

City Council Minutes

Meeting date:

Monday, July 13, 2020

The meeting was called to order in the Library Community Room at 7:00 p.m. by Mayor J.D. Hegwood. Present were Lance DeLissa, Armando Gonzalez, Roberto Holguin, Brian Kroth, and George Lucas. Also present were City Attorney Clay Kuhns, City Administrator Dean Cordes and City Clerk Janet Gleason. Visitors were Bobbi Allison, Tom Kuhns, Chad and Tiffany Ziebart, Marshela Adolfson, Todd Lewis, Lance and Tisha Kane, Linda Tomlinson, Wes Bainter, Leighton DeLissa, Gilbert Freeman, Todd and Imagene Davis, Gregg Borth, NanC Burns, Michelle Ross, Mike Godfrey, Bart Fischer, Kim Stevens, Erin Boggs, Ed Dye, Bryan VanPelt, and Terri Headrick, Cheryl Copeland, Theada Bartel and Connie Koesser.

Chad and Tiffany Ziebart gave a PowerPoint presentation with information regarding the meat processing business they would like to open at 152 Post Street. At their request Cordes contacted 15 facilities of similar size and inquired if there have been community complaints regarding flies, noise, smell, or sewer issues. All but one of the facilities contacted said they have not had any complaints. One had an issue with the sewer system that the Kansas Department of Health and Environment assisted with and have had no complaints since the issue was taken care of. Ziebart have not asked for any abatements or assistance from the City other than a request to finish the alley located behind the property. Cordes explained that if the Council decides to change the zoning, they can also write a Conditional Use Permit to set additional guidelines for the business to address community concerns.

Kroth asked Bainter what the concerns of the residents were so that they could be addressed and Bainter deferred the question to Tomlinson. She said it is not a good location due to the flies and the smell. Lucas responded that he felt that Ziebart had addressed those issues.

Cordes informed Council that the Planning Commission had voted 3-2 against the change in zoning. DeLissa asked if changing the zoning and a Conditional Use Permit are two different votes. Cordes said they would be. The Council can set the stipulations of a Conditional Use Permit. Motion by Kroth to change the zoning for 152 N Post Street from Commercial to Industrial. Seconded by Lucas. Motion carried 4-1. Kroth, Gonzalez, Lucas, Holguin – yes, DeLissa – no. Kroth asked if the Conditional Use Permit stipulations had to be decided on tonight and Cordes advised there was no reason to rush and it would be best to put the right things in place. Ziebart's cannot move forward until the Conditional Use Permit is in place. Kuhns told Council they have time to think about it. DeLissa asked about getting a list of the things inspectors check and making them part of the Conditional Use Permit. Bainter asked the Council to consider requiring the construction of a 10 to 12-foot fence between the properties along the East and North sides.

Todd and Imagene Davis requested to purchase the four and one half lots located on Highway for \$500.00. They intend to build a nail salon, laundromat, and yoga studio. Cordes said typically in the purchase agreement would be the condition that a retail business is completed in 18 months after the deed is signed. There are guidelines for building along Main Street and he will get them the regulations for C1 zoning.

Rod Hay of Hay Rice and Associates presented the proposed 2021 budget to the council. Hay said once the final payment is made on the electric bond the remainder can be transferred back into the electric fund. Cordes asked if the \$20,000.00 increase in the street budget could be removed to decrease the mill levy since they are not sealing streets this year. This would lower the proposed tax rate of 86.86 mills to a 2021 rate of 84.01 mills. Hay will make the council's recommended changes. The budget hearing will be at the August 10, 2020 at 7:00pm at the beginning of the City Council meeting. Motion by Gonzalez, seconded by Lucas to approve the 2021 budget with the suggested changes. Motion carried

Motion by Lucas, seconded by Kroth, to approve the Appropriation Ordinance of \$623,883.72.

Motion carried with all in favor.

Gonzalez motioned, seconded by Lucas to approve the June 22,2020 minutes as written. Motion carried with all in favor. Motion by Lance, seconded by Armando to approve the June 29, 2020 special meeting minutes as written. Motion carried with all in favor.

There were no building permits.

Cordes asked Council what they wanted to do regarding the Splash Pad. Motion by Lucas, seconded by Kroth to move forward with the splash pad. Motion carried with all in favor

Motion by DeLissa, seconded by Gonzalez to sell the wheat. Motion carried.

Motion by Lucas, second by Kroth to enter executive session for consultation with the attorney for attorney client matters to meet back into this same room in 10 minutes. Motion carried with all in favor. After executive session, no action was taken.

Motion by Kroth, second by Gonzalez to enter executive session for personnel matters of non-elected personnel to protect their privacy to meet back into this same room in 10 minutes. Motion carried with all in favor. After executive session, no action was taken.

Motion by DeLissa, second by Holguin to enter executive session for consultation with the attorney for attorney client matters to meet back into this same room in 10 minutes. Motion carried with all in favor. After executive session, no action was taken.

Motion by Gonzalez, seconded by Kroth to adjourn. Motion carried with all in favor.

ATTEST:

J.D. Hegwood, Mayor

Janet Gleason, Clerk