

**MINUTES-REGULAR MEETING  
MAIZE CITY COUNCIL  
Monday, September 15, 2008**

The Maize City Council met in a regular meeting at 7:30 p.m., Monday, **September 15, 2008** in the Maize City Hall, 10100 Grady Avenue, with *Mayor Clair Donnelly* presiding. Councilmembers present were *Raynol Herndon, Nick Ard, Karen Fitzmier, Donna Clasen* and *Cathy Reed*.

Also present were: *Richard LaMunyon*, City Administrator, *Jocelyn Reid*, City Clerk, *Chief Jensby*, Chief of Police, *Ron Smothers*, Public Works Director, *Bill McKinley*, City Engineer, *Pat Longwell*, Code Enforcement Officer, *Kim Edginton*, Planning Administrator, *Larry Kleeman*, Financial Advisor, *Kim Bell*, Bond Counsel and *Tom Powell*, City Attorney.

**APPROVAL OF AGENDA:**

The Agenda was submitted for approval.

**MOTION:** *Fitzmier* moved to approve the Agenda as presented.  
*Clasen* seconded. Motion declared carried.

**CONSENT AGENDA:**

The Consent Agenda including the Disbursement Report totaling \$638,388.50, checks #46888 through #47045 and Council Minutes for August 18, 2008 was submitted for approval.

**MOTION:** *Clasen* moved to approve the Consent Agenda as presented.  
*Herndon* seconded. Motion declared carried.

**TRANSYSTEMS AGREEMENT:**

An Agreement to review and evaluate the City of Wichita's proposal regarding the 37<sup>th</sup> Street Improvement Project from TranSystems in the amount of 15, 750 was submitted for Council approval. The City of Wichita has proposed providing water to a portion of Maize and in exchange would pay the cost of the 37<sup>th</sup> street proposed improvements. The TranSystems study will provide budgetary impact both in revenues and expenditures.

**MOTION:** *Clasen* moved to approve the TranSystems agreement in an amount not to exceed \$15,750.  
*Fitzmier* seconded. Motion declared carried with *Reed* voting no.

**HAMPTON LAKES PHASE 3 ENGINEERING CONTRACT, BIDS AND CONSTRUCTION CONTRACT:**

An engineering contract from MKEC for the Hampton Lakes Phase 3 project was submitted for Council approval. Bids were received for the water and sewer portions of this project. Nowak Construction submitted the low bid of \$123,572. A construction contract from Nowak was also submitted for Council consideration.

**MOTION:** *Reed* moved to approve the engineering contract with MKEC in an amount not to exceed \$36,700 for design and \$44,000 for construction administration; to accept the Nowak Construction bid of \$123,572, to approve the construction contract with Nowak and to provide notice of award, authorizing the Mayor to sign.  
*Clasen* seconded. Motion declared carried.

**WATERCRESS PHASE 2 ENGINEERING CONTRACT, BIDS AND CONSTRUCTION CONTRACT:**

An engineering contract from MKEC for the Watercress Addition Phase 2 project was submitted for Council approval. Bids were received for the water and sewer portions of this project. McCullough Excavation submitted the low bid of \$93,500. A construction contract from McCullough was also submitted for Council consideration.

**MOTION:** *Clasen* moved to approve the engineering contract with MKEC in amounts not to exceed \$38,600 for design and \$46,300 for construction; to accept the McCullough Excavation bid of \$93,500; to approve the construction contract with McCullough Excavation and to provide notice of award, authorizing the Mayor to sign.  
*Ard* seconded. Motion declared carried.

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**WATERCRESS VILLAGE ADDITION FINAL PLAT:**

The final plat for Watercress Village Addition, a one-lot plat for the development of individually owned town homes, was submitted for Council approval. Based on its findings, the Maize Planning Commission recommended approval of the final plat with conditions. All conditions have been met.

**MOTION:** *Ard* moved to approve the Watercress Village Addition final plat with accompanying dedications and to file the plat with the County Register of Deeds.  
*Clasen* seconded. Motion declared carried.

**CITY HALL LED SIGNAGE:**

During the August 18, 2008 Council meeting staff submitted two proposals from George Lay Signs for a LED sign that would advertise for City Hall. Council directed staff to seek additional bids. Bids from Luminous Neon and Tri-Mark were submitted. Discussion followed, no action was taken.

**FIREWORKS ORDINANCE:**

An Ordinance amending Section 7-201(d) of the City Code relating to permits for the sale of consumer fireworks was submitted for Council approval.

**MOTION:** *Ard* moved to approve the Ordinance as presented.  
*Clasen* seconded. Motion declared carried.

Discussion of permit fees followed.

**MOTION:** *Clasen* moved to increase the fireworks permit fee from \$2,500 to \$3,000 per permit.  
*Fitzmier* seconded. Motion declared carried.

