

Eudora City Commission Meeting
City Hall – 4 E. 7th Street
Eudora, Kansas
September 14, 2020
7:00 pm

Call to Order

Mayor Tim Reazin	attended virtually
Vice Mayor Ruth Hughs	
Commissioner Jolene Born	attended virtually
Commissioner Roberta Lehmann	attended virtually
Commissioner Tim Bruce	

Quorum noted.

Pledge of Allegiance was recited.

Changes or additions to agenda

Commissioner Hughs requested the addition of a Work Session to discuss grant funding through Kansas Housing Resources Corporation (KHRC) and the removal of the Executive Session for non-elected personnel from the agenda.

Mayor Reazin moved the City Commission approve the agenda with the addition of a work session to discuss KHRC grant funding and removal of the Executive Session for Non-elected personnel, motion seconded by Commissioner Bruce, all ayes, motion carried, 5-0.

Consent agenda items

- A. Consider minutes of August 24, 2020 Eudora City Commission meeting
- B. Consider warrants against the City of Eudora
- C. Consider August Police Department report
- D. Consider August Fire Department report

Commissioner Born moved the City Commission approve the consent items, motion seconded by Commissioner Bruce, all ayes, motion carried, 5-0.

Public comments

Public comments were invited, and none were heard or submitted.

Business Items

- A. Consider Nottingham Center Final Plat Development at 1428 Elm Street

Dave Knopick, City Planning Consultant stated on July 28, 2020 the City of Eudora received a Final Plat for the Nottingham commercial development on property addressed as 1428 Elm Street. Knopick noted the preliminary plat for the Nottingham commercial development was considered and approved previously with the preliminary development plan earlier this year.

Knopick stated the proposed final plat is for the entire 14.65 acres and would divide the property into two parcels (Lot 1 and Lot 2); Tract A for access, drainage and utility purposes to be owned and maintained by the Owners Association; and Tract B to be held for future subdivision by the City of Eudora. The proposed final plat also includes the identification of various easement and right-of-way areas that would be dedicated for the provision of access, drainage, and utilities to and around the entire development site. In addition to the proposed final plat document, the Declaration of Association and Easements, Covenants, Conditions and Restrictions has been provided by the current owner to be filed with the final plat if approved.

Knopick noted that during review by the Planning Commission it was found that although the final plat proposed fewer lots (2 lots and 2 tracts) than the preliminary plat (8 lots and 2 tracts) this was done to allow flexibility in consideration of future tenant needs and thus the proposed final plat did not differ materially from the approved preliminary plat. Any future proposed adjustments related to lot/tract configuration, easements or rights-of-way will require lot split or replating processes and will be evaluated in light of the approved preliminary plat and this final plat.

Knopick stated the Planning Commission approved the Final Plat with the following four conditions:

1. Clean up any general typographical/technical errors and add information as necessary to address previous staff review comments and meet Douglas County requirements for filing/recording such plat documents. Such final version of the plat document shall be provided for City Staff review/approval prior to executing signatures on the document.
2. Provision of the certificates, outlined in item (2) E – L of Section 17-403 (b), as evidenced by the signatures on the final plat document and supporting documents prior to filing/recording.
3. Per Section 17-403 (b) 3 – 5 the following items be adequately addressed to the satisfaction of City Staff:
 - A. Prior to filing of the final plat with the Register of Deeds, the licensed engineer or licensed land surveyor responsible for the survey and final plat shall certify to the city officer that all lots shown have been pinned.
 - B. Prior to filing of the final plat with the Register of Deeds, the applicant shall submit Homeowners Association documents to the Codes Administrator for review by the City attorney.
 - C. Prior to filing of the final plat with the Register of Deeds, construction plans shall be submitted to the Codes Administrator and approved by the City Engineer and Public Works Director.
4. Meet all applicable federal, state, and local regulations and acquiring applicable permits.

Noting that per Section 17-402 (c) (6):

If a building permit for substantial construction has not been applied for and issued for any portion of a subdivision within five years of filing with the Douglas County register of deeds the final plat shall be null and void.

Mayor Reazin asked if the one residential property on the site becomes part of the plat, will a revision have to be made to include it. Knopick stated if it became part of the development it would have to be revised to incorporate the parcel.

Commissioner Hughs asked when tract B is developed, will the process have to be repeated to divide it. Knopick stated that a lot split could be done administratively, unless it involves easements or Right-of-ways. If it involved easements or R.O.W., it would have to be a revised final plat but would not require a revised preliminary plat as well.

