

**MINUTES-REGULAR MEETING
MAIZE CITY COUNCIL
Monday, September 17, 2012**

The Maize City Council met in a regular meeting at 7:00 p.m., Monday, **September 17, 2012** in the Maize City Hall, 10100 Grady Avenue, with **Mayor Clair Donnelly** presiding. Council members present were **Donna Clasen, Alex McCreath, Pat Stivers, Kevin Reid** and **Karen Fitzmier**.

Also present were: **Richard LaMunyon**, City Administrator, **Rebecca Bouska**, Deputy City Administrator, **Jocelyn Reid**, City Clerk, **Catherine Herr**, Police Sergeant, **Ron Smothers**, Public Works Director, **Bill McKinley**, City Engineer, **Kim Edgington**, Planning Administrator, **Tom Powell**, City Attorney.

APPROVAL OF AGENDA:

The Agenda was submitted with the following change: Item #d under Consent Agenda changed to show checks #54959 thru #55154 used.

MOTION: *Clasen* moved to approve the Agenda as amended.
Stivers seconded. Motion declared carried.

PUBLIC COMMENTS:

The following individuals addressed the Council regarding Agenda Item #7B – Planning Commission Case #S/R-02-012 (Digital Billboard Signs):

1. **Bob Kaplan**, 1600 Epic Center, Wichita, represents Gerald Woodard, the applicant in Case #S/R-02-012. He requested that the Council adopt the Planning Commission action of approving the proposed digital billboard sign on Maize Road;
2. **Natasha Anderson**, 14200 W. 70th Circle, Colwich, spoke in support of the proposed digital billboard sign;
3. **Jim McCann**, 2433 E. Wilma, Wichita, agent for Gerald Woodward spoke in support of the proposed digital billboard sign;
4. **Marv Schellenberg**, 7409 Lakewood Circle, Wichita, Hampton Lakes developer spoke against the proposed digital billboard sign;
5. **Barry Reynolds**, 4001 Bluestem, Maize, spoke against the proposed digital billboard sign;
6. **Bob Scott**, 4185 N Tyler, spoke against the proposed digital billboard sign;
7. **Tom Inkelaar**, 7481 N 119th, Maize, spoke in support of the proposed digital billboard sign;
8. **David Mollhagen**, Clear Channel Communications, spoke in support of the digital billboard sign;
9. **Gerald Woodard**, 9101 W. 53rd St. N, Maize, is the applicant in the case spoke in support of the proposed digital billboard sign.

CONSENT AGENDA:

The Consent Agenda was submitted for approval including the Disbursement Report of checks #54959 through #55154 in the amount of \$1,289,221.41; the Council Minutes of August 20, 2012, for approval; the Planning Commission minutes of July 19, 2012 and the Tree & Park Board minutes of August 14, 2012 for receipt and file.

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

OFF-SITE SIGN ORDINANCE MORATORIUM EXTENSION:

An ordinance extending the existing moratorium on off-site signs an additional 90 days was submitted for Council approval.

MOTION: *Fitzmier* moved to approve the off-premises signs amending moratorium ordinance. *Clasen* seconded. Motion declared carried.

City Clerk assigned Ordinance #852.

PLANNING COMMISSION CASE S/R-02-012:

Case #S/R-02-012 was submitted for Council action after the Maize Planning Commission approved the application.

MOTION: *Fitzmier* moved to return the case to the Maize Planning Commission for review and reconsideration based on the following:

1. In this case, while the zoning for this use may be appropriate, the character of the Maize Road corridor is one which encourages orderly, aesthetically pleasing improvements, which do not deter from the considerable investments that have already been made in this area.
2. The subject property is better suited for development with commercial buildings that will complement surrounding existing commercial uses.
3. Residents, developers and neighboring business owners have registered opposition.
4. The Comprehensive Plan designated this area as appropriate for commercial uses, the implied meaning being that the area will be developed with buildings.
5. The negative impact on future proposed economic development for the City of Maize.

Clasen seconded. Motion declared carried 3-2 with *Reid* and *Stivers* voting No.

CENTRAL STREET MAIN TRAFFIC WAY ORDINANCE:

An ordinance designating Central Street as a main traffic way was submitted for Council approval.

MOTION: *Clasen* moved to approve the Main Traffic Way Ordinance and authorize the Mayor to sign. *Reid* seconded. Motion declared carried.

City Clerk assigned Ordinance #853.

CENTRAL STREET PROJECT AUTHORIZATION RESOLUTION:

A resolution authorizing improvements to Central Street was submitted for Council approval.

MOTION: *Reid* moved to approve the resolution authorizing the financing of improvements to Central Street in a total amount not to exceed \$275,000 and authorize the Mayor to sign. *Clasen* seconded. Motion declared carried.

City Clerk assigned Resolution #518-12.

WATERCRESS VILLAGE 2ND ADDITION PHASES 2 & 3 STORM WATER AND PAVING CONSTRUCTION CONTRACT:

A construction bid and contract from Cornejo & Sons for Watercress Village 2nd Addition Phases 2 and 3 storm water and paving improvements were submitted for Council approval.

MOTION: *Reid* moved to accept the Cornejo & Sons bid and approve the construction agreement with Cornejo & Sons in an amount not to exceed \$309,827.40 and authorize the Mayor to sign.
Clasen seconded. Motion declared carried.

CODE ENFORCEMENT REVISION:

An ordinance revising the City Code allowing the Code Enforcement Officer to send out notices of violation via certified mail without a return receipt was submitted for Council approval.

MOTION: *Clasen* moved to approve the ordinance revising the City Code.
Fitzmier seconded. Motion declared carried.

City Clerk assigned Ordinance #854.

EXECUTIVE SESSION:

Mayor Donnelly requested a 25-minute executive session for attorney/client privilege and non-elected personnel matters.

MOTION: *Clasen* moved to enter executive session for 25 minutes to discuss attorney/client privilege and non-elected personnel matters.
Fitzmier seconded. Motion declared carried.

The Council entered executive session at 8:20 pm and reconvened at 8:45 pm. No action was taken.

MOTION: *Clasen* moved to re-enter executive session for 15 minutes for attorney/client matters.
Stivers seconded. Motion declared carried.

The Council re-entered executive session at 8:45 pm and reconvened at 9:00 pm. No action was taken.

MOTION: *Clasen* moved to re-enter executive session for 15 minutes for non-elected personnel matters.
Reid seconded. Motion declared carried.

The Council re-entered executive session at 9:00 pm and reconvened at 9:15 pm. No action was taken.

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