

**EUDORA CITY COMMISSION
MEETING AGENDA
January 28, 2019
Eudora City Office
4 East 7th Street Eudora, Kansas
7:00 P.M.**

Mayor: Tim Reazin

City Commission: Ruth Hughs, Jolene Born, Troy Squire & Tim Bruce

- I. CALL TO ORDER Roll Call Pledge of Allegiance**
- II. CHANGES OR ADDITIONS TO AGENDA – Approve agenda**
- III. CONSENT ITEMS:**
 - A. Consider minutes of January 14, 2019 Eudora City Commission meeting**
 - B. Consider warrants against the City of Eudora**

PUBLIC COMMENTS: Please state name and address prior to addressing the Governing Body. Public comments are limited to 5 minutes per speaker.

- IV. BUSINESS ITEMS:**
 - A. Consider request to extend Predevelopment Agreement from Alcove Development, LLC**
- V. Mayor & City Commission comments**
- VI. City Manager & staff comments**
- VII. WORK SESSION:**
 - A. None**
- VIII. EXECUTIVE SESSION:**
 - A. Non-elected personnel**
- IX. Adjournment**

As a courtesy, please silence all cell phones while the City Commission meeting is in session.

Eudora City Commission Meeting
City Hall – 4 E. 7th Street
Eudora, Kansas
January 14, 2019
7:00 p.m.

Call to Order:

Mayor Tim Reazin

Commissioner Troy Squire absent

Commissioner Tim Bruce

Commissioner Ruth Hughs

Commissioner Jolene Born

Quorum noted.

Pledge of Allegiance was recited.

Changes or additions to agenda

Mayor Reazin requested the Executive Session be removed from the agenda.

Vice Mayor Hughs moved the City Commission approve the agenda with the Executive Session removed, motion seconded by Commissioner Bruce, all ayes, motion carried, 4-0.

Elect Mayor

Commissioner Bruce moved the City Commission elect Tim Reazin as Mayor for 2019, motion seconded by Commissioner Born, all ayes, motion carried, 4-0.

Elect Vice Mayor

Commissioner Bruce moved the City Commission elect Ruth Hughs as Vice-Mayor for 2019, motion seconded by Commissioner Born, all ayes, motion carried, 4-0.

Consent agenda items

- A. Consider minutes of December 10, 2018 Eudora City Commission meeting
- B. Consider warrants against the City of Eudora
- C. Consider December Police Department report
- D. Consider December Fire Department report
- E. Consider Resolution 2019-01 GAAP Waiver

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

Public comments

Public comments were invited and were heard by Sandra Deay. She thanked the Electric Department for restoring power so quickly and thanked Public Safety employees responding to her home as needed.

Business Items

- A. Consider service agreement for on-call planning services with Ochsner, Hare & Hare a division of Olsson Planning Services

Asst. City Manager Leslie Herring explained the city no longer uses Shafer, Kline & Warren (SKW) for planning services. The city chose to work with Dave Knopick, a one man shop with IBTS and utilizing an existing agreement. Staff recognized the need for an on-call service agreement with a planning consultant. Staff

recommends Ochsner, Hare & Hare, a design studio of Olsson Associates, as the city's planning consultant. No cost is assessed until the city needs their services. Herring introduced Theresa Carter as the city's primary contact with OH&H.

Mayor Reazin moved the City Commission authorize the City Manager to execute the Letter of Agreement for Professional Planning Services with Ochsner, Hare & Hare a design studio of Olsson Associates, motion seconded by Commissioner Hughs, all ayes, motion carried, 4-0.

B. Consider mayoral appointments to the Planning Commission and Board of Zoning Appeals
Mayor Reazin contacted Glenn Bartlett from the Planning Commission and Mr. Bartlett declined to be reappointed. Mayor contacted Danielle Young to replace Mr. Bartlett on the Planning Commission. She accepted the position. Aaron Thakker has agreed to be appointed to the Board of Zoning Appeals. The Mayor requested a meeting with the two committees to introduce them to the responsibilities expected of them.
Mayor Reazin approved the Mayor's appointments of Tim Pringle, Johnny Stewart and Danielle Young to the Eudora Planning Commission and Charlie Watts and Aaron Thakker to the Board of Zoning Appeals, motion seconded by Commissioner Born, all ayes, motion carried, 4-0.

Mayor and City Commission Comments

Mayor Reazin commented it's amazing that Eudora's power was restored so quickly when there are still 45 thousand people who are still without power. The Mayor appreciated the job the Electric Department and Public Safety Departments performed during the storm. Kwik Com chose not to honor the city's requirement for an engineering drawing for their project and canceled their contract. On February 1, 2019, there will be an appreciation dinner for the City Commission, Planning Commission and Board of Zoning Appeals and spouses at the Lodge. Mayor welcomed back City Manager Barack Matite from being out of the office.

Commissioner Bruce – No comment.

Commissioner Hughs was impressed with the snow removal over the weekend.

Commissioner Born – No comment.

Commissioner Squire did not attend meeting.

City Manager and Staff Comments

City Manager Barack Matite commented it's good to be back to work. He congratulated the Mayor and Vice-Mayor on the re-elections. He also thanked the department heads for taking care of business while he was away. He thanked Asst. City Manager Leslie Herring for holding down the fort while he was gone. Staff is wrapping up 2018 and getting ready for 2019. He thanked Public Works for the excellent job during the snow storm. He also acknowledged Police Officers Cody Galley and Fred Ramirez for their heroic act of rescuing an unconscious man from a burning house. The act was in multiple newspapers and shown on TV stations. Chief Lovett will enter their names for an honorary award. Matite, Herring, Ami Young, Mayor Reazin and Commissioner Bruce will attend Local Government Day in Topeka on Wednesday, January 23rd. They plan to talk to representatives about the issue with the Township Library. January 26th is the Eudora Chamber of Commerce annual meeting/dinner at Bluejacket Winery.

