

**MINUTES-REGULAR MEETING
MAIZE CITY COUNCIL
Monday, March 16, 2009**

The Maize City Council met in a regular meeting at 7:00 p.m., Monday, **March 16, 2009** in the Maize City Hall, 10100 Grady Avenue, with **Mayor Clair Donnelly** presiding. Councilmembers present were **Raynol Herndon, Karen Fitzmier, Donna Clasen, Nick Ard** and **Cathy Reed**.

Also present were: **Richard LaMunyon**, City Administrator, **Rebecca Bouska**, Deputy 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 Edgington**, Planning Administrator, **Tom Powell**, City Attorney, **Larry Kleeman**, Financial Advisor, and **Kim Bell**, Bond Counsel.

APPROVAL OF AGENDA:

The Agenda was submitted for approval with Item 8A, Maize/Wichita Agreements, being moved to Executive Session.

MOTION: **Clasen** moved to approve the Agenda as amended.
Reed seconded. Motion declared carried.

PUBLIC COMMENTS:

Kenneth Hultman, 404 Jones, commented on the Maize/Wichita agreements regarding 37th Street and Wichita serving water to a portion of Maize.

Linda Hohler, 11800 Cedar Drive, commented on the Maize/Wichita agreements.

Tim Hall, 111- ½ N. King, with the Watchdog Organization, presented a petition to the Council with approximately 130 signatures of people who are opposed to the Maize/Wichita agreements.

MOTION: **Fitzmier** moved to receive and file the petition.
Herndon seconded. Motion declared carried.

CONSENT AGENDA:

The Consent Agenda including the Disbursement Report totaling \$814,609.22, checks #47829 through #47904; Council minutes of February 16, 2009 and February 25, 2009 for approval; Planning Commission minutes of February 5, 2009 for receipt and file; Park and Tree Board minutes of January 8, 2009 for receipt and file.

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

PUBLIC HEARING – HOTEL INDUSTRIAL REVENUE BONDS:

Mayor Donnelly opened the public hearing at 7:30 p.m. to hear public comments on the proposed issuance of \$5,800,000 in industrial revenue bonds to finance a hotel project in the Wyn-Wood Addition. Hearing no public comments, **Mayor Donnelly** closed the public hearing.

HOTEL INDUSTRIAL REVENUE BONDS RESOLUTION:

A Resolution determining the advisability of issuing taxable industrial revenue bonds in the amount of \$5,800,000 to finance a hotel project in the Wyn-Wood Addition was submitted for Council approval. **Lindsay Olsen**, with Mortgage Investment Trust Corporation, addressed the Council stating that the hotel would be a Fairfield Inn & Suites project with four stories with 84 rooms. The developer hopes to start construction by January 1, 2010 and complete it by January 1, 2011.

MOTION: **Clasen** moved to approve the Resolution determining the advisability of issuing taxable industrial revenue bonds for the purpose of financing the acquisition, construction, installation and equipping a hotel facility in Maize.
Ard seconded. Motion declared carried.

City Clerk assigned Resolution #456-09.

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WATERCRESS ADDITION PHASE 2 REVISED PETITIONS AND RESOLUTIONS:

Revised petitions and Resolutions of Advisability for Watercress Additions Phase 2 water, paving and sewer were submitted for Council approval. Revisions included an amended benefit district and lower paving estimates.

MOTION: *Clasen* moved to accept the revised petitions for Watercress Addition Phase 2 water, paving and sewer.
Reed seconded. Motion declared carried.

MOTION: *Clasen* moved to adopt the Resolutions amending Resolutions #429-08, #430-08 and #431-08.
Fitzmier seconded. Motion declared carried.

City Clerk assigned Resolution #457-09 (Water), #458-09 (Paving) and #459-09 (Sewer).

PERSONNEL POLICY MANUAL REVISIONS:

Revisions to the Personnel Policy Manual were submitted to Council for approval. Discussion followed. Council directed staff to review the revisions based on the Council's discussion.

MOTION: *Fitzmier* moved to postpone action until the April 20, 2009 Council meeting.
Herndon seconded. Motion declared carried.

MENNONITE HOUSING-PRE-PAYMENT OF SPECIAL ASSESSMENTS:

A request from Mennonite Housing to pre-pay special assessments on six lots in Carriage Crossing V was submitted for Council approval. An escrow account with UMB National Bank will be set up to accept the pre-payments.

MOTION: *Clasen* moved to approve the Ordinance authorizing the execution of an escrow trust agreement respecting the application of certain prepaid special assessments.
Reed seconded. Motion declared carried.

City Clerk assigned Ordinance #794.

