

City of Spring Hill, Kansas
Minutes of City Council Regular Session
April 28, 2022

A Regular Session of the City Council was held in the Spring Hill Civic Center, 401 N. Madison, Council Chambers, Spring Hill, Kansas on April 28, 2022. The meeting convened at 7:00p.m. with Mayor Berkey presiding and Glenda Gerrity, City Clerk, recording.

Councilmembers in attendance: Diana Roth
 Brian Peel
 Chad Young
 Wendy North
 Chip VanHouden via telephone

Staff in attendance: Patrick Burton, Interim City Administrator
 Lou Ann Armstrong, Finance Director
 Cindy Henson, Chief of Police
 Jackie Messer, Director of Public Works
 Monakisha Jones, Human Resources Director

Consultants in attendance: F. Charles Dunlay, City Attorney
 Tyler Ellsworth, Bond Counsel
 Dan Miller, City Engineer

INVOCATION

The invocation was given by Pastor Joel Atwell, Grace Community Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

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

APPROVAL OF THE AGENDA

The Mayor requested to remove Consent Item 10. Improvement Agreement for Dayton Creek, Eighth Plat, and Consent Item 11. Final Plat for Dayton Creek, Eighth Plat.

Motion by Roth, seconded by North, to approve the agenda as revised.

PROCLAMATION – SPRING HILL ARBOR DAY

The Mayor proclaimed April 29, 2022 as Spring Hill Arbor Day.

CITIZEN PARTICIPATION

There was no citizen participation.

PRESENTATION – VETERANS LAKE MEMORIAL

Mr. Larry Reynolds presented the conceptual plan for the Veterans Park Memorial Plaza and Fishing Jetties. After discussion, it was suggested to provide engraved bricks with the veteran's name versus the proposed black granite pieces. The Governing Body requested that the conceptual plan be revised using engraved bricks. Mr. Reynolds will present the revised plan at a future meeting.

CONSENT AGENDA

Motion by North, seconded by Young, to approve the consent agenda as revised.

1. **Approval of Minutes: April 14, 2022, Regular Meeting**
2. **Consider Approval of Agreement: Verizon GSA Funding Agreement**
3. **Consider Request to Exchange Federal Funds and Authorize the Mayor to Sign the Appropriate Documents**
4. **Consider Approval of Site Plan (SP-000009-2022): 2 Rivers Gunite, 18520 Webster St., 18520 Webster St., LLC**
5. **Consider Approval of Improvement Agreement: Oak Woods Townhomes, Lone Elm and 216th Street, Sallee Homes, Inc.**
6. **Consider Approval of Final Plat (PLAT-000063-2021): Oak Woods Townhomes, Lone Elm and 216th Street, Sallee Homes, Inc.**
7. **Consider Approval of Site Plan (SP-000064-2021): Oak Woods Townhomes, Lone Elm and 216th Street, Sallee Homes, Inc.**
8. **Consider Approval of Improvement Agreement: Boulder Springs, IV, 195th Terr and Emerald Street, Boulder Springs Development Company**
9. **Consider Approval of Final Plat (PLAT-000005-2022): Boulder Springs, IV, 195th Terr and Emerald Street, Boulder Springs Development Company**

Motion carried unanimously.

The following Item 10 and Item 11 were deleted from the consent agenda:

10. **Consider Approval of Improvement Agreement: Dayton Creek, Eighth Plat, 191st Street and US 169 Hwy, Polsinelli, PC ~~deleted~~**
11. **Consider Approval of Final Plat (PLAT-000008-2022): Dayton Creek, Eighth Plat, 191st Street and US 169 Hwy, Polsinelli, PC ~~deleted~~**

FORMAL COUNCIL ACTION

12. **Consider Approval of Appropriation Order No. 2022-04-28**

Motion by Young, seconded by North, to approve Appropriation Order No. 2022-04-28.

Motion carried by roll call vote 5-0-0. Young – yes, North – yes, VanHouden – yes, Roth - yes and partially abstaining from any invoices from J & T Auto Services, Peel – yes.

- 13. Consider Resolution No. 2022-R-06: Authorizing the Execution of Certain Documents in Connection with the City's Series 2017 IRBs and a new HUD-insured Loan for the Phase I Blackhawk Apartments**

Motion by Roth, seconded by Peel, to approve Resolution No. **2022-R-06** authorizing the execution and delivery of certain documents in connection with the Industrial Revenue Bonds (Taxable Under Federal Law), Series 2017 (Blackhawk Apartments Phase I), of the City of Spring Hill, Kansas.

