

**MINUTES-REGULAR MEETING
MAIZE CITY COUNCIL
Monday, October 20, 2008**

The Maize City Council met in a regular meeting at 7:30 p.m., Monday, **October 20, 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: **Clasen** moved to approve the Agenda as presented.
Ard seconded. Motion declared carried.

CONSENT AGENDA:

The Consent Agenda including the Disbursement Report totaling \$556,710.08, checks #47046 through #47193; Council minutes for September 15, 2008 and October 1, 2008; Planning Commission minutes of August 7, 2008 and Tree Board minutes of September 11, 2008 was submitted for approval.

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

TRANSYSTEMS WICHITA WATER STUDY REPORT:

Three options were presented to Council in regards to the TranSystems Wichita Water Study Agreement. After discussion of the various options:

MOTION: **Fitzmier** moved to look into the Wichita proposal and meet with the City Attorney in Executive Session to discuss specifics of the proposal.
Donna seconded. Motion declared carried.

TRANSYSTEMS WATER/WASTEWATER UTILITY RATE STUDY AGREEMENT:

An agreement with TranSystems to review the water and wastewater rate structures to determine if rates can be lowered was submitted for Council approval.

MOTION: **Clasen** moved to approve the TranSystems Water/Wastewater Utility Rate Study Agreement in an amount not to exceed \$30,842.
Fitzmier seconded. Motion declared carried.

GENERAL OBLIGATION BONDS, SERIES B 2008 BIDS:

Bids for the sale of General Obligation Bonds, Series B 2008 for improvements in the Watercress Addition Phase 2A, Hampton Lakes Phase 2, Wadley Ranch Addition, Watercress 2nd Addition Phase 1 and Eagle Point Addition were submitted to Council. Country Club Bank submitted the low bid with an average net interest rate of 4.974% over 20 years for a total interest amount of \$892,080.75.

MOTION: **Ard** moved to accept the Country Club Bank low bid of an average interest rate of 4.974%.
Herndon seconded. Motion declared carried.

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GENERAL OBLIGATION BONDS, SERIES B 2008 ORDINANCE AND RESOLUTION

An Ordinance authorizing the issuance of \$1,753,000 in GO Bonds, Series B 2008 was submitted for Council approval.

MOTION: *Reed* moved to adopt the General Obligation Bonds, Series B 2008 Ordinance and publish in the official newspaper.
Fitzmier seconded. Motion declared carried.

City Clerk assigned Ordinance #777.

A Resolution authorizing and directing the sale and delivery of General Obligation Bonds, Series B 2008 in the principal amount of \$1,753,000 was submitted for Council approval.

MOTION: *Ard* moved to adopt the General Obligation Bonds, Series B 2008 Resolution.
Fitzmier seconded. Motion declared carried.

City Clerk assigned Resolution #444-08.

RECREATION COMMISSION PAYMENT SCHEDULE REQUEST:

A request from the Maize Recreation Commission to pay the reimbursement of \$80,000 for the east parking lot over 40 months was submitted to Council for approval.

MOTION: *Fitzmier* moved to allow the Maize Recreation Commission to repay the parking lot reimbursement of \$80,000 over 40 months with a review in one year for a possible adjustment.
Reed seconded. Motion declared carried.

GARDNER APPRAISAL AGREEMENT:

An agreement from Gardner Appraisal Service to provide an appraisal of the city yard property was submitted to Council for approval.

MOTION: *Herndon* moved to approve the Gardner's Appraisal Agreement in an amount not to exceed \$2,000.
Ard seconded. Motion declared carried.

ADMINISTRATIVE JOB DESCRIPTIONS:

The position descriptions for the Administrative Department were submitted to Council for approval.

MOTION: *Ard* moved to approve the Administrative job descriptions.
Herndon seconded. Motion declared carried.

IDENTITY THEFT PREVENTION POLICY:

An Identity Theft Prevention Policy, which is required by the Federal Trade Commission, was submitted for Council approval.

MOTION: *Clasen* moved to adopt the City of Maize Identity Theft Prevention Policy.
Fitzmier seconded. Motion declared carried.

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ZONE CHANGE FROM SF-5 SINGLE-FAMILY RESIDENTIAL TO MF-18 MULTI-FAMILY RESIDENTIAL AND LC LIMITED COMMERCIAL ZONING AT 9010 W. 37TH STREET:

An Ordinance for a zone change from SF-5 Single-Family Residential to MF-18 Multi-Family Residential for property located at 9010 W. 37th Street was submitted for Council approval. The zone change would allow for the development of a multi-family apartment complex.

