

MINUTES

The meeting was called to order with Roll Call by Council President Lori Murdock.

Roll Call:	Lane – Present	Ritter - Present
	Daniels - Present	Murdock - Present
	Honomichl – Present	Walker – Absent for beginning of meeting

Council President Murdock led the Pledge of Allegiance. Citizens signed the book on page 49.

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 August 16th, 2018.
 - b. Approve Pay Ordinance No. 837.

Motion by Councilmember Ritter to approve the Consent Agenda; second by Daniels.

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

Motion Carries.

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."

None.

3. Old Business: None.

4. New Business:

Motion by Honomichl to move Agenda Item 4b to be considered after Agenda Item 4j, second by Lane.

All Ayes.

Motion carries.

- a. Discuss Building Discount Program and Permit Fees.

City Administrator introduced this topic, and provided historical background on the program. Previous discussion by the Council indicated it may be time to end the program. He shared viewpoints of local builders (all wanted to continue the program) who attended a meeting with staff.

To support continuing the discount program, the builders indicate that home prices in De Soto slightly lag behind prices in eastern Johnson County. Brungardt shared with the Council staff's proposal to adjust building fees, which results in essentially the same discount to builders, but it will be permanent as opposed to being part of a recurring discount program.

Discussion among Council on the program, and whether to continue it or permanently reduce fees. Consensus is to go along with Staff's recommendation to permanently adjust fees, rather than continuing a discount program. Staff will bring back an adjusted Fee Resolution to the next meeting.

Mayor Walker entered the Council Chamber at 7:45 p.m.

b. Consider Proposal for Accounting and Court Software System.

City Administrator introduced this topic. Provided staff's observations on the proposals submitted. Staff recommends Tyler Technologies. City Attorney disclosed to Council the issue of limitation and waiver of damages in the contract, which the company is indicating they won't revise.

Discussion by Council about moving forward with the contract, and what risks there are.

Motion by Council member Daniels to approve contract, but with direction that City Administrator and City Attorney work with Tyler on limitation and waiver of damages provisions, Second by Honomichl.

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

Motion carries.

c. Consider Engineering Services Agreement with CFS Engineering for 91st Street Project.

Mayor Walker abstained and left the Council Chamber due to his affiliation with CFS Engineering.

City Administrator introduced the topic, provided details on the project.

Motion by Council member Daniels to approve the scope and fee proposal from CFS in the amount of \$148,595 and authorize the City Administrator to sign the contract for services; second by Lane.

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

Motion Carries.

Motion by Ritter to take a five-minute break, Second by Lane.

All approved by Ayes.

Motion Carries.

Motion by Honomichl to move Broadband item up to new business item 4.d., second by Daniels.

All approved by Ayes.

Motion carried.

d. Consider Committee Recommendations for Citywide Broadband Solution.

City Administrator introduced the item, explained the background of this item. He also brought the Council's attention to a letter submitted by Charter, making the point that Charter believes it is inappropriate for City funds to be used for building out areas already being served. City Administrator emphasized that any public funds toward the project will only be used for unserved areas. The confidentiality of information submitted was also discussed by the City Administrator.

City Administrator went over as many details about the proposals as permitted without releasing confidential information. The committee believed RG Fiber's proposal was best, it uses Micro conduit and will provide City with four conduit channels to be used for other competitors.

Mayor Walker thanked the committee members for their participation. Councilmember Honomichl provided his viewpoints on the need for city-wide broadband, and the proposals submitted.

Shannon Kellner, member of the committee and an employee of Merck in De Soto, addressed the Council about his viewpoints on the need for broadband in the City.

City Attorney pointed out that ultimate public expenditure will be subject of contract, and therefore public will know what the expenditure is that the City spends for the project.

Councilmember Lane shared his difficulties with internet service at his residence, and how it adversely affects real estate development within the City.

Lisa Burns, 9815 Post Oak Drive, De Soto, shared that she is a resident of Cherished Oak, and her internet service is extremely inferior, makes working from home almost impossible.

Councilmember Daniels asked question about Charter excluding Clearview City, and regional prices. He also had questions about RG Fiber's build-out schedule.

City Attorney made the point that access will be provided to Clearview City, it is just a matter of the owner of Clearview City doing what is necessary for residents to connect to broadband.

Councilmember Murdock expressed concern about residents of Clearview City, she stressed that City should continue to talk to the owner of Clearview City to find a solution.

Brief discussion among Councilmembers about the proposals.

