

**MINUTES-REGULAR MEETING  
MAIZE CITY COUNCIL  
Monday, August 17, 2009**

The Maize City Council met in a regular meeting at 7:00 p.m., Monday, **August 17, 2009** in the Maize City Hall, 10100 Grady Avenue, with **Mayor Clair Donnelly** presiding. Councilmembers present were **Raynol Herndon, Donna Clasen, Pat Stivers, Karen Fitzmier** and **Nick Ard**.

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, **Kim Edgington**, Planning Administrator, **Tom Powell**, City Attorney and **Sue Villarreal**, City Treasurer.

**APPROVAL OF AGENDA:**

The Agenda was submitted for approval.

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

**CONSENT AGENDA:**

The Consent Agenda including the Disbursement Report of checks #48558 through #48702 in the amount of \$474,726.96, the Council Minutes of July 20, 2009 for approval, the Planning Commission Minutes of June 4, 2009 and July 23, 2009 for receipt and file, and the Ramsey Settlement Agreement was submitted for Council approval.

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

**PUBLIC HEARING ON ANNEXATION RESOLUTION 465-09:**

**Mayor Donnelly** opened the public hearing at 7:05 p.m. to hear comments on Resolution #465-09 declaring the City's intent to annex 56 properties totaling 198.9 acres for the purpose of aligning city boundaries. The following property owners in the proposed area addressed the Council:

1. Rebecca Sue Keiter, of 6131 N. Maize Road, spoke about her horse boarding business, resale value, trash burning and policing in the area.
2. Gilbert Niemeyer, of 9010 W. 61<sup>st</sup> St. N., spoke about the noise from the Kansas International Dragway and about animals allow if annexed. .
3. Clarence Sallee, of 6125 N. Maize Road, spoke about the paving of Maize Road north to 61<sup>st</sup> Street time line.
4. William Thomas, of 8500 Mystic Lakes, spoke about the proposed Tyler Road improvements and the installation of fire hydrants in the area.

Hearing no further comment, **Mayor Donnelly** closed the public hearing at 7:30 p.m.

**ANNEXATION ORDINANCE:**

An Ordinance unilaterally annexing 56 properties totaling 198.9 acres was submitted for Council approval.

**MOTION:** **Clasen** moved to adopt the Ordinance authorizing the annexation of fifty-six (56) properties totaling 198.9 acres for the purpose of aligning city boundaries.  
**Fitzmier** seconded. Motion declared carried.

*City Clerk assigned Ordinance #796.*

**BUILDING CODE ORDINANCE:**

An Ordinance amending Article 1, Chapter IV of the City Code pertaining to the adoption of the International Building Code, 2006 Edition by reference and repealing the existing Article 1, Chapter IV was submitted for Council approval. It was reported that the City Attorney has not yet completed a final review of said ordinance.

**MOTION:** **Fitzmier** moved to postpone the action on the Building Code Ordinance until the City Attorney has completed the final review.  
**Stivers** seconded. Motion declared carried.

PAGE 2

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**RICE & FOSTER AGREEMENT:**

An Agreement to incorporate the City of Maize Park System Master Plan 2009-2015 into a Master Plan document including the Comprehensive Plan, the Maize Design Standards and the Subdivision/Zoning Regulations that will provide for park land acquisition was submitted for Council approval.

**MOTION:** *Clasen* moved to approve the Agreement with Rice Foster in an amount not to exceed \$1,875 plus any reimbursable expenses.  
*Ard* seconded. Motion declared carried.

**BLACK HILLS FRANCHISE ORDINANCE:**

An Ordinance renewing the Black Hills/Kansas Gas Utility, LLC ten (10) year natural gas Franchise Agreement with a five year review was submitted for Council approval.

**MOTION:** *Fitzmier* moved to adopt the Ordinance authorizing the renewal of the Black Hills/Kansas Gas Utility Franchise Agreement with the franchise fee remaining at 3% with a five year review in August 2014.  
*Stivers* seconded. Motion declared carried.

*City Clerk assigned Ordinance #797.*

**20-YEAR SPECIAL ASSESSMENT–HAMPTON LAKES ADDITION AND EAGLES NEST ADDITION:**

The 20-Year Special Assessment Review Committee, based on their findings, unanimously approved the application and recommended approval of 20-year special assessments for Hampton Lakes Phase 2 Addition and the Eagles Nest Addition.

**MOTION:** *Fitzmier* moved to receive and file the August 6, 2009 Minutes of the 20-Year Special Assessment Committee and to accept the recommendation of that Committee to approve 20-year special assessments for Hampton Lakes Phase 2 Addition and Eagles Nest Addition.  
*Herndon* seconded. Motion declared carried.

**SIGN CODE REVISIONS:**

An Ordinance adding Section 12-215(f) regarding signs within a sight triangle and Section 12A-306 regarding wall signs to the sign code as recommended by the Maize Planning Commission was submitted for Council approval.

**MOTION:** *Clasen* moved to adopt the Ordinance adding Section 12-215(f) and Section 12A-306 to the City Sign Code upon review and approval of the City Attorney.  
*Stivers* seconded. Motion declared carried.

**ADJOURNMENT:**

With no further business before the Council,

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

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