours when shooting can commence. Council member Murdock commented on the special hours for law enforcement being able to start earlier than the general public. Council member Daniels said he has talked with City staff and there haven't been any complaints filed about the Gun Club. The expansion is almost entirely for the use by law enforcement. Council said there is consensus with the approval of the Special Use Permit

Motion by Council member Daniels to approve Ordinance No. 2491 Authorizing Changes to Existing Special Use Permit for Mill Creek Rifle Club Located at 7215 Gardner Road; second by Lane.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Yes	Murdock`	Yes
	Honomichl	Yes		

Motion carried.

b. Consider Ordinance No. 2492 Approving Text Amendment Relating to Auto Sales in the Downtown Commercial Zoning District. Planning Director Weisenburger provided comments from his report dated May 21, 2020. Following input from the Planning Commission, a public hearing was held. City Attorney Patrick Reavey prepared a text amendment and Planning Commission agreed to the amendment to the City Code as presented in the report to allow for indoor sale and display of motor vehicles and parts. This amendment requires at least eighty percent (80%) of the motor vehicles displayed and/or offered for sale must meet the definition of being an "antique" under Kansas law, currently more than 35 years old as set forth in K.S.A. 8-166(a).

Council member Honomichl commented on the business hours being posted. Discussion ensued between Council members and Staff. Discussion this is a specialty type business. Attorney Reavey commented on the flexibility and the uniqueness of the business. It will be a business monitored under a Special Use Permit. Council member Honomichl said this is a text amendment for the "C-1" District.

Motion by Council member Honomichl to approve Ordinance No. 2492 Adopting the Planning Commission's Recommendation to Revise the Zoning Regulations to Provide for Issuance of a Special Use Permit for the Indoor Sale and Display of Motor Vehicles and Parts in a Permanent Structure within the City "C-1" Business-Central District; second by Murdock.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Yes	Murdock	Yes
	Honomichl	Yes	Mayor	Yes

Motion carried.

- c. Consider Bids for Street Patching. Planning Director Weisenburger stated the budget amount for street maintenance in 2020 is \$535,000. Council has previously approved 95th Street. Due to the Covid 19 pandemic and the temporary furloughs, City crews do not have the ability to complete all the items to complete the milling and patching on the 95th Street project. Bids were let and three bids were received for the Granite Chip Seal and Crack Seal surfacing.

Motion by Council member Murdock to award the project to McAnany Construction in a not to exceed price of \$14,000 to complete the patching on 95th Street; second by Honomichl.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Yes	Murdock	Yes
	Honomichl	Yes		

Motion carried.

- d. Consider Bids for Street Resurfacing. Planning Director Weisenburger stated this project was included as part of the street improvements for 2020. The project length is just under one mile. Staff received two bid submittals for the UBAS treatment on Lexington Avenue from Wea Street to Valley Spring Drive. The markings have been removed from the project and placed in the UBAS project. Two bids were received.

Motion by Council member Daniels to award the project to McAnany Construction in a not to exceed price of \$152,500 for UBAS from Wea Street to Valley Spring Drive; second by Murdock.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Yes	Murdock	Yes
	Honomichl	Yes		

Motion carried.

- e. Consider Final Plat for Brook West Estates II. Planning Director Weisenburger stated this is a final plat being submitted by Mr. Nate Harding representing Copper Ridge Development Co. The plat contains five lots on an unplatted tract. The preliminary plat has been compared to the final plat and is consistent with the preliminary plat, current zoning and the recently updated Comprehensive Plan. Staff said Lot 28 is actually a buildable lot and will be tied into the City sewer. There will be some right-of-way and easement dedications.

Motion by Council member Honomichl to accept the dedication of easements and rights-of-way indicated on the final plat; second by Lane.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Yes	Murdock	Yes
	Honomichl	Yes	Mayor	Yes

Motion carried.

- f. Consider Proposals for Survey of Park Acquisition Property. Administrator Brungardt said the City entered into a property purchase option on the 30-acre Sigman property. The City will

need to provide a survey prior to the purchase. Administrator Brungardt explained the three tracts involved for the boundary survey. He obtained five (5) proposals for the work.

Motion by Council member Murdock to accept the proposal from Allenbrand-Drews & Associates in the amount of \$6,680.00; second by Ritter.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Yes	Murdock	Yes
	Honomichl	Yes		

Motion carried.

- g. Receive and Discuss Draft 2021 Budget. Administrator Brungardt said there is new information received since the report went out in the Council packet last Friday. The overall sales tax revenue was prepared based on a 20% reduction for 2020. For 2021 the merit increase for employee wages will be zero, with a proposed cost of living increase of 1.5%. Administrator Brungardt reviewed the funds and the historical charts as outlined in his Staff report to Council dated May 21, 2020. Today, Administrator Brungardt looked at the State's website today and said the sales tax number for De Soto are up almost 20% from this same time frame in 2019. This was good news considering the pandemic.

