

Eudora City Commission Meeting
City Hall – 4 E. 7th Street
Eudora, Kansas
March 23, 2020
7:00 pm

Call to Order
Mayor Tim Reazin
Vice Mayor Ruth Hughs
Commissioner Jolene Born absent
Commissioner Roberta Lehmann
Commissioner Tim Bruce

Quorum noted.

Pledge of Allegiance was recited.

Changes or additions to agenda

Mayor Reazin requested the Executive Session be removed from the agenda and to move the work session on Remote participation in City Commission meetings policy to Business item E and adding Business item F
Considering canceling the April City Commission meetings.

Mayor Reazin moved the City Commission approve the agenda with the noted changes, motion seconded by Commissioner Hughes, all ayes, motion carried, 4-0.

Consent agenda items

- A. Consider minutes of March 10, 2020 Eudora City Commission meeting
- B. Consider warrants against the City of Eudora
- C. Consider Proclamation to declare April Child Abuse Prevention Month
- D. Consider Proclamation to declare April National Safe Digging Month
- E. Consider Proclamation to declare April National Arbor Month and April 24, 2020 as Arbor Day
- F. Consider Proclamation declaring April National Autism Awareness month and April 2, 2020 as Autism Awareness Day

Mayor Reazin moved the City Commission approve the consent items, motion seconded by Commissioner Hughs, all ayes, motion carried, 4-0.

Public Hearing

- A. Determination of blight at 714 Main Street for CDBG application

City Manager Matite reported that Asst. City Manager Herring has been working with GW Weld, who is in attendance, and a grant coordinator to submit an application to the Community Development Block Grant program. After the public hearing, the governing body with need to approve certain documents that are enclosed in the packet along with the application.

Mayor Reazin opened the public hearing.

No public spoke in regard to the application.

Mayor Reazin brought the meeting to order.

Public comments

Public comments were invited and none were heard.

Business Items

- A. Consider executing certain documentation related to the Community Development Block Grant (CDBG) Program for 714 Main Street

Resolution 2020-03 certifies the City has legal authority to submit the grant application.

Resolution 2020-04 will declare the meeting a blight with respect to the CDBG program.

Items 3 through 6 are relevant documents to the application process which each need approval.

- i. Consider Resolution 2020-03 certifying legal authority to submit a grant application to the Community Development Block Grant (CDBG) Program for 714 Main Street

Commissioner Hughs moved to approve Resolution 2020-03 certifying legal authority of the City of Eudora to apply for the 2020 Kansas Small Cities Community Development Block Grant (CDBG) program from the Kansas Department of Commerce and authorizing Mayor Reazin to submit such an application, motion seconded by Commissioner Bruce, all ayes, motion carried, 4-0.

- ii. Consider Resolution 2020-04 declaring a building blighted with respect to the Community Development Block Grant (CDBG) Program at 714 Main Street

Commissioner Bruce moved to approve Resolution 2020-04 declaring 714 Main Street a blighted building with respect to the Kansas Small Cities Community Development Block Grant (CDBG) program and authorize Mayor Reazin to sign the Resolution, motion seconded by Commissioner Hughs, all ayes, motion carried, 4-0.

- iii. Consider Statement of Assurances and Certifications with respect to the Community Development Block Grant (CDBG) Program

Commissioner Hughs moved that the Mayor execute the Statement of Assurances and Certifications relating to the activities involved in the application for the use of Kansas Small Cities Community Development Block Grant (CDBG) program funding at 714 Main Street, motion seconded by Commissioner Bruce, all ayes, motion carried, 4-0.

- iv. Consider Residential Anti-displacement and Relocation Assistance Plan with respect to the Community Development Block Grant (CDBG) Program

Commissioner Bruce moved that the Mayor certify that the Residential Anti-displacement and Relocation Assistance Plan relating to 714 Main Street as part of the Kansas Small Cities Community Development Block Grant (CDBG) program is officially adopted and execute such document stating the same, motion seconded by Commissioner Hughs, all ayes, motion carried, 4-0.