REVISED 2008/2009 PROJECT FINANCIAL PLAN:

A revised Project Funding Plan for 2008/2009 was submitted for Council approval. The revised plan authorizes \$3,948,203 of debt to be issued for projects that are either complete or close to completion.

MOTION: *Clasen* moved to approve the revised 2008/2009 Project Financial Plan as presented.
Herndon seconded. Motion declared carried.

TIMBER RIDGE PLACE ADDITION-PETITIONS, RESOLUTIONS AND ENGINEERING CONTRACT:

Petitions and Resolutions of Advisability for water, sewer and paving in Timber Ridge Place Addition were submitted for Council approval. *Chris Bohm* with Ruggles and Bohm submitted an engineering contract in the amount of \$45,400 for design and construction administration.

MOTION: *Clasen* moved to accept the petitions for Timber Ridge Place Addition in the total amount of \$322,000.
Ard seconded. Motion declared carried 4-1 with *Reed* voting no.

MOTION: *Clasen* moved to adopt the Resolutions of Advisability for Timber Ridge Place Addition.
Ard seconded. Motion declared carried 4-1 with *Reed* voting no.

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TIMBER RIDGE PLACE ADDITION-Con't:

City Clerk assigned Resolution #461-09 (Water), #462-09 (Sewer) and #463-09 (Paving).

MOTION: *Clasen* moved to approve the engineering contract with Ruggles & Bohm in amounts not to exceed \$23,500 for design and \$21,900 for construction administration.
Ard seconded. Motion declared carried 4-1 with *Reed* voting no.

TEMPORARY NOTES, SERIES A 2009, RESOLUTION

A Resolution authorizing the issuance of temporary notes in the amount of \$3,930,000 was submitted for Council approval. The Notes will fund designated projects in the 2008/2009 Project Funding Plan.

MOTION: *Clasen* moved to approve the Resolution for Temporary Notes Series A, 2009 in the amount of \$3,930,000 with an interest rate not to exceed 3%.
Ard seconded. Motion declared carried.

City Clerk assigned Resolution #460-09.

V-01-009-VACATION OF CREEKSIDE ESTATES CUL-DE-SAC:

A request to vacate a temporary 75-foot cul-de-sac at Lot 24, Block 3, Creekside Estates was submitted for Council approval. The cul-de-sac was to provide a turn-around for emergency vehicles and is no longer needed.

MOTION: *Ard* moved to approve Vacation Order – V-01-009 and authorize the Mayor to sign.
Reed seconded. Motion declared carried.

CHOOSE NETWORKS AGREEMENT RENEWAL:

An Agreement from Choose Networks that renews and modifies the contract between Choose and the City was submitted for Council approval. Modifications includes on going monitoring, maintenance, service calls, email service and off site back up. Discussion followed.

MOTION: *Fitzmier* moved to direct the City Administrator and City Attorney to negotiate a service agreement with Choose Networks at a cost not to exceed \$2,200 per month for a period of three years and authorize the Mayor to sign.
Clasen seconded. Motion declared carried.

EXECUTIVE SESSION:

Mayor Donnelly requested an executive session for land acquisition and attorney/client matters.

MOTION: *Clasen* moved to enter executive session for 30 minutes to discuss and acquisition and attorney/client matters.
Fitzmier seconded. Motion declared carried.

Council entered executive session at 9:10 p.m. and reconvened at 9:40 p.m. No action was taken.

MOTION: *Fitzmier* moved to re-enter executive session for 30 minutes to discuss land acquisition and attorney/client matters.
Clasen seconded. Motion declared carried.

Council re-entered executive session at 9:40 p.m. and reconvened at 10:10 p.m. No action was taken.

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MAIZE/WICHITA AGREEMENTS:

Three agreements between the City of Maize and the City of Wichita; Addendum No. 1 to K.S.A. 12-2908 Agreement, 37th Street Agreement and Emergency Water Supply Contract, were submitted for Council approval.

MOTION: *Fitzmier* moved to approve Addendum No. 1 to K.S.A. 12-2908 Agreement with the City of Wichita and authorize the Mayor to sign.
Ard seconded. Motion declared carried 3-2 with *Herndon* and *Reed* voting no.

MOTION: *Fitzmier* moved to approve the 37th Street Agreement with the City of Wichita and authorize the Mayor to sign.
Ard seconded. Motion declared carried 3-2 with *Herndon* and *Reed* voting no.

MOTION: *Fitzmier* moved to approve the Emergency Water Supply Contract with the City of Wichita and authorize the Mayor to sign.
Ard seconded. Motion declared carried 3-2 with *Herndon* and *Reed* voting no.

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