

City Council Minutes – Regular Meeting – Monday, May 8, 2017

The Bonner Springs City Council met in regular session at 7:30 p.m. on Monday, May 8, 2017.

Governing Body Present: Mayor Jeff Harrington; Councilmembers: Tom Stephens, George Cooper, Joe Peterson, Mike Thompson, Mark Kipp, Dani Gurley and Rodger Shannon

Governing Body Absent: Councilmember Bob Reeves

City Staff Present: Sean Pederson, City Manager; Amber McCullough, City Clerk; Tillie LaPlante, Finance Director; Don Slone, City Planner; Rick Sailer, Public Works and Utilities Director; Billy Naff, Police Chief; George Collins, Police Sergeant; Coleman Marshall, Police Officer; Adam Doran, Police Officer; Matthew Warczakoski, EMT; Kenneth Russell EMT; Clint Worrall, Water Maintenance Laborer; Vince Feden, Foreman; and Robert Bryant, Water Plant Operator

Others Present: Tyler Ellsworth, Kutak Rock

The Mayor led the Pledge of Allegiance to the Flag of the United States of America, and asked Councilmember, Mike Thompson to lead the invocation.

Item No. 1 – Proclamation – Law Enforcement Week - The Mayor presented a proclamation to Bonner Springs Police Officers in honor of Law Enforcement Memorial Week.

Item No. 2 – Proclamation- EMS Week – The Mayor presented a proclamation to EMS personnel in honor of EMS Week.

Item No. 3 – Proclamation – National Drinking Water Week May 7-13 - The Mayor presented a Proclamation to staff of the Public Works and Utilities department in honor of National Drinking Water Week.

Item No. 4 - Citizen Concerns About Items Not on Today’s Agenda – None presented.

CONSENT AGENDA

The Mayor read the Consent Agenda Items 5 through 8 and asked the staff, audience or City Council if they wished to remove an item for separate consideration.

Item No. 5 – Minutes of the April 24, 2017 City Council Meeting – Presented for approval.

Item No. 6 – Claims for City Operations for May 8, 2017 - Presented for approval were Supplement Claims in the amount of \$92,206.73 and Regular Claims in the amount of \$278,944.74.

Item No. 7 – Public Housing Authority Claims for May 8, 2017 – Presented for approval were Regular Claims in the amount of \$26,373.10.

Item No. 8 – Mowing Bid – The City received one bid on April 18, 2017 for mowing services. Since the bid opening, the contractor withdrew their bid to focus on their current customers. Staff recommended the City Council accept the withdrawal of the bid without award of the project.

CONSENT AGENDA APPROVAL

Cooper made a Motion to Approve the Consent Agenda. Peterson seconded the motion and it carried on a vote of seven to zero.

REGULAR MEETING AGENDA

Item No. 9 – KG Properties LLC IRB Hearing – Tyler Ellsworth, Kutak Rock presented:

➤KG Properties LLC requested a ten-year tax abatement to consolidate their operations.

➤KG Properties LLC requested an IRB in excess of 50% which is the standard for the City’s IRB.

Cooper made a Motion to Hold a Public Hearing to Consider a Kansas Sales Tax and Ad Valorem Tax Exemption for Property Financed With the Proceeds of Approximately \$13,932,170 of Industrial Revenue Bonds. Stephens seconded the motion and it carried on a vote of seven to zero.

➤John Snyder, Dentons LLP, represented KG Properties. When the PILOT study and cost benefit analysis came out, KG Properties realized the discrepancy in their expectations and the City’s and would like to further discuss the request before the City Council holds a public hearing.

Gurley made a Motion to Continue the Public Hearing to Consider a Kansas Sales Tax and Ad Valorem Tax Exemption for Property Financed With the Proceeds of Approximately \$13,932,170 of Industrial Revenue Bonds to the May 22, 2017 City Council Meeting. Peterson seconded the motion and it carried on a vote of seven to zero.

Item No. 10 – KG Properties IRB Resolution

Stephens made a Motion to Table Item No. 10 to Table a Resolution of Intent to Issue Industrial Revenue Bonds in the Approximate Amount of \$13,932,170 for KG Properties, LLC for Property Tax Abatement and Sales Tax Exemption. Peterson seconded the motion and it carried on a vote of seven to zero.

