

**MINUTES-REGULAR MEETING  
MAIZE CITY COUNCIL  
Monday, March 26, 2007**

The Maize City Council met in a regular meeting at 7:30 p.m., Monday, **March 26, 2007**, in the Community Building, 401 Khedive, with **Mayor Clair Donnelly** presiding. Councilmembers present were **Raynol Herndon, Donna Clasen, Cathy Reed, Karen Fitzmier, and Nick Ard.**

Also present were: **Richard LaMunyon**, City Administrator, **Jean Silvestri**, City Clerk, **Jocelyn Reid**, City Treasurer, **Tom Powell**, Attorney, **Kim Edgington**, Planning and Zoning Administrator, **Bill McKinley**, City Engineer, **Ron Smothers**, Public Works Director, **Matt Jensby**, Police Chief, **Rose Mary Saunders**, Grant Writer.

**APPROVAL OF AGENDA:**

The Agenda was submitted for approval.

**MOTION:** *Clasen* moved to approve the agenda with the removal of the Tree Board and the Planning Commission minutes.  
*Ard* seconded. Motion declared carried.

**CONSENT AGENDA:**

The Consent Agenda was submitted for approval.

**MOTION:** *Clasen* moved to approve the Consent Agenda as amended with the exclusion of the Tree Board and Planning Commission minutes.  
*Fitzmier* seconded. Motion declared carried.

**PUBLIC COMMENTS:**

- Carolyn Igo, 324 Liberty, expressed concerns regarding her neighbors. She was encouraged to visit with City Staff about her concerns.

**2006 INDEPENDENT AUDITORS' REPORT:**

Randy Ford with Busby Smith & Ford, LLC Certified Public Accountants/Consultants, completed an outside single independent audit for the budget year of 2006. Mr. Ford was present to answer Council question.

**MOTION:** *Reed* moved to receive and file the 2006 Audit as submitted.  
*Fitzmier* seconded. Motion declared carried.

**WASTEWATER UTILITY ORDINANCE:**

An Ordinance establishing a Wastewater Treatment Utility was presented to the Council for approval.

**MOTION:** *Reed* moved to adopt the Ordinance establishing a wastewater utility.  
*Ard* seconded. Motion declared carried.

*City Clerk assigned Ordinance #728.*

**BOND RESOLUTION FOR WASTEWATER UTILITY REFINANCING:**

A Resolution authorizing and providing for the issuance of \$2,040,000 in wastewater utility revenue bonds was submitted to the Council for approval.

**MOTION:** *Ard* moved to adopt the Bond Resolution authorizing and providing for the issuance of \$2,040,000 in wastewater utility revenue bonds for the purpose of prepaying and refinancing the KDHE Revolving Loan Agreement.  
*Fitzmier* seconded. Motion declared carried.

*City Clerk assigned Resolution #398-07.*

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**BOND ORDINANCE FOR WASTEWATER UTILITY REFINANCING:**

An Ordinance authorizing and providing for the issuance of \$2,040,000 in wastewater utility revenue bonds was submitted to the Council for approval.

**MOTION:** *Ard* moved to adopt the Ordinance authorizing and providing for the issuance of \$2,040,000 in wastewater utility revenue bonds for the purpose of prepaying and refinancing the KDHE Revolving Loan Agreement.  
*Herndon* seconded. Motion declared carried.

*City Clerk assigned Ordinance #729.*

**BOND PURCHASE AGREEMENT-WASTEWATER UTILITY REVENUE BONDS:**

A Bond Purchase Agreement between the M & I Brokerage Services, Inc. and the City of Maize was submitted to the Council for approval.

**MOTION:** *Ard* moved to accept the Bond Purchase Agreement dated March 26, 2007 between M&I and the City of Maize for the purchase of Wastewater Utility Revenue Bonds and authorize the Mayor to sign.  
*Herndon* seconded. Motion declared carried.

**DISCLOSURE ORDINANCE-WASTEWATER UTILITY REVENUE BONDS:**

An Ordinance establishing a master undertaking to provide ongoing disclosure for the benefit of holders of the wastewater utility revenue bonds was submitted to the council for approval.

**MOTION:** *Ard* moved to adopt the Ordinance establishing and providing for continuing disclosure requirements regarding the wastewater utility revenue bonds.  
*Herndon* seconded. Motion declared carried.

*City Clerk assigned Ordinance #730.*

**WATERCRESS 2<sup>ND</sup> ADDITION PHASE 1 ADDITIONAL FINANCING:**

An additional \$64,000 for the water main in the Watercress 2<sup>nd</sup> Addition, Phase 1 is needed in order to complete the project. The water main portion of the project was not included in engineers estimate. The additional monies required will not exceed the allocated amount authorize for the Watercress 2<sup>nd</sup> Addition project.