- MOTION:** *Ard* moved to adopt the Ordinance changing the zoning from SF-5 Single Family Residential to MF-18 Multi-Family Residential and LC Limited Commercial at 9010 W. 37th Street, subject to platting within one year.
Herndon seconded. Motion declared carried.

City Clerk assigned Ordinance #778.

ZONE CHANGE FROM SF-5 SINGLE-FAMILY RESIDENTIAL TO MF-18 MULTI-FAMILY RESIDENTIAL ZONING AT 9120 W. 37TH STREET:

An Ordinance for a zone change from SF-5 Single-Family Residential to MF-18 Multi-Family Residential for property located at 9120 W. 37th Street was submitted for Council approval. The zone change would allow for the development of a day care center.

- MOTION:** *Fitzmier* moved to adopt the Ordinance for changing the zoning from SF-5 Single-Family Residential to MF-18 Multi-Family Residential at 9120 W. 37th Street, subject to platting within one year.
Herndon seconded. Motion declared carried.

City Clerk assigned Ordinance #779.

EAGLES NEST PHASE 1 REVISED STORM WATER SEWER PETITION AND AMENDING RESOLUTION:

A revised petition and amending Resolution of Advisability for Eagles Nest Phase 1 Storm Water Sewer were submitted for Council approval.

- MOTION:** *Reed* moved to accept the revised petition for Eagles Nest Phase 1 Storm Water Sewer.
Ard seconded. Motion declared carried.
- MOTION:** *Reed* moved to adopt the Resolution of Advisability amending Resolution #440-08.
Fitzmier seconded. Motion declared carried.

City Clerk assigned Resolution #445-08.

ONE-STEP FINAL PLAT OF FIDDLERS COVE AT PRAIRIE PINES 3RD ADDITION:

A one-step final plat for property currently platted as Fiddlers Cove at Prairie Pines 2nd Addition and additional property preliminarily platted as Fiddlers Cove North Addition. This plat combines the two subdivisions into one comprehensive plat for a total of 120.4 acres and a total of 192 single-family lots.

- MOTION:** *Clasen* moved to accept the Fiddlers Cove at Prairie Pines 3rd Addition final plat with accompanying dedications, with plat to be filed with County Register of Deeds.
Ard seconded. Motion declared carried.

AMENDMENTS TO MAIZE COMPREHENSIVE PLAN:

At the annual review of the Maize Comprehensive Plan, the Maize Planning Commission recommended three changes to the Development Pattern Map (Figure 3-A) which is included in the Maize Comprehensive Plan. These changes were submitted for Council approval.

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MOTION: *Clasen* moved to approve the changes to the Development Pattern Map (Figure 3-A) of the Maize Comprehensive Plan as recommended by the Maize Planning Commission.
Ard seconded. Motion declared carried.

WATERCRESS ADDITION PHASE 2 PAVING BIDS:

Bids were received for Watercress Addition Phase 2 Paving with Cornejo & Sons being the lowest bidder at \$164,950.60.

MOTION: *Reed* moved to accept the Cornejo & Sons bid for \$164,950.60 and provide notice of award to Cornejo & Sons.
Clasen seconded. Motion declared carried.

OLD CITY HALL REALTOR LISTING:

A listing agreement with Landmark Commercial Real Estate to market the old City Hall property at 123 S. Khedive was submitted for Council approval.

MOTION: *Clasen* moved to approve the Realtors Listing Agreement with Landmark Real Estate for a listing term of 90 days.
Ard seconded. Motion declared carried.

EXECUTIVE SESSION:

Mayor Donnelly requested a 10-minute executive session to discuss a personnel issue.

MOTION: *Clasen* moved to go into executive session for 10 minutes to discuss a personnel issue.
Reed seconded. Motion declared carried.

Council entered executive session at 10:50 p.m. and reconvened at 11:00 p.m. No action was taken.

EXTENSION OF OCTOBER 4, 2006 AGREEMENT BETWEEN CHIEF MATTHEW JENSBY AND THE CITY OF MAIZE:

According to the October 4, 2006 agreement between Chief Jensby and the City, he has until December 31, 2008 to complete his Bachelor's degree. Chief Jensby requested an extension of time to complete his Bachelor's degree from December 31, 2008 to March 31, 2009.

MOTION: *Ard* moved to extend the degree completion terms of the October 4, 2006 agreement to March 31, 2009.
Herndon seconded. Motion declared carried.

ADJOURNMENT:

With no further business coming before the Council,

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

Respectfully submitted by: _____
Jocelyn Reid, City Clerk