- v. Consider Applicant/Recipient Disclosure Report with respect to the Community Development Block Grant (CDBG) Program

Commissioner Hughs move that the Mayor certify the Applicant/Recipient Disclosure Update Report which identifies parties with a financial interest in the Kansas Small Cities Community Development Block Grant (CDBG) program candidate project located at 714 Main Street and execute such document stating the same, motion seconded by Commissioner Bruce, all ayes, motion carried, 4-0.

- vi. Consider environmental determination of level of review with respect to the Community Development Block Grant (CDBG) Program

Commissioner Bruce moved that the Mayor execute the Determination of Level of Review for the Environmental Review Record, claiming Categorical Exclusion SUBJECT to §58.5 authorities per 24 CFR 58.35(a)(1) for Eudora, KS Commercial Rehabilitation project located at 714 Main St. Eudora, KS 66025 (Douglas County), motion seconded by Commissioner Hughs, all ayes, motion carried, 4-0.

- B. Consider Planning Commission recommendations for Rezoning, Use Permitted Upon Review, Preliminary Development Plan and Preliminary Plat applications for the proposed Nottingham commercial development located at 1428 Elm Street Eudora, KS

Matite explained item B is a recommendation from the Planning Commission regarding rezoning, UPUR, the preliminary plan and the preliminary plat of the Nottingham property. The design team from Slaggie Architects, Inc., Scott Slaggie and Phil Dougherty, presented the design guidelines for the property. Andy Gabbert with Renaissance Infrastructure addressed the Commission regarding the landscape architecture. The Development Team is working with prospective tenants on the give and take regarding these guidelines. The team suggested having a future conversation about moving a property line in the southwest corner that is not included in the Nottingham property, but the city has dual ownership. The traffic study shows that a light is warranted at 15th and Church Streets. The same study suggests once the property is completed, a traffic study is needed to see if a traffic light is warranted at 14th & Church Streets. Dave Knopick, AICP, planning consultant for the City, briefed the Commissioners on the process the Planning Commission went through to get to their recommendations. A motion is required for each action item.

Mayor Reazin moved the City Commission approve the recommendation of the Planning Commission and amend the City of Eudora Zoning Map to reflect a change of zoning designation from RS Residential Single Family District to CPOD Commercial Planned Overlay District for the property legally described in the application materials, subject to the approval of the associated Use Permitted Upon Review and Preliminary Plan, by way of Ordinance 1108, motion seconded by Commissioner Bruce, all ayes, motion carried, 4-0.

Mayor Reazin moved the City Commission approve the recommendation of the Planning Commission to designate the CPOD as an acceptable Use Permitted Upon Review, subject to the approval of the associated Preliminary Plan, motion seconded by Commissioner Hughs, all ayes, motion carried, 4-0.

Mayor Reazin moved the City Commission approve the recommendation of the Planning Commission to approve the Preliminary Plan, including the tenant criteria and the list of requested deviations, with the following conditions:

- 1. Cleaning up any general typographical/technical errors and adding information as necessary to address staff review comments.**
- 2. The property encompassed by the proposed development be platted as part of the development process in accordance with City regulations.**
- 3. The preliminary plan may be adjusted to incorporate a full turn access at the mid-block drive access that is just south of Lot 1 aligning with the Sonic entrance to the east of Church. This change requires the drive to be a 3-lane section.**
- 4. Addressing design and development details in a manner that meets City requirements through the final plan, final plat, public improvement plan, building/construction plan and other applicable permitting processes.**
- 5. Subject to meeting all applicable federal, state and local regulations and acquiring applicable permits.**

motion seconded by Commissioner Hughs, all ayes, motion carried, 4-0.

Mayor Reazin moved the City Commission approve the recommendation of the Planning Commission to approve the Preliminary Plat with the following conditions:

- 1. Cleaning up any general typographical/technical errors and adding information as necessary to address staff review comments.**

2. Preliminary plat shall incorporate references establishing a property owner association that will be responsible for shared property/development improvements and maintenance of such improvements. Specific dedications and references shall also be incorporated into final plat(s) for the development and require appropriate filing and recording establishing the association.
3. Preliminary plat shall incorporate references to shared parking and circulation arrangements. Such arrangements shall be noted on final plat(s) with appropriate easements/agreements filed and recorded accordingly.

motion seconded by Commissioner Hughs, all ayes, motion carried, 4-0.