Motion by Council member Murdock to recess into Executive Session at 8:40 p.m. for ten minutes to discuss data relating to confidential financial affairs of companies that made proposals (at their request) pursuant to K.S.A. 75-4319(b)(4), with the open meeting to resume in the City Council Chamber at 8:50 p.m.); second by Daniels

All Ayes

Motion Carries.

Motion by Council member Murdock to select RG Fiber as the City's Broadband Service Partner, and authorize the Broadband Committee to proceed with negotiations on a contract to be presented to the City Council at a future meeting; second by Daniels.

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

Motion Carries.

- e. Consider Facility Use Agreement with Johnson County for the Meals on Wheels program.

City Administrator presented item.

Motion by Council member Murdock to authorize the Mayor to sign the facility use agreement; second by Honomichl.

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

Motion Carries.

- f. Consider Change Order #2 on the Raw Water Main Project.

City Administrator explained the need for the Change Order, and funding.

Motion by Council member Murdock to approve Change Order Request #2 from Ace Pipe Cleaning in the amount of \$31,901.00; second by Ritter.

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

Motion Carries.

- g. Consider Bids for the Sunflower Water Treatment Plant Exterior Renovations.

City Administrator went over the proposed improvements, and shared that there was not a lot of interest in the project by contractors given other work in the area. Only two bids were received.

Councilmember Ritter asked if there were asbestos, potential for change order. Old siding is asbestos, but cost for removal should be included in the bid.

Motion by Council member Daniels to award the project to Combes Construction LLC to complete the water Plant Exterior Repairs in an amount not to exceed \$263,975; second by Murdock.

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

Motion Carries.

- h. Consider Change Order #1 for the 2018 UBAS Project.

City Administrator shared that there was a 20% overage on unit costs, which requires a change order. He also discussed Capital Improvements funding.

Motion by Council member Murdock to approve the listing of project deducts from the 2018 CIP to balance expenditures with the budget and approve Change Order #1 of \$37,746.70 to McAnany for the UBAS overage; second by Honomichl.

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

Motion Carries.

- i. Bids for Spring Drive Waterline Replacement.

City Administrator presented information on this item, eight bids were submitted.

Councilmember Lane asked about size of line. Old line was two inches, new line will be eight inches. There was also a question about the fire hydrant. It was noted by City Administrator that there will be new hydrant installed.

Motion by Council member Murdock to award the project to Rodriguez Mechanical Contracting to complete the Water Line Replacement Project on Spring Drive in an amount not to exceed \$49,635; second by Lane.

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

Motion Carries.

- j. Bids for Lexington Avenue Sidewalk Repairs.

City Administrator presented on this item. Reminded Council of resident raising concern about this sidewalk some time ago. Ten bids were submitted. Discussion among Council regarding elevation for drainage.

Motion by Council member Daniels to award the project to Vintage Greenmark to complete the Lexington Trail Repair project in an amount not to exceed \$13,404; second by Ritter.

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

Motion Carries.

- k. Executive Session: None.

- l. Advisory Reports:

- a. City Administrator, Mike Brungardt, provided information about new website, asked Council to provide feedback. The plan is for an October 4 launch date. He also provided information about City increasing its social media activity, to enhance communication.
- b. City Attorney, Patrick Reavey, no report.
- c. City Planner, Brad Weisenburger, was not present.
- d. City Clerk, Lana McPherson, was not present.

m. Council & Mayor Comments:

Council member Lane invited Council members to Art Fest at Zimmerman's Barn September 14, 2018 through September 16, 2018.

Councilmember Ritter asked about De Soto Days. Discussion among Council about how things went.

Councilmember Daniels talked about vehicle that drove off into drainage area, and pointed out that this happens every year. He believes the City should make an effort to prevent this. Councilmember Daniels also mentioned seeing Ron Creason at car show as part of De Soto Days. He appears to be healing and in good spirits.

Councilmember Honomichl thanked Mayor, Council and Mike for the support on the Broadband initiative. The success is media worthy. Also mentioned a program he attended over lunch today, put on by MARC, concerning Regional Transportation. He believes it is important for the City to be engaged.

Mayor Walker mentioned that Transportation Task Force asked City for feedback, but Mayor is unsure what De Soto would share. Discussion among Council. He also indicated there was a representative from GSA at the Council of Mayors meeting, and shared a cooperative purchasing program they have.

Motion by Council member Murdock to adjourn at 9:30 p.m.; second by Honomichl.

All Council approved by "ayes."

Motion carried.

Respectfully submitted:

Patrick G. Reavey, City Attorney