**MOTION:** *Clasen* moved to approve the additional 2007 funding, in the amount of \$64,000 for the Watercress 2<sup>nd</sup> Addition, Phase 1 Project.  
*Reed* seconded. Motion declared carried.

**WATERCRESS 2<sup>ND</sup> ADDITION PHASE 1-PETITIONS/RESOLUTION/ ORDINANCE:**

Petitions for paving (\$478,000), water distribution (83,000), sanitary sewer (123,000), and a water main (64,000) were submitted to the Council for approval. A Resolution of advisability and construction of internal improvements and an Ordinance authorizing construction of said improvement in the Watercress 2<sup>nd</sup> Addition Phase 1 were presented to the Council for approval.

**MOTION:** *Clasen* moved to: 1) Accept the petitions for an amount not to exceed \$748,000 for internal improvements in the Watercress 2<sup>nd</sup> Addition Phase 1, 2) to adopt the Resolution of Advisability for said project. And, 3) to adopt the Ordinance authorizing construction of internal improvements in the Watercress 2<sup>nd</sup> Addition Phase 1.

*Herndon* seconded. Motion declared carried.

*City Clerk assigned Resolution #399-07.*  
*City Clerk assigned Ordinance #731.*

**CARRIAGE CROSSING VI ENGINEERING CONTRACT:**

An engineering contract from Schwab-Eaton for design (\$68,000) and construction staking (\$14,000) services in the amount of \$82,500 for Carriage Crossing VI was presented to the Council for approval.

**MOTION:** *Clasen* moved to accept the Schwab-Eaton Engineering Contract in the amount not to exceed \$82,500 for consultant design and construction staking services and authorize the Mayor to sign.  
*Ard* seconded. Motion declared carried.

**HAMPTON LAKES PHASE 2 ENGINEERING CONTRACT:**

An engineering contract from MKEC for design (45,500) and construction phase (54,500) services in the amount of \$99,000 for Hampton Lakes Phase 2 was presented to the Council for approval.

**MOTION:** *Clasen* moved to accept the MKEC Engineering Contract in the amount not to exceed \$99,000 for consultant design and construction phase services and authorize the Mayor to sign.  
*Reed* seconded. Motion declared carried.

**JG & K ENTERPRISES, LLC LEASE PURCHASE OF UTILITY EASEMENT AGREEMENT:**

A Lease Purchase Agreement with JG & K Enterprises, LLC to provide a utility easement for the City on property located at the southeast corner of 53<sup>rd</sup> and Tyler was submitted to the Council for approval. The City agrees to pay an amount equal to the ad valorem tax on the property on December 10, each year of the agreement

**MOTION:** *Clasen* moved to approved the Lease Purchase of Utility Easement Agreement between JG & K Enterprises, LLC and the City of Maize and authorize the Mayor to sign.  
*Fitzmier* seconded. Motion declared carried.

**ANNEXATION ORDINANCE:**

A Ordinance annexing the quarter section located at the southeast corner of 53<sup>rd</sup> and Tyler owned by Eugene and Kay Woodard was submitted for Council approval. A request for annexation is on file with the City Clerk.

**MOTION:** *Fitzmier* moved to adopt the Ordinance annexing the Woodard property.  
*Ard* seconded. Motion declared carried.

*City Clerk assigned Ordinance #733.*

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**EAGLE POINT ADDITION:**

Costs associated with constructing a lift station to service Eagle Point Addition and other property in the area was discussed. No action was taken.

**20-YEAR SPECIAL ASSESSMENT POLICY– ONE-YEAR EXTENSION:**

A request to extend the trial program of the 20-Year Special Assessment Policy for a year was presented to the Council for approval. The policy will be revisited in January, 2008.

**MOTION:** *Ard* moved to approve extending the one-year trial period for the 20-Year Special Assessment Policy for an additional year beginning January 1, 2007 and ending January 1, 2008.  
*Clasen* seconded. Motion declared carried.

**WATERCRESS ADDITION 20-YEAR SPECIAL ASSESSMENT REVIEW:**

An application from Walker, Lane and Reed for 20-year special assessments for Watercress Addition was presented to the Council for approval. The 20-Year Special Assessment Review Committee, based on their findings, unanimously recommended approval of this application during their March 1, 2007 meeting.

**MOTION:** *Clasen* moved to receive and file the March 1<sup>st</sup>, 2007 minutes of the 20-Year Special Assessment Committee and to authorize 20-year special assessments in the Watercress Addition.  
*Ard* seconded. Motion declared carried.

**ADJOURNMENT:**

With no further business coming before the Council,

**MOTION:** *Fitzmier* moved to adjourn.  
*Clasen* Seconded. Motion declared carried.  
Meeting adjourned.

**Respectfully submitted by:** \_\_\_\_\_  
**Jocelyn Reid, City Treasurer**