

City of Spring Hill, Kansas
Minutes of City Council Regular Session
July 14, 2016

A Regular Session of the City Council was held in the Spring Hill Civic Center, 401 N. Madison, Council Chambers, Spring Hill, Kansas on July 14, 2016. The meeting convened at 7:00p.m. with Mayor Steven Ellis presiding and Glenda Gerrity, City Clerk, recording.

Councilmembers in attendance: Chris Leaton
Clint Gillis
Floyd Koder

Councilmembers absent: Andrea Hughes
Vacancy

Staff in attendance: City Administrator Jonathan Roberts
Finance Director Melanie Landis
Community Development Director Jim Hendershot
Police Chief Richard Mann

Consultants in attendance: City Attorney Frank Jenkins
City Engineer John Brann

ROLL CALL

The City Clerk called the roll of the City Council. With a quorum present, the meeting commenced.

APPROVAL OF THE AGENDA

Motion by Leaton, seconded by Gillis, to approve the agenda as presented. Motion carried 3-0-0

CITY COUNCIL APPOINTMENT and OATH OF OFFICE:

The Mayor stated that with the resignation of Mr. Chad Eckert, that left a vacancy on the City Council. The City advertised in the official city newspaper, Miami County Republic, and posted it on the City's website. The City received one application from Mr. Scott Snavelly, who previously served on the City Council. Mr. Snavelly did not seek re-election when he and his family moved out of the community, subsequently they have moved back to Spring Hill. It was the pleasure of the Mayor, for the Council's consideration and consent, to present Scott Snavelly to fill the unexpired term of Chad Eckert.

Motion by Leaton, seconded by Gillis, approve the City Council appointment of Scott Snavelly as stated. Motion carried 3-0-0.

The Mayor congratulated Mr. Snavelly. At this time, the City Clerk administered the Oath of Office and then Mr. Snavelly took his seat on the dais.

CITIZEN PARTICIPATION:

Mr. Jeff Shoffner, 20350 W. 217th Street, Spring Hill, Kansas, appreciated the opportunity to speak and voiced his concern about fireworks. He believes that 10 days to shoot off fireworks is too many and that some of the fireworks should have been in a professional environment. At times, it was difficult to see across the street due to all the smoke and he watered down his house in fear of fire. He requested that something be done to resolve the issues with fireworks.

The Mayor thanked Mr. Shoffner for his comments and stated that there are a mix of opinions on fireworks. The Mayor suggested that staff revisit this subject and look at enforcement, what and how we're doing, and review the duration to set off fireworks, which may have been a little long this year.

CONSENT AGENDA:

Motion by Leaton, seconded by Gillis, to approve the Consent Agenda as presented.

1. **Approval of Minutes: June 23, 2016**
2. **Consider Approval of Cereal Malt Beverage Renewal: Gambino's Pizza**
3. **Consider Approval of Cereal Malt Beverage Renewal: Casey's General Store**
4. **Consider Special Event Permit: Bicycle Ride Rest Stop, Sunflower to Roses**
5. **Consider Special Event Permit: Back to School Night, Spring Hill Recreation Commission**
6. **Consider Approval of Change Order No. 2: Nichols/Race Street Storm Sewer Project, Linaweaver Construction, Inc.**

Motion carried 4-0-0.

FORMAL COUNCIL ACTION

7. **Appropriation Order 2016-07-14**

The appropriation order was presented for consideration in the amount of \$406,746.71.

Motion by Leaton, seconded by Koder, to approve appropriation order 2016-07-14. Motion carried 3-0-1 (Gillis) Mr. Gillis abstained due to a conflict of interest since his business was a payee in the appropriation order.

8. **Ordinance 2016-08: Consider vacating a portion of Nichols Street adjacent to 102 E. Nichols St., Mr. Gionelli Pourleamar**

The Community Development Director reported that the City received a request from the owner, Mr. Gionelli Pourleamar, and prospective buyer, Mr. Mathew Kelly, of 102 E. Nichols St., to vacate city right-of-way adjacent to the east property line of this property. The City Engineer and Public Works staff reviewed the request and had no objections except to retain a utility easement on the property. City staff requested that the applicants contact the adjoining property owner. As of today, the applicant has not completed this request. Notification of the request was sent to adjoining property owners. Staff spoke to the Spring Hill United Methodist Church, which is the adjoining property owner to the east, and reported that the church is concerned about the access into their parking lot. Mr. Kelly intends to install a fence/railing at the entrance on Webster Street. Many parishioners use this entrance to access the church parking lot; however, this is private property and there is no city right-of-way through this property. Mr. Kelly would be within his right to install the fence which would make the access to the church strictly off of Nichols Street. Based on conversations with the Spring Hill United Methodist Church, Mr. Hendershot requested to change the recommendation to table this item for two weeks to allow all parties an opportunity to discuss the issues with access to the church parking lot.