Assistant Manager Leslie Herring commented the stone is up on the west entrance sign. Once the snow has melted, the finishing touches will be made and the letters can be hung. The journalism school at KU will be providing Eudora with photo and news coverage. It will be a spring semester project. Herring noted only positive engagement on social media regarding the snow removal. She thanked Public Works and Public Safety

departments for the work done during the storm. Herring recognized Chief Keiter for his sixth-year anniversary employed with the city.

Director of Public Works Branden Boyd recognized his street crew and electric crew for a job well done. All power was restored by 2:00 pm on Saturday. The street crew started on late Friday night and didn't leave until 2 or 3 in the afternoon on Saturday. Currently the brush dump is closed and can't receive any more debris. Citizens were asked to put limbs in the parking lot at the 9th and Main by the Christmas tree drop off. The brush dump will be brought up at the next Commission meeting.

Police Chief Wes Lovett commented two officers pulled an unconscious man out of a burning house. They will be recognized at a future City Commission meeting.

Fire Chief Ken Keiter commented on the nice job of the Police Officers in getting the unconscious man out of the burning building. A burning mattress has very toxic fumes. The man was very lucky to be laying at the top of the stairs as opposed to further back in the room. Chief thanked the Mayor for the appreciation meal where he served lasagna. Seven new volunteers will start the fire academy this Saturday. The Fire Department ran twelve calls between Friday night and Saturday night.

Parks & Recreation Director Gary Scott did not attend meeting. Assistant Parks & Recreation Director Jimmy Kegin commented the demolition is finished at Lucy Kaegi Park. The project is still on track.

City Clerk Pam Schmeck commented Commissioners have a questionnaire from Mize Houser & Company, P.A. on the dais which needs to be completed and returned to the City Clerk before leaving. Commissioners Bruce, Reazin and Squire have family gym memberships renewal forms to complete before leaving.

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

Meeting adjourned at 7:30 pm.

Tim Reazin, Mayor

Pam Schmeck, City Clerk



Agenda Statement

Date: Monday, January 28, 2019
To: Mayor and City Commissioners
From: Barack Matite, City Manager
Re: Predevelopment Agreement: Request for Extension

Background

On July 20th, 2018, the City and Alcove Development, LLC executed a six-month exclusive predevelopment agreement for the redevelopment of the Nottingham property. Since the execution of the agreement, Alcove paid the \$25,000 earnest deposit and has been working diligently to recruit prospective users of the site. They have kept staff abreast of their efforts and continue to do their due diligence to redevelop the property.

Per the 2018 Agreement, Alcove was designated as the exclusive developer for a period of six months and had the right to request an extension. Pursuant to Section 5 of the Agreement, Alcove has requested a six-month extension as the 2018 Agreement has expired.

The first amendment to the 2018 Predevelopment Agreement is attached to this agenda statement for your review and consideration.

Staff comments

Staff recommends the City Commission approve the request for extension and authorize the Mayor to sign the First Amendment to the Predevelopment Agreement.

Budget Impact - N/A

City Manager Approval - N/A

Recommended Commission Action:

Suggested Motion: I move the City Commission approve the First Amendment to Public Incentive Predevelopment Agreement and authorize the Mayor to execute the Agreement with Alcove Development, LLC.

**FIRST AMENDMENT TO PUBLIC INCENTIVES
PREDEVELOPMENT AGREEMENT**

THIS FIRST AMENDMENT TO PUBLIC INCENTIVES PREDEVELOPMENT AGREEMENT ("First Amendment") is made and entered into effective as of the last date of signature indicated below, by and between the **City of Eudora, Kansas**, a municipal corporation of the State of Kansas (the "City"), and **Alcove Development, LLC**, a Kansas limited liability company (the "Developer") (the City and Developer are hereby collectively referred to as the "Parties").

A. The City and Developer have previously entered into that certain Public Incentives Predevelopment Agreement dated July 20, 2018 (the "Agreement").

B. Pursuant to Section 5 of the Agreement, Developer was designated as the exclusive developer of record for a period of six (6) calendar months after the effective date of the Agreement, which period of time has expired.

C. Developer has requested an extension of such exclusive developer period, and the City is willing to grant such extension.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Developer of Record. Section 5 of the Agreement is hereby amended such that City designates Developer as the exclusive developer of record for the Property until June 1, 2019.

2. Miscellaneous. Capitalized or defined terms not otherwise defined herein shall have the meaning given them in the Agreement. To the extent inconsistent with the Agreement, this First Amendment shall supersede the same and control the contractual relationship by and between the parties. Except as expressly modified herein, the terms and conditions of the Agreement are hereby ratified and deemed in full force and effect. This First Amendment may be executed in multiple counterparts, all of which when taken together shall constitute one and the same First Amendment. A facsimile signature upon this First Amendment shall be effective the same as an original signature.

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be executed and delivered as of the dates set forth below.

CITY:

CITY OF EUDORA, KANSAS

By: _____

Tim Reazin
Mayor

Date: _____

ATTEST:

By: _____

Pam Schmeck
City Clerk

APPROVED AS TO FORM:

By: _____

David E. Waters
City Attorney

DEVELOPER:

ALCOVE DEVELOPMENT, LLC

By: Dustin K. Baker

Name: Dustin K. Baker

Title: Manager

Date: 1/24/19