Motion carried unanimously.
- 14. Consider Approval of Change Order 1: 199th Street & Webster Pump Station, Linaweaver Construction Co.**

Motion by Roth, seconded by North, to approve the Change Order No. 1 for 199th and Webster Pump Station with Linaweaver Construction; and authorize Mayor Berkey and city staff to execute Change Order 1 with Linaweaver Construction.

Motion carried unanimously.
- 15. Consider Approval of Resolution No. 2022-R-07: 2023-2027 CARS Program Submittal for The City of Spring Hill, Kansas**

Motion by Roth, seconded by Young, to approve Resolution No. **2022-R-07** acknowledging review and acceptance of the requested five-year Johnson County Assistance Road System (CARS) Program 2023-2027.

Motion carried unanimously.
- 16. Consider Ordinance No. 2022-05: Amending Section 15-103(a)6, Chapter XV, Article 1 of the Spring Hill Municipal Code relating to Maximum Speed Limits on 223rd Street**

Motion by Roth, seconded by North, to approve Ordinance No. **2022-05** amending Section 15-103(a)6, Chapter XV, Article 1 of the Spring Hill Municipal Code relating to Maximum Speed Limits on 223rd Street.

Motion carried by roll call vote of the Governing Body 6-0-0. North – yes, VanHouden – yes, Roth – yes, Peel – yes, Young – yes, Mayor Berkey - yes.
- 17. Consider Ordinance No. 2022-06: Adding Article 7, Miscellaneous Offenses, and Section 11-701, Chapter XI, Article 7 to the Spring Hill Municipal Code relating to and Prohibiting Urinating and Defecating in Public**

Motion by Roth, seconded by North, to approve ordinance no. **2022-06** amending Chapter XI, Article 7, of the Spring Hill Municipal Code and prohibiting urination and defecation in public.

Motion carried by roll call vote of the Governing Body 6-0-0. Young – yes, North – yes, VanHouden – yes, Roth – yes, Peel – yes, Mayor Berkey - yes.

- 18. Consider Ordinance No. 2022-07: Adding Section 11-702, Chapter XI, Article 7 to the Spring Hill Municipal Code, relating to and Prohibiting Indecent Exposure**
Motion by Roth, seconded by Peel, to approve ordinance no. **2022-07** amending Chapter XI, Article 7, of the Spring Hill Municipal Code and prohibiting indecent exposure.
Motion carried by roll call vote of the Governing Body 6-0-0. Peel – yes, Young – yes, North – yes, VanHouden – yes, Roth – yes, Mayor Berkey - yes.
- 19. Consider Approval of Charter Ordinance No. 40: Repeal Charter Ord 31**
Motion by Roth, seconded by North, to adopt Charter Ordinance No. 40 exempting the City of Spring Hill, Kansas from K.S.A. 14-423 and K.S.A. 14-423a and adopting substitute provisions for such subjects, and amending City of Spring Hill, Kansas Charter Ordinance 31.
Motion carried by roll call vote of the Governing Body 6-0-0. Roth – yes, Peel – yes, Young – yes, North – yes, VanHouden – yes, Mayor Berkey - yes.
- 20. Consider Approval of Purchase: Repair Digester Blower at the Spring Hill Wastewater Plant**
Motion by Roth, seconded by Peel, to approve JCI Industries to repair to the Digester Blower at the Spring Hill Wastewater Plant, in the amount of \$11,589.00.
Motion passed unanimously.

DISCUSSION

- 21. Chickens in the city limits of Spring Hill**
After discussion, it was the consensus that the City Attorney prepare an ordinance similar to the City of Overland Park’s ordinance for allowing chickens.
- 22. Rotational Tow List**
After discussion, it was the consensus that an ordinance be prepared for towing personal property.

ANNOUNCEMENTS and REPORTS

Announcements and reports were given by the Governing Body, city attorney and staff.

ADJOURN

Motion by Peel, seconded by Roth, to adjourn.

The meeting adjourned at 9:30p.m.

/s/ Glenda Gerrity
Glenda Gerrity, City Clerk

Approved by the Governing Body on May 12, 2022.