

MINUTES
THE REGULAR MEETING OF THE ROSE HILL CITY COUNCIL
MONDAY FEBRUARY 4, 2013 – 7:00 P.M.
ROSE HILL CITY HALL/COUNCIL CHAMBERS

ACTION ITEMS:

ACTION ITEM #1: CALL TO ORDER AND ANNOUNCEMENTS

The regular meeting of the Rose Hill City Council was called to order at 7:04 p.m. by Mayor Mark Conway and held in Council Chambers. Councilmembers present: Rob Curtis, Jason Jones, David Vernia, Keith Carselowey and Tamara Potter. Administration and staff present: Kathy A. Raney, City Administrator/City Clerk; Kirk Hayden, Public Works Director; Bob Sage, Police Chief; Kelly Mendoza, Asst. City Clerk; Andrew Marino, Asst. City Attorney and Richard Brown, Building Official. Others present: Christine Wendt, Ron Long, Michelle Eskeli, Mandy Jones, James Kennard, Joe & Lori Martin, Ashley Vickers, Bill Baker, Chris & Jill Heinz, Cynthia & Jeff Hudspeth, Sarah Mahan, Ronald & Betsy Brown, Jeff Hawkins, Kurt McCune, Loretta & Dakota Williams, Don Waller, Terry Whiteside, Chris Adams, Renee Robinson, Mike & Judy Sullivan, Steven Boivin, Ed Templin, Howard & Barbara Reed, Curtis Nickel, Jennifer & James Aamodt, Darrell Leach, Dan Woydziak, Doc Peerson, David Sanromani, Kathy Cox, Janine Feola, Roy Raney, Marc Mannella, Andy Reed, John Austin and Jamie Belden.

ACTION ITEM #2: INVOCATION AND FLAG SALUTE

Pastor Ron Long, Rose Hill First Baptist Church, gave the invocation followed by the flag salute.

ACTION ITEM #3: APPROVAL OF AGENDA

With copies of the 2/04/13 agenda previously distributed and before each Councilmember, the following:

MOTION (by D. Vernia): To approve the 2/04/13 agenda as presented.
SECOND BY R. Curtis with MOTION PASSING 5-0.

ACTION ITEM #4: APPROVAL OF MINUTES

With copies of the January 22, 2013 Regular Council Meeting minutes previously distributed and before each Councilmember, the following:

MOTION (by J. Jones): To approve the January 22, 2013 Regular Council Meeting minutes. SECOND BY D. Vernia with MOTION PASSING 5-0.

ACTION ITEM #5: CLAIMS

With copies of Appropriation Ordinance No. 3 previously distributed and before each Councilmember, the following:

MOTION (by R. Curtis): To approve the payment of claims for Appropriation Ordinance No. 3. SECOND BY T. Potter with MOTION PASSING 5-0.

ACTION ITEM #6: CITIZEN REQUESTS

Mayor Conway requested that speakers limit themselves to 3 minutes due to the number who wish to speak and asked that citizens not repeat what has already been said.

Michelle Eskeli, 256 W. Young – Ms. Eskeli came before Council with her concerns regarding the NRP program. She has lived in Rose Hill for 20 years and is against it, she feels that the city is growing well on its own, and that the City should take care of the citizens that are here.

Joe Martin, 3511 Summerchase - Mr. Martin came before Council to discuss existing home sales. He and his wife have lived in Rose Hill for 24 years and reside in Sienna Ranch. He feels that the tax incentives have hurt his ability to sell his home and that the value of his home has decreased as a result. He is requesting that the NRP be discontinued.

Chris Heinz, 419 Sienna Dr., - Mr. Heinz thanked the Council for allowing them to speak at the meetings. He is concerned about the tax incentives and the ability to remain a bedroom community. He felt that the only thing going for the City was the schools and that the City should elevate them to be elite. He also feels the NRP legislature should be overturned.

Jill Heinz, 419 Sienna Dr., - Mrs. Heinz came before Council with her concerns regarding the tax incentive program. She stated that homes in Sienna Ranch cannot be fairly marketed, and that the homeowners are taking a financial loss. She is requesting that the NRP be discontinued.

Sarah Mayhan, 400 Sienna Dr., - Mrs. Mayhan thanked the Council for allowing her to speak. She is concerned that there is a large number of homes for sale in Sienna Ranch and that the NRP is hurting existing home sales.

Cynthia Hudspeth, 221 Pine Creek St., - Mrs. Hudspeth came before Council to provide information on the existing homes for sale in her neighborhood. Mrs. Hudspeth also stated that they have lowered the price of their home three times.

Bill Baker, 211 E. Osage – Mr. Baker came before Council with his concerns regarding the tax incentive program. Mr. Baker asked that the City not allow any more permits for the NRP to be issued. He also felt that the Council had not received enough information from staff when making decisions regarding the NRP.

County Commissioner, Dan Woydziak - Came before Council to state that since the County administers the program, all documents and criteria presented to Council by City Administrator, Kathy Raney, followed the guidelines that they had requested for uniformity.

Recorder's Note: Councilmember Potter asked for a "restroom" break.

RECESS

Mayor Conway recessed the Council meeting at 8:07 p.m. for 8 minutes.

RECONVENE

Mayor Conway reconvened the Council meeting at 8:15 p.m.

Jeff Hawkins, 3206 Willow Creek – Came before Council with his concerns regarding the tax incentive program. Mr. Hawkins feels that the program is driving down home values in the area.

Chris Adams, 602 N. Park Road – Came before Council with his concerns regarding community support for the businesses that are already here. Mr. Adams also had concerns with dogs in his neighborhood, Mayor Conway directed him to the proper City personnel to handle his complaints.