Public Comments:

Reverend Kara Eidson, Pastor at United Methodist Church, 112 E. Nichols Street, confirmed for the record that the church has not been contacted by the applicant. Pastor Eidson, along with the parishioners, are very concerned about the Webster Street entrance to the church parking lot being inaccessible if this application is approved and is present to speak against the application. The church thought there was an easement allowing this entrance; however, they were disappointed to find out that an easement for the Webster Street entrance does not exist. This has been a good faith agreement with previous property owners for many years. Pastor Eidson stated that the Webster Street access is the only entrance into the parking lot from the main roadway and if this is closed, it will increase traffic on two one-way residential streets. Many groups use the facility throughout the week including a day care and civic groups. The Pastor stated that they have maintained the area over the years and are consulting with an attorney to take the necessary steps for an easement by necessity. The congregation does not wish to inhibit development of the adjoining property, but would like to assure that the members of the community, who use the church building, still have access to the church from Webster Street that has been used a very long time. The Pastor respectfully requested to deny the request to vacate; vacation of the property is not in the best interest of the community or the church which has faithfully served this community for many years.

Helen Hecke, 701 W. South Street, stated that she is concerned about the entrance to the church off of Webster Street being eliminated. This may hurt the visibility of the church and create a difficult situation after the church services have ended and people are trying to exit.

Motion by Snavelly, seconded by Gillis, to table Ordinance 2016-08 until the July 28, 2016 City Council meeting. Motion passed 4-0-0.

9. Resolution 2016-R-19: Consider authorizing issuance and delivery of general obligation renewal temporary notes, series 2016A

The Finance Director introduced the City's financial advisor Tom Kaleko, with Springsted, and the City's bond counsel Tyler Ellsworth, with Kutak Rock, to introduce the resolution to consider authorizing issuance and delivery of general obligation renewal temporary notes, series 2016A.

Mr. Kaleko gave a brief background of the previously issued general obligation temporary notes, series 2014A for the Wilson Street storm drainage improvements and the Wolf Creek sewer improvements. Upon maturity of the existing notes, the City will use available funds to pay the portion of the existing notes which financed the storm drainage improvements. The sewer improvements will continue to be temporarily financed by issue 2016A, in the amount of \$386,500, until permanent financing can be issued later this year. Mr. Kaleko reported that this is a short term note and stated that the local banks were not investing in short term. Springsted reported that Robert W. Baird & Co. Incorporated was very interested in acting as the Placement Agent for the proposed placement and issuance of \$386,500 General Obligation Renewal Temporary Notes, Series, 2016A. Huntington Public Capital Corporation, is the potential purchaser for a 1 year term at 1-1/2%.

Mr. Ellsworth stated the note resolution, presented this evening, authorizes the issuance of general obligation renewal temporary notes, series 2016A. The note resolution authorizes the city to sign two additional documents; the Note Purchase Agreement and the Placement Agent Engagement letter.

Motion by Leaton, seconded by Gillis, to approve Resolution 2016-R-19 for 1 year term, 1 ½%. Motion carried 4-0-0.

DISCUSSION

10. 2017 Budget and Capital Improvement Program (CIP)

The Finance Director presented the 2017 Budget and 2017-2021 CIP. Topics presented were as follows: Budget Calendar, Outside Agency Requests, Supplemental Requests – Management recommendations, Additional requests for consideration, Additional requests for consideration not included in draft budget, Vehicle & Equipment Lease Payment Summary, 2017-2021 CIP, Assessed Valuation in dollars, General Fund, Tax Levy Funds, and Tax rate analysis. Final budget discussion will be July 28th. Ms. Landis also reported that both counties approved a 2-day extension so the City can have the budget hearing at their August 25th City Council meeting.

EXECUTIVE SESSION – Attorney-Client Privilege Exception

Motion by Leaton, seconded by Gillis, to recess into Executive Session for 10 minutes under the Attorney-Client Exception to the Kansas Open Meetings Act: Subject – Contract with Fire District No. 2 of Johnson County, Kansas. The following persons are to be in attendance: Jonathan Roberts, City Administrator, and Frank Jenkins, Jr., City Attorney. Motion carried 4-0-0.

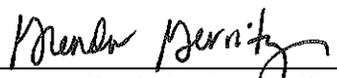
The meeting recessed at 8:30p.m. The executive session will begin at 8:40pm

The meeting reconvened at 8:50p.m. with everyone present.

Mayor Ellis announced that no votes were taken or decisions made during the executive session. The discussion was limited to the subject stated.

ADJOURN

Motion by Leaton, seconded by Gillis, to adjourn. The meeting adjourned at 8:51p.m.


Glenda Gerrity, City Clerk

Approved by the Governing Body on July 28, 2016.