*City Clerk assigned Ordinance #772.*

**DEPUTY CITY ADMINISTRATOR JOB DESCRIPTION:**

The position description for the Deputy City Administrator was submitted for Council approval. An outline of the hiring process was submitted and discussed. It is the intent to fill the position by January 2009.

**MOTION:** *Clasen* moved to approve the Deputy City Administrator's position description.  
*Herndon* seconded. Motion declared carried.

**GENERAL OBLIGATION BONDS, SERIES B, 2008 SALE RESOLUTION:**

A Resolution authorizing the sale of Series B 2008 General Obligation Bonds in the amount of \$1,907,000 was submitted for Council approval.

**MOTION:** *Clasen* moved to adopt the GO Bonds, Series B 2008 Sale Resolution in a principal amount not to exceed \$1,907,000.  
*Ard* seconded. Motion declared carried.

*City Clerk assigned Resolution #442-08.*

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**STANDARD TRAFFIC AND UNIFORM PUBLIC OFFENSE CODE ORDINANCES:**

Ordinances amending Sections 11-101, 14-101, 14-102 and 14-207 incorporating the 2008 version of the Standard Traffic Ordinance and Uniform Public Offense Code were submitted for Council approval.

**MOTION:** *Reed* moved to adopt the Ordinances amending Sections 11-101, 14-101, 14-102 and 14-207 of the Code of the City of Maize, Kansas pertaining to incorporating by reference the Uniform Public Offense Code and Standard Traffic Ordinance and repealing the existing Sections 11-101, 14-101, 14-102 and 14-207 of the Code of the City of Maize, *Ard* seconded. Motion declared carried.

*City Clerk assigned Ordinance #773 (UPOC) and Ordinance #776 (STO).*

**20-YEAR SPECIAL ASSESSMENT REVIEW – FIDDLERS COVE AT PRAIRIE PINES 2<sup>ND</sup> ADDITION:**

Bob Scott, developer of Fiddlers Cove submitted an application requesting 20-year special assessments for the Fiddler's Cove at Prairie Pines 2<sup>nd</sup> Addition development. The 20-Year Special Assessment Review Committee, based on their findings, unanimously approved the application and recommended approval of 20-year special assessments.

**MOTION:** *Clasen* moved to receive and file the minutes of the 20-year Special Assessment Committee meeting of September 11, 2008 and approve 20-year special assessments for Fiddler's Cove at Prairie Pines 2<sup>nd</sup> Addition. *Fitzmier* seconded. Motion declared carried.

**20-YEAR SPECIAL ASSESSMENT REVIEW – WATERCRESS 2<sup>ND</sup> ADDITION:**

Walker, Lane and Reed developers of Watercress Addition submitted an application requesting 20-year special assessments for the Watercress 2<sup>nd</sup> Addition development. The 20-Year Special Assessment Review Committee, based on their findings, unanimously approved the application and recommended approval of 20-year special assessments.

**MOTION:** *Reed* moved to receive and file the minutes of the 20-year Special Assessment Committee meeting of September 11, 2008 and approve 20-year special assessments for Watercress 2<sup>nd</sup> Addition. *Ard* seconded. Motion declared carried.

**GENERAL OBLIGATION BONDS, SERIES B AMENDED ASSESSMENT ORDINANCES:**

Two amended assessment ordinances, one for Watercress 2<sup>nd</sup> Addition Phase 1 and one for Watercress Addition Phase 2A Paving, were presented to Council for approval. These ordinances change the assessments from 15 years to 20 years.

**MOTION:** *Ard* moved to adopt the amending assessment ordinances. *Clasen* seconded. Motion declared carried.

*City Clerk assigned Ordinance #774 (Watercress 2<sup>nd</sup> Addition Phase 1) and #775 (Watercress Phase 2A Paving)*

**EXECUTIVE SESSION:**

*Mayor Donnelly* requested a 20-minute executive session to discuss personnel issues.

**MOTION:** *Clasen* moved to go into executive session for 20 minutes to discuss personnel issues. *Ard* seconded. Motion declared carried.

Council entered executive session at 10:55 p.m. and reconvened at 11:15 p.m. No action was taken.

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**MUNICIPAL COURT AUDIT CONTRACT:**

A Contract from Busby, Smith and Ford to perform a financial audit of the Maize Municipal Court was submitted for Council approval.

**MOTION:** *Clasen* moved to approve the contract with Busby, Smith and Ford to perform a Municipal Court Audit in an amount not to exceed \$2,000.  
*Reed* seconded. Motion declared carried.

**ADJOURNMENT:**

With no further business coming before the Council,

**MOTION:** *Clasen* moved to adjourn.  
*Ard* seconded. Motion declared carried.  
Meeting adjourned.

**Respectfully submitted by:** \_\_\_\_\_  
Jocelyn Reid, City Clerk