C. Consider Ordinance 1108 a change of zoning from RS Residential Single-Family District to CPOD Commercial Planned Overlay District for the property located at 1428 Elm Street Eudora, KS
This item was approved in Business item B.

D. Consider suspension of the assessment of Late utility payment fee and penalty
Matite explained the Governor of Kansas issued an executive order to all utilities to temporarily suspend the practice of disconnecting utility services for non-payment. Staff recommends the suspension of late fees to further assist citizens effected by COVID-19. Matite advised the Commission staff is working on a policy to implement a payment plan for citizens that were impacted by this event and need to make payments. Mayor Reazin was clear in stating the payment plan is a temporary solution to assist citizens during an event such as COVID-19. The policy will be in place for future events.
Mayor Reazin moved the City Commission approve the suspension of the assessment of the late utility payment fees and penalties for non-payment though the COVID-19 event; and authorize the City Manager to develop a temporary utility payment policy geared at alleviating the economic impacts of residents impacted by COVID-19 with the effective date of said policy to be upon notification of the City Commission, motion seconded by Commissioner Lehmann, all ayes, motion carried, 4-0.

E. Consider Resolution 2020-05: Remote participation in City Commission meetings policy
Matite stated originally staff wanted a work session on this item but decided to move to a Business item to allow the resolution to be effective at an earlier date. After discussion tonight, the resolution will be sent to city attorney David Waters for review. The consensus of the Commission was if a Commissioner(s) participates remotely, they want to be able to see and hear that Commissioner. The meetings will be open to the public. Staff will look at ways to allow interested citizens to dial in to hear a Commission meeting. If possible, Commissioners would like to allow remote participation to include executive sessions. Matite will check with the city attorney to see if that is allowed.
Mayor Reazin moved the City Commission approve Resolution 2020-05 establishing policies relating to remote participation in City Commission meetings for the City of Eudora pending city attorney review, motion seconded by Commissioner Bruce, all ayes, motion carried, 4-0.

F. Consider canceling April City Commission meetings
After discussion, no action taken.

Mayor and City Commission Comments

Mayor Reazin spoke with the residents located in the Wakarusa Estates cul de sac neighborhood. The mayor asked what the Commission thought about speed bumps and other traffic calming devices and asked for an estimate on the price of such improvements to neighborhoods. He asked for an update on the grant application for the improvements to Church Street at 8th & 9th Streets. Matite responded the deadline for

submittal is April 15th and staff are currently collecting letters of support. EABSA requested to be on the agenda to ask approval to use the Nottingham property as the site of their firework sales fundraiser. EABSA was told last year it was the last time they would be able to use Nottingham for their fireworks stand. The consensus was not to allow any such events on the Nottingham property any longer.

Commissioner Bruce requested more information on Monarch Build, LLC who has been acting as part of the development team.

Commissioner Hughs – No comment.

Commissioner Born did not attend meeting.

Commissioner Lehmann – No comment.

City Manager and Staff Comments

City Manager Barack Matite commented he would try to get Monarch Build, LLC to attend the next Commission meeting. Matite will try to reschedule the Commission retreat for either April 28th or May 1st. Matite updated the Commission with changes to city routine due to COVID-19. Some of which are: staff that can are working remotely, changes to payroll to comply with executive orders, and trying to stay updated with the constant information from different agencies.

Assistant City Manager Leslie Herring did not attend meeting.

Director of Public Works Branden Boyd – No comment.

Police Chief Wes Lovett – No comment.

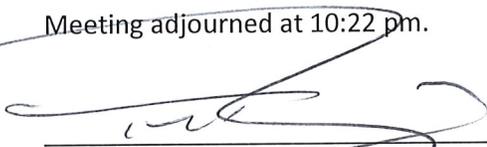
Fire Chief Ken Keiter did not attend meeting.

Parks & Recreation Director Sally Pennington did not attend meeting.

City Clerk Pam Schmeck – No comment.

Commissioner Bruce moved to adjourn, motion seconded by Commissioner Lehmann, all ayes, motion carried, 4-0.

Meeting adjourned at 10:22 pm.



Tim Reazin, Mayor



Pam Schmeck, City Clerk