Ed Templin, 1627 N. Rose Hill Road – Came before Council with his concerns in regards to businesses in town and the lack of support the community offers.

Marc Manella, 14815 E. 24th St. N. – Mr. Manella felt it that is not the role of government to pick winners and losers, and does not support the NRP.

A lengthy discussion ensued.

DISCUSSION ITEMS:

DISCUSSION ITEM #1: MONTHLY ENGINEER’S REPORT

Mayor Conway asked if there were any comments. There were none.

DISCUSSION ITEM #2: N.R.P. PROGRAM

Mayor Conway opened discussion on the N.R.P. Program.

Councilmember Potter stated that no one wants this program, and that the Council should be representing the citizens.

Councilmember Jones had questions regarding the terms and conditions of the NRP and asked what the cost to the City had been so far. City Administrator, Kathy Raney, stated that the 2012 impact was \$79.00, 2013 impact was \$583.00 and the 2014 estimated impact would be \$5,900.00.

Councilmember Vernia stated that he has always been for the Old Town portion and proposed that the NRP program be for Old Town only, with more parameters set.

Mayor Conway asked Legal Counsel if the NRP could be amended to leave in Old Town only. Assistant City Attorney, Andrew Marino, stated that a resolution could be drafted that authorizes the Mayor to seek an amended agreement with a 30 day written notice.

Councilmember Jones asked if the entire resolution could be repealed, but would like to leave the Old Town portion in.

After a lengthy discussion, the following:

MOTION (by D.Vernia): To authorize the Mayor to write a letter to the participating taxing entities withdrawing the City’s participation in the NRP Program. **SECOND** by T. Potter with **MOTION PASSING 5-0.**

MOTION (by K. Carselowey): To authorize the Mayor to direct City Staff not to accept any NRP applications, effective immediately. **SECOND** by R. Curtis with **MOTION PASSING 5-0.**

MOTION (by D. Vernia): To repeal Ordinance #590 - 2013 Spec/Model Home Tax Grant Program. **SECOND** by T. Potter with **MOTION PASSING 5-0.**

DISCUSSION ITEM #2: NOTICES AND COMMUNICATIONS

- a) Butler Co. Commission: Agendas/Minutes: Mayor Conway noted that copies were in Council packets.
- b) S.C.A.R.F. Quarterly Statistics: Mayor Conway noted that a copy of the report was included in Council packets.
- c) LKM Governing Body Handbooks: Mayor Conway noted that a copy of the handbook was included in Council packets.

DISCUSSION ITEM #3: CITY ADMINISTRATOR'S REPORT

Kathy Raney, City Administrator, reported on the following items:

- Street Reconstruction Projects – Chuck Bouilly, George K. Baum will be attending the February 19th Council meeting, to provide options available to the City with regard to initiation of street reconstruction projects
- Strategic Planning – Have met with WSU Hugo Wall School of Urban and Public Affairs regarding services they provide in Strategic Planning. A presentation will be scheduled in the near future.
- Regional Economic Area Partnership (R.E.A.P.) – Joe Yager, REAP Chief Executive Officer, will be coming before Council in the near future to provide an overview of the 2012 REAP accomplishments and 2013 Work Plan.
- Retail/Commercial New Business Incentive Update: Rose Hill Development, Inc. approved a match for the incentive provide by the Rose Hill Chamber of Commerce. The match will allow for a total incentive of \$1,250.00 offsetting start up costs for new businesses.
- Paperless Packets - Will have pricing available at next Council Meeting.

Kathy addressed the citizens stating that it was not her intention to offend anyone regarding NRP information. She stated that it wasn't about egos, but about being passionate about issues or policies that would help the City grow.

DISCUSSION ITEM #4: DEPARTMENT HEADS' REPORT

Bob Sage, Police Chief, reported on the following items:

- Professional Standards Report - In 2012 the police department updated polices relating to complaints and internal investigations. There were a total of 10 professional standard investigations in 2012.
- 2012 Traffic Enforcement/Field Contact report by Race and Ethnicity - Memo included in Council packets.

Kirk Hayden, Public Works Director, reported on the following items:

- School St. Pond – Bridges trusses will be set this week.
- Water Rates – Rate Comparisons of previous rates and the rates going into effect February 1, 2013 were in packets.

Councilmember Jones asked if the water rates could be reviewed further as it has been a year since the last discussion.

DISCUSSION ITEM #5: MAYOR'S REPORT

Mayor Conway:

- Reminded Council of the upcoming Home Show.
- Mayor reported on the new Health Sciences Academy program at the Rose Hill High School, stating that there are already 30 kids enrolled in this program. The Early College health Sciences Academy is a cooperative venture between Butler and USD 394.
- Mayor also addressed Councilmember Potter's statement at the last Council meeting regarding the vote on the NRP. He noted that Legal Counsel had spoken with the League of Kansas Municipalities and the most recent vote was the controlling vote and that it had been properly done. Councilmember Potter disputed.

DISCUSSION ITEM #6: COUNCILMEMBERS' REPORT

T. Potter: Thanked the citizens for coming and stated that if wasn't about egos, then why did it take all of the citizens to be here to change anything.

K. Carselowey: Thanked the people of the community for coming to the meeting, values thoughts, ideas and concerns.

D. Vernia: Appreciates everyone for coming out

J. Jones: Thanked everyone for coming out

R. Curtis: Appreciates everyone that came out to the meeting

DISCUSSION ITEM #7: ADJOURNMENT

There being no further business to come before Council, the following:

MOTION (by R. Curtis): To adjourn the meeting at 9:38 p.m. SECOND BY K. Carselowey, with MOTION PASSING 5-0.

Respectfully submitted:

Kelly L. Mendoza, Recorder
Assistant City Clerk