Item No. 11 – Rezoning: BSZ-137, Lake Forest Addition – The City Planner presented:

- The Planning Commission held a public hearing on April 18, 2017, for a request by the Lake of the Forest to rezone a 66 foot (3.72 acres) strip of land on the west side of the Lake of the Forest property adjacent to Camp Naish property.
- The request was approved by the three property owners whose land is adjacent to the 3.72 acres.
- The Planning Commission recommended the City Council approve the request to rezone.

Shannon made a Motion to Approve an Ordinance to Rezone 3.72 Acres from A-1, Agricultural, to R-1, Single Family Residential, Subject to the Conditions Listed in the Staff Report. Thompson seconded the motion and it carried on a vote of eight to zero. **Assigned Ordinance No. 2448.**

Item No. 12 – Final Plat: PT-17-101, Lake Forest – Mesa Lot – The City Planner presented:

- The Planning Commission recommended the City Council accept the final plat of land owned by the Lake of the Forest to be addressed as 212 Lake Forest Drive.
- The plat includes no dedications of easements or rights-of-way.

Kipp made a Motion to Accept the Final Plat of the Lake Forest – Mesa Lot. Shannon seconded the motion and it carried on a vote of eight to zero.

Item No. 13 – Resolution for Complete Streets Policy – The City Planner presented:

- The policy does not mandate anything but recommends the City look at new and existing streets and consider the complete streets policy.
- The Planning Commission recommended the City Council adopt the “Complete Streets” policy.

Gurley made a Motion to Adopt a Complete Streets Policy Resolution. Shannon seconded the motion and it carried on a vote of eight to zero. **Assigned Resolution No. 2017 - 03.**

Item No. 14 – Vacation EV-105: 141st Street – Replat Lot No. 1 of Berkel Subdivision – The City Planner presented:

- Both adjacent property owners requested the City vacate the 60-foot right-of-way which will then revert to Wilkerson Crane Rentals, Inc. property owner of parcel no. 283001.
- The right-of-way was dedicated in 2004
- The Planning Commission recommended approval of an ordinance vacating the right-of-way and retaining a utility easement.

Thompson made a Motion to Approve an Ordinance to Vacate the Right-of-Way and Retain as a Utility Easement Subject to the Conditions Listed in the Staff Report. Stephens seconded the motion and it carried on a vote of eight to zero. **Assigned Ordinance No. 2449.**

Item No. 15 – Comprehensive Plan Change BSCP-29: Compass Center Project – The City Planner presented:

- Korb Maxwell, Polsinelli PC requested on behalf of developer, Compass Commodity Group 33, LLC to change the Future Land Use Map from Vacant/Agricultural designation to an Industrial designation.
- The property is located at 100 S 110th Street.
- Hunter Harris, Lane 4, answered councilmembers questions about possible future plans for the site.
- The Planning Commission recommended the City Council approve the requested Future Land Use map for 156.68 acres to an Industrial Land Use designation.

Shannon made a Motion to Approve the Change to the Future Land Use Map of the Comprehensive Plan for 156.68 Acres from Vacant/Agricultural to Industrial Land Use Designation. Cooper seconded the motion and it carried on a vote of eight to zero.

Item No. 16 – Rezoning BSZ-138: Compass Center Project – The City Planner presented:

- The Planning Commission and staff recommended the City Council approve an ordinance rezoning 156.68 from A-1, Agricultural to I-1, Light Industrial subject to five conditions listed in the staff report in the agenda.

Shannon made a Motion to Approve an Ordinance Rezoning 156.68 Acres from A-1, Agricultural, to I-1, Light Industrial, Subject to the Conditions Listed in the Staff Report. Cooper seconded the motion and it carried on a vote of eight to zero.