Discussion between Council member Honomichl on what MARC staff projections are looking at for 2021. He feels when CERI comes out with the Johnson County expected performance the City may be slightly higher. Administrator Brungardt commented on Johnson County receiving COVID funds and the criteria for use of those funds is very strict.

Administrator Brungardt continued to comment on his findings for the General Fund Considerations. The majority of each fund has been reduced by five percent (5%). He commented on the 2021 CIP projects totaling \$2.7 Million. The repairs on 95th Street are still being discussed with SRL. Those funds are part of the Contingency Fund allocation.

Administrator Brungardt said the Water Fund revenues are not expected to suffer significantly from the COVID-related shutdowns. Water and Sewer Fund increases that were budgeted for 2021 will not be needed to implement.

Council member Daniels asked about any updates on the City selling water. Administrator Brungardt said he hasn't heard anything. No further comments from Council members. Mayor Walker said we will have to be prepared to give employees raises if the economy does bounce back faster than anticipated.

5. Executive Session: N/A

6. Advisory Reports:

- a. City Administrator, Mike Brungardt, provided Council with the City's reopening plan. He commented on the Phase 1.5 and then the revised Phase 2. Staff is adapting to the ever-changing plan. He said the County is now following the State's plan. Administrator Brungardt said the opening of City Hall will be no sooner than June 15th. At that time, the Council meetings may be open to the public with the social distancing and recommended safety procedures. Discussion on the reopening of the ballfields. A decision on the pool will be made at the next Council meeting. A discussion ensued regarding the availability to train lifeguards and have the safety precautions in place to open on July 1st. All furloughed employees will be back to work on June 1st.
- b. City Attorney, Patrick Reavey, provided Council with a potential island annexation. A

developer has contacted the City regarding the City annexing their property. He has contacted Johnson County Planning Staff and they stated they will need additional information from the property owner or the City to determine whether the County would recommend approval of the proposed island annexation. Council discussion ensued that the City doesn't want to put a barrier to the property surrounding the subject property to be developed at its best use. Council member Honomichl said he preferred it stay in the county. Mayor Walker polled the Council and said this is the consensus of the Council at this time.

c. City Planner, Brad Weisenburger, no report.

d. City Clerk, Lana McPherson, no report.

7. Council & Mayor Comments:

Council member Ritter said he had a call from a neighbor at 85th and High Street concerning a property that is in disrepair. Administrator Brungardt said the property changed ownership in the midst of the Code enforcement. He said he has talked to the current property owner today and will be sending him an email with a punch list.

Council member Lane said he would like to give a special thanks to the City crews for taking in all the brush for the past two weeks. It helped clean out a lot of brush.

No comments from Council member Murdock.

Council member Daniels asked about the Council Minutes being current on the website. He said the April Minutes had not yet been posted. Administrator Brungardt said Staff will take care of that.

Council member Daniels commented on the 95th Street travel lanes being reconfigured. Discussion. Administrator Brungardt and Council discussed the turn lanes and school lanes.

Council member Daniels said he was at the Johnson County Sheriff's Office today sitting on the interview board for the deputies who applied to come to De Soto. Deputy Wesley Peel will be the De Soto patrol officer.

Council member Honomichl thanked Administrator Brungardt for a code enforcement matter. He said he appreciated the quick response on the culvert matter during the heavy thunderstorm. Mayor Walker commented on the crews getting on top of this.

Council member Daniels asked about the Jakes Fireworks sign that is blowing in the wind. The fabric sign isn't what was approved as a permanent sign. Staff will follow up on this.

Mayor Walker asked that Council approve his reappointments of Linda Lane and Roger Templin to continue to serve on the Planning Commission.

Motion by Council member Murdock to approve the Mayor's appointments of Linda Lane and Roger Templin to another term on the Planning Commission; second by Honomichl.

Roll Call:	Lane	Yes	Ritter	Yes
	Daniels	Yes	Murdock	Yes
	Honomichl	Yes		

Motion carried.

Mayor Walker said the Park Board has lost a member due to a move. He said he would like to appoint Jim Doscher to the Park Board.

Motion by Council member Honomichl to appoint Jim Doscher to the Park Board; second by Murdock.

All Council approved by “ayes.”

Motion carried.

Mayor Walker had no further comments.

Motion by Council member Murdock to adjourn at 8:56 p.m.; second by Honomichl.

All Council approved by “ayes.”

Motion carried.

Respectfully submitted:

Lana R. McPherson, MMC, City Clerk