

City of Spring Hill, Kansas
Minutes of City Council Regular Session
July 25, 2019

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 25, 2019. The meeting convened at 7:00p.m. with President Chris Leaton presiding via telephone and Glenda Gerrity, City Clerk, recording.

Councilmembers in attendance: Tim Pittman
 Floyd Koder
 Chad Eckert
 Andrea Hughes

Absent: Mayor Ellis

Staff in attendance: Jim Hendershot, City Administrator
 Melanie Landis, Asst. City Administrator
 Cindy Henson, Chief of Police
 Jim Boyer, Utilities Superintendent

Consultants in attendance: Frank Jenkins, City Attorney
 John Brann, Ponzer-Youngquist, P.A.

INVOCATION

The invocation was given by Pastor Irvin Middlebusher, Ocheltree Baptist 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

President Leaton requested to delete Item 10. Spring Hill Broadband Initiative.

Motion by Pittman, seconded by Koder, to approve the agenda as revised. Motion carried 5-0-0.

CITIZEN PARTICIPATION

Mr. Steve Owen, 19401 W. 200th Street, addressed the City Council about his concerns of the City's lack of the budget process. He has not seen a detailed budget for the City Council or residents and the hearing is scheduled for August 8, 2019. The Council stated that the detailed budget was presented at the previous City Council meeting. It was the consensus of the City Council to a 1 mil increase, which is allowed per the tax lid. The City Council directed staff to place this information on the website.

Mr. Steve Boswell, 504 N. Jackson, addressed the City Council about the condition of Webster Street and asked if there was any proposal to resurface streets throughout Spring Hill. He also stated that citizens should receive equal treatment and addressed various code issues he currently is having with the City. President Leaton thanked Mr. Boswell for his comments and will pass along his comments to the Mayor to work with staff.

CONSENT AGENDA

Motion by Koder, seconded by Hughes, to approve the Consent Agenda.

1. **Approval of Minutes: July 11, 2019, Regular Meeting**
2. **Appropriation Order 2019-07-25**
3. **Consider Approval of Cereal Malt Beverage Renewal: Casey's General Store, 607 N. Webster Street**
4. **Consider Approval of Change Order No. 1: Ground Storage Tank Repairs, MaGuire Iron, Inc.**
5. **Consider Approval of Change Order No. 2: Lone Elm Road RCB, Pfefferkorn & Drury Construction, LLC**

Motion carried 5-0-0.

FORMAL COUNCIL ACTION

6. Ordinance No. 2019-14: Conditional Use Permit, CU-2019-0002, Dayton Creek Elementary School, W. 188th Terr. & Theden Street, Josh Erhart, ASLA

Mr. Hendershot presented the ordinance for a Conditional Use Permit for Dayton Creek Elementary School. The area is zoned R-1, Single Family Residential, which allows a school with an approved Conditional Use Permit. The Planning Commission held the required public hearing at their July 2, 2019 meeting. No protest petition was received.

The recommendation of the Planning Commission and staff was to adopt Ordinance No. 2019-14, approving Conditional Use Permit CU-2019-0002 subject to the following:

1. The conditional use permit is subject to annual staff review and reporting to the Planning Commission

Motion by Hughes to approve Ordinance 2019-14 approving the Conditional Use Permit subject to a 5-year staff review.

Discussion:

Mr. Hendershot explained that the annual review is part of the Planning Commission's Conditional Use Permit Review/Renewal Guide Matrix. An elementary school falls under the annual review by staff and reports the findings to the Planning Commission. The Matrix has been followed by every applicant for a conditional use permit.

At this time, the telephone communication was sporadic; therefore, President Leaton suggested that Councilman Koder preside over the meeting. Mr. Leaton will remain on the telephone call.

Point of Order

The City Attorney suggested that this be done by a motion.

Motion by Pittman, seconded by Eckert, to appoint Councilman Koder as the acting Chairperson. Motion carried 5-0-0.

Discussion continued:

In closing, members voiced that it was important to keep the integrity of the conditional use permit matrix policy.

Failed Motion

Chairman Koder stated that a motion was on the floor to approve the ordinance with a 5-year review. Motion was not seconded; motion failed.

Motion by Pittman, seconded by Eckert, to approve Ordinance No. 2019-14 approving Conditional Use Permit CU-2019-0002 subject to the following:

1. The conditional use permit is subject to annual staff review and reporting to the Planning Commission

Motion carried by roll of the City Council, 5-0-0, Eckert-yea, Pittman-yea, Koder-yea, Hughes-yea, Leaton-yea.

7. Consider Approval of Site Plan: SP-04-19, Dayton Creek, 6th Plat, Dayton Creek Elementary School, W. 188th Terr. & Theden Street, Josh Erhart, ASLA

The City Administrator presented the site plan for the Dayton Creek Elementary School. The applicant, USD230, working with the design team lead by the DLR Group, has applied for site plan approval for an elementary school to be located within the Dayton Creek 6th Plat, at approximately 188th Terrace and Theden Road. The project includes a new elementary school building, parking, playground, hard and soft play areas, perimeter fence, multiple points of entrance and miscellaneous amenities. The Planning Commission reviewed the application at their July 2, 2019 and voted unanimously to recommend approval of the site plan.

Staff and the Spring Hill Planning Commission recommends approval of SP-04-19 Dayton Creek Elementary site plan, including the issuance of required building permits.

Motion by Eckert, seconded by Pittman, to approve SP-04-19 Dayton Creek Elementary site plan, including the issuance of required building permits. Motion carried 5-0-0.

8. Consider Approval of Work Plan: Park Village Rural Housing Incentive District, Baker Tilly

The Assistant City Administrator presented the Work Plan for Park Village Rural Housing Incentive District (RHID) review. The developers of the current Oak Woods subdivision, renamed soon to Park Village, have requested consideration of a RHID for development of the multi-phase residential development project.

The next step in this process is engagement with the City's financial advisor, Baker Tilly, to conduct an internal rate of return (But-For test) and a feasibility study. The proposed form of analysis will provide outcomes to be used in the decision by City Council in consideration of the incentive request.

The cost of the analysis will be billed at the contracted hourly rate under the existing agreement between the City and Baker Tilly. Cost of the review will be borne by the applicant through deposit to the project fund under their existing funding agreement with the City. There is no burden on the City and this incentive is only available in Miami County.

Staff recommends that the Council approve the work plan for the Park Village RHID Review.

Motion by Pittman, seconded by Eckert, to approve the Work Plan for the Park Village RHID Review. Motion carried 5-0-0.

DISCUSSION

9. Sanitary Sewer Service outside City Limits

The City Administrator provided a scenario where the City could provide sewer to a piece of property outside the City Limits; however, annexation may not be a good option. Mr. Hendershot asked the City Council if they have any interest in pursuing this option. The City's Water Regulations currently allow water service to properties outside the City Limits with an surcharge.

The consensus was to explore options and to be mindful of the possibility of neighboring properties wanting to connect to the sewer system, which may discourage annexation.

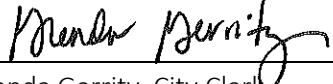
10. Request for Proposals (RFP): Spring Hill Broadband Initiative

This item was deleted.

ADJOURN

Motion by Pittman, seconded by Hughes, to adjourn. Motion carried 5-0-0.

The meeting adjourned at 8:08p.m.



Glenda Gerrity, City Clerk

Approved by the Governing Body on August 8, 2019.