Item No. 17 – Utility Rates – The Finance Director presented:

- The City Council discussed increasing utility rates at the April 24 Workshop as suggested by the Utility rate Study.
- Staff recommended the City Council approve a new rate structure as follows:

- **Water Monthly Service Fee:**

- Increase the base service fee for the 5/8” meter from \$12.85 to \$16.60
- Decrease the base service fee for the 1” meter from \$18.57 to \$18.38
- Decrease the base service fee for the 2” meter from \$45.95 to \$37.58

- Increase the base service fee for the 3” meter from \$68.84 to \$76.60
- Increase the base service fee for the 4” meter from \$115.66 to \$121.50
- Increase the base service fee for the 6” meter from \$204.95 to \$242.41
- Increase the base service fee for the 8” meter from \$270 to \$41309

• **Water Usage Rate:**

- Increase from \$5.57 to \$6.18 per thousand gallons and eliminate the volume discount rate for usage over 120,000 gallons

• **Water Impact Fees:**

- Maintain 5/8” meter at \$2,500
- Decrease 1” meter from \$5,000 to \$4,001
- Increase 2” meter from \$12,500 to \$16,387
- Decrease 3” meter from \$30,000 to \$39,329
- Set 4”, 6” and 8” meters at \$39,329, \$67,122 and \$93,971 respectively

• **Water Out-of-City Service Fees and Rates:**

- Increase from 110% to 150% of the in-city fee rate.

• **Wastewater Monthly Service Fee:** change from a flat rate to rate based on meter size

- Increase 5/8” meter from \$16.15 to \$16.39
- Increase 1” meter from \$16.15 to \$18.71
- Increase 2” meter from \$16.15 to \$43.68
- Increase 3” meter from \$16.15 to \$94.56
- Increase 4” meter size from \$16.15 to \$152.85
- Increase 6” meter size from \$16.15 to \$310.11
- Increase 8” meter size from \$16.15 to \$532.14

• **Wastewater Usage Rate:**

- Increase from \$6.15 to \$6.66 per thousand gallons

• **Wastewater Impact Fees:**

- Maintain 5/8’ meter at \$4,000
- Decrease 1” meter from \$8,090 to \$6,400
- Increase 2’ meter from \$14,750 to \$26,215
- Set 4”, 6” and 8” meters at \$62,917, \$107,378 and \$150,329 respectively

➤ The recommended changes would provide adequate funding to cover operating costs and capital needs and maintain adequate reserves for the next ten years.

Stephens made a Motion to Approve Water and Wastewater Rate and Fee Changes Listed Within the Staff Report Effective for Bills Issued After June 1, 2017. Gurley seconded the motion and it carried on a vote of six to one with Councilmember Cooper dissenting.

Item No. 18 – City Manager’s Report – The City Manager reported:

- A list of upcoming events was included in the City Manager’s report in the agenda. The Farmers’ Market started this week and it and Marble Day were successful events.
- Trash pick up will be delayed by one day during the Memorial Day holiday.
- A budget meeting calendar was included in the City Manager’s report for consideration. June 12th will be the first Budget Briefing.

Item No. 19 – City Council Items –

- Stephens asked if the Memorial dedication will be May 20. Yes, the dedication of the Monument of Appreciation will be Saturday, May 20th at North Park at 1:00 p.m.
- Cooper stated Marble Day was fun; the Farmer’s Market was fun but needs a little tweaking.
- Kipp congratulated Travis Slankard on the successful first weekend of the Farmers’ Market.

Item No. 20 – Mayor’s Report – The Mayor:

- Asked Travis Slankard to make a brief report on the Farmer’s Market.
- Travis reported everything went well with just a couple hiccups and he is working on fixing those. Overall the market exceeded everyone’s expectations and many vendors sold out or product or sold more than at other venues. Most vendors reported they cleared more than \$1,000. He appreciated all the help and support he received with the event. Events are planned for each of the upcoming Saturdays to draw attendance at the Farmers’ Market.
- The Mayor thanked staff for their hard work on Marble Days.
- The Mayor stated he was happy to be part of the Farmers’ Market and support it.
- The City will hold the annual Memorial Day Celebration at the cemetery on Monday, May 29th at 10:00 a.m.

- The Law Enforcement Memorial Celebration is at Kelly Murphy Park on Wednesday, May 17th at 11:00 a.m..
- The City received Tree City designation for the 31st year in a row this year.
- Providence Medical Center is hosting an EMS Week celebration picnic and blessing of service vehicles on Wednesday, May 17th.
- Cooper stated he attended the DARE festival and reported it was a cool event.

The meeting adjourned at 8:46 p.m.

_____ Amber McCullough, City Clerk