Mayor Reazin moved the City Commission approve the action taken by the Planning Commission and accept the dedication of streets and other public ways, service, and utility easements and any land dedicated for public use as shown on the plat, motion seconded by Vice Mayor Hughs, all ayes, motion carried, 5-0.

Mayor Reazin moved the City Commission approve the Nottingham Center Declaration of Association and Easements, Covenants, Conditions and Restrictions Document and direct the City Manager to create the Owners Association that will oversee and maintain the Nottingham Center Development, motion seconded by Commissioner Bruce, all ayes, motion carried, 5-0.

B. Consider presentation from Amino Brother Co., Inc. – Proposed Construction Manager-at-Risk (CMAR) for Nottingham and Church Street Improvement Projects

City Manager Matite stated at the July 27th Commission meeting the Commission was notified of the need to change the contractor for the Nottingham project and a RFQ process was needed to do so. The RFQ was sent out to qualified contractors and the city received three responses to the RFQ. The responses received were from Bettis Asphalt & Co., Inc., Aminos Brothers Co., Inc., and Pyramid Contractors, Inc.

The city development team interviewed all three contractors and Aminos Brothers Co., Inc. was selected as the CMAR for the project. Matite stated that Don Comprise, with the development team was online for comments. Comprise appreciated the teams help with the review process to find the new CMAR. Comprise stated he would like to recommend them to the city for the project, subject to working out a final contract they hope to present at the next Commission meeting.

Al Seeman, Vice President of Amino Brothers Co. introduced the team to the Commission. Seeman thanked the commission for the opportunity and gave a brief history of the company. Seeman stated that the Nottingham project is similar to projects that they do on a regular basis.

Commissioner Bruce stated he was satisfied with the process that took place in choosing the CMAR and the team had three good applicants to choose from. He added he feels Amino Brothers is extremely qualified for the project.

Mayor and City Commission Comments

Mayor Reazin appreciates all the work that has taken place on the Nottingham project.

Commissioner Bruce – No comment.

Vice Mayor Hughs is looking forward to September 17, 2020 business announcement at City Hall.

Commissioner Born – No comment.

Commissioner Lehmann – No comment

City Manager and Staff Comments

City Manager Barack Matite – No comment.

City Management Analyst Jeff Rhodes commented the CARES Act funding is going forward and staff will move forward to take formal action. At the July 13th meeting, the Commission asked staff to look into the fireworks ordinance for possible changes. The committee that includes community members will meet for the first time tomorrow. The goal is to have recommendations to the Commission by the end of the year.

Commissioner Lehmann stated she thought she was going to be on the firework committee. Rhodes stated that his plan was to have the Commission more as consultants, and the first meeting was to set groundwork and expectations but would include Lehmann for future meetings.

Sidewalk grant application is due by November 6, 2020.

Director of Public Works Branden Boyd did not attend meeting.

Police Chief Wes Lovett – No comment.

Fire Chief Ken Keiter commented four new volunteers have started a seven-week program.

Parks & Recreation Director Sally Pennington commented Bluejacket project is on schedule with a mid-October finish. Youth soccer began with safety procedures in place. The Wakarusa project will begin this week.

City Clerk Pam Schmeck thanked Public Works employees Shane Hill and Austin Casagrande for helping with the cemetery clean up on Friday.

Vice Mayor Hughs moved to recess for KHRC Work Session, motion seconded by Commissioner Bruce, all ayes, motion carried, 5-0.

Work Sessions

A. Moderate Income Housing Grant Application through Kansas Housing Resources Corporation (KHRC). Jeffery Rhoades, Management Analyst, stated that with a partnership between Douglas County, the City of Eudora and Lawrence Habitat for Humanity have partnered together to submit a Moderate-Income Housing grant application to build three single-family-for-purchase homes in Eudora. There would also be two houses built through non-profit Tenants to Homeowners, Inc.

Presentations were provided by Erika Zimmerman and Jill Jolicoeur with Douglas County. The presentation went over the 99-year ground lease for the properties restricting the resale of the homes to families that meet criteria with a reduced resale price.

City Manager Matite stated that a Resolution would be brought back to the Commission for action. The Resolution would include language about waiving or lowering the permit fees.

Vice Mayor Hughs moved to bring the meeting back to order, motion was seconded by Mayor Reazin, all ayes, motion carried, 5-0.

Commissioner Bruce moved to adjourn, motion seconded by Mayor Reazin, all ayes, motion carried, 5-0.

Meeting adjourned at 7:52 pm.



Tim Reazin, Mayor

Eric Strimple, Billing Specialist