

**MINUTES-REGULAR MEETING
MAIZE CITY COUNCIL
Monday, February 15, 2010**

The Maize City Council met in a regular meeting at 7:00 p.m., Monday, **February 15, 2010** in the Maize City Hall, 10100 Grady Avenue, with *Mayor Clair Donnelly* presiding. Council members present were *Donna Clasen, Karen Fitzmier, Pat Stivers, Raynol Herndon* and *Nick Ard*.

Also present were: *Richard LaMunyon*, City Administrator, *Rebecca Bouska*, Deputy City Administrator, *Sue Villarreal*, City Treasurer, *Matt Jensby*, Chief of Police, *Ron Smothers*, Public Works Director, *Bill McKinley*, City Engineer, *Kim Edgington*, Planning Administrator, *Pat Longwell*, Code Enforcement Officer, *Tom Powell*, City Attorney, *Larry Kleeman*, Financial Advisor, *Kim Bell*, Bond Counsel.

APPROVAL OF AGENDA:

The Agenda was amended with the addition of Item 6A, Public Comments.

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

CONSENT AGENDA:

The Consent Agenda including the Disbursement Report of checks #49517 through #49699 in the amount of \$620,973.93 the Council Minutes of December 21, 2009 for approval, the Planning Commission Minutes of December 3, 2009 and the Tree/Park Board Minutes of November 12, 2009 for receipt and file.

MOTION: *Clasen* moved to amend the minutes by removing *Kim Edgington*, Planning Administrator as present and to approve Items b-c.
Stivers seconded. Motion declared carried.

PUBLIC HEARING - TERRA DONO CHILD DEVELOPMENT CENTER

Mayor Donnelly opened the Public Hearing at 7:15 pm. Hearing no public comments, Mayor Donnelly closed the hearing at 7:17 pm.

PUBLIC COMMENTS:

Tam Nguyen of the Maize Car Wash addressed the council regarding water rates. Council directed staff to research water rates for the car wash.

MAIZE RECREATION COMMISSION-CUSTODIAL SERVICES:

The Maize Recreation Commission requested a reduction in the amount paid for custodial services. Discussion followed.

MOTION: *Clasen* moved maintain the custodial service fee of 38.59%.
Herndon seconded. Motion declared carried.

2010 PROJECT FUNDING PLAN:

A Project Funding Plan for 2010 was submitted for Council approval. Council policy limits the amount of new debt issued to 60% of the prior year's growth in valuation, this plan meets that criteria.

MOTION: *Clasen* moved to approve the 2010 Project Funding Plan as presented.
Fitzmier seconded. Motion declared carried.

TERRA DONO CHILD DEVELOPMENT CENTER-IRB'S RESOLUTION:

A Resolution to determine the advisability of issuing taxable industrial revenue bonds (IRB's) to finance the Terra Dono Child Development Center in Maize was submitted for Council approval subject to the negotiation of payment in lieu of taxes. Option One began payment in 2013 at 70%, increasing to 80% the next three years, and to 85% the next four years.

MOTION: *Clasen* moved to approve the Resolution for IRB'S to finance the Terra Dono Child Development Center and approve Option 1 of the ad valorem property tax abatement schedule as presented by staff.
Fitzmier seconded. Motion declared carried.

City clerk assigned Resolution #476-10.

HAMPTON LAKES 2ND ADDITION PHASE 1 PETITIONS AND RESOLUTIONS

Petitions and a Resolutions of Advisability for Hampton Lakes 2nd Addition Phase 1 water, storm water, sanitary sewer and paving were submitted for Council approval.

MOTION: *Clasen* moved to accept the petitions for Hampton Lakes 2nd Addition Phase 1 in the amount not to exceed \$303,000.
Ard seconded. Motion declared carried.

MOTION: *Clasen* moved to adopt the Resolutions of Advisability for Hampton Lakes 2nd Addition Phase 1.
Stivers seconded. Motion declared carried.

City clerk assigned Resolution #477-10 (Water), #478-10 (Storm Water), #479-10 (Sanitary Sewer), #480-10 (Paving)

TRANSYSTEMS AGREEMENT FOR MAIZE ROAD UTILITY UPGRADES AND DESIGN

Supplemental Agreement #2 increasing the scope of service to include the design for the upgrade of the sanitary sewer and water lines associated with the Maize Road improvement project was submitted for Council approval.

MOTION: *Ard* moved to approve the Supplemental Agreement # 2 with TranSystems not to exceed \$80,000.
Stivers seconded. Motion declared carried.

BRIDGE INSPECTIONS-PEC CONTRACT:

A contract with Professional Engineering Consultants to bring the City of Maize into compliance with requirements set forth by the State of Kansas to have bridges/culverts inspected every other year beginning in 2010 was submitted for Council approval.

MOTION: *Clasen* moved to approve the PEC contract in an amount not to exceed \$7,000 and authorize the Mayor to sign.
Ard seconded. Motion declared carried.

WATERCRESS ADDITION PHASE II-20 -YEAR SPECIAL ASSESSMENT REVIEW:

The 20-Year Special Assessment Review Committee, based on their findings, recommended the approval of 20-year special assessments for Watercress Addition Phase II.

MOTION: *Ard* moved to receive the minutes of the 20-year Special Assessment Committee meeting of February 4, 2010 and approve 20-year special assessments for Watercress Addition Phase II.
Stivers seconded. Motion declared carried.

CLUPNY LEASE PURCHASE EASEMENT AGREEMENT

A lease purchase easement agreement between the City and Charles and Janice Clupny was submitted for Council approval.

MOTION: *Clasen* moved to approve the Lease Purchase of Utility Easement Agreement on property owned by Charles and Janice Clupny and authorize the Mayor to sign.
Herndon seconded. Motion declared carried.

ANNEXATION ORDINANCE

An Ordinance annexing, by consent, properties owned by Charles and Janice Clupny was submitted for Council approval. Signed consent letters are on file in the City Clerk's office.

MOTION: *Ard* moved to adopt the Ordinance annexing properties by the Clupny's as described by metes and bounds.
Herndon seconded. Motion declared carried.

City Clerk assigned Ordinance #812.

EXECUTIVE SESSION

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

MOTION: *Clasen* moved to enter into an executive session for 10 minutes to discuss personnel.
Fitzmier seconded. Motion declared carried.

Council entered executive session at 9:40 p.m. and reconvened at 9:50 p.m. No action was taken.

ADJOURNMENT:

With no further business before the Council,

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

Respectfully submitted by: _____
Sue Villarreal, City Treasurer