

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:00 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Ginger Cullen: Kessler here, Walters here, Rardin here, Ewert here, Benner here, Parton here, Crum here, Thompson here.

Invocation was given by Councilperson Bob Rardin.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Under Presentation and Approval of Minutes, Mayor Bruce Armstrong presented for approval the Minutes of August 10<sup>th</sup>, 2020.

Motion by Benner – Second by Ewert

I make a motion we accept the minutes of the August 10<sup>th</sup> meeting.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Parton abstain, Crum abstain, Thompson yea.

Motion declared carried.

Under Citizens to be Heard, Mayor Bruce Armstrong advised that the Sedgwick County Fire Department was not present.

Under Approval of Licenses and Bonds, Mayor Bruce Armstrong presented a Retail Liquor License Renewal Regarding Hurst Liquor, 7127 S. Broadway.

Motion by Crum – Second by Benner

I'll make a motion that we approve the renewal of the Retail Liquor License for Hurst Liquor at 7127 S. Broadway.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Parton yea, Crum yea, Thompson yea.

Motion declared carried.

Under Approval of Licenses and Bonds, Mayor Bruce Armstrong presented a Refuse Haulers License Renewal for Allen and Sons Waste Services, 3645 Esthner Street, Wichita, KS 67213.

Motion by Rardin – Second by Parton

I make a motion to accept the Refuse License Renewal for Allen and Sons Waste.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Parton yea, Crum yea, Thompson yea.

Motion declared carried.

Under Introduction of Ordinances and Resolutions, Mayor Bruce Armstrong presented A RESOLUTION WAIVING THE GAAP REQUIREMENTS OF K.S.A. 75-1120a(a) FOR THE CITY OF HAYSVILLE, KANSAS. Mayor Armstrong explained that this resolution is required annually due to the accounting methods used in the City.

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Motion by Crum – Second by Walters

I'll make a motion that we approve the RESOLUTION WAIVING THE GAAP REQUIREMENTS OF K.S.A. 75-1120a(a) FOR THE CITY OF HAYSVILLE, KANSAS.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Parton yea, Crum yea, Thompson yea.

Motion declared carried.

Under Notices and Communications, Mayor Bruce Armstrong called for Governing Body Announcements. Councilperson Steve Crum reviewed hours at the library, advised there would be a special meeting of the Board of Education on Wednesday, August 26<sup>th</sup>, which citizens could watch online. Mayor Armstrong reviewed upcoming events at the Haysville Senior Center, and advised there would be a ribbon cutting organized by Sedgwick County regarding the new lighted street signals at 55<sup>th</sup> Street and Meridian on September 2<sup>nd</sup> at 1:30. Councilperson Russ Kessler advised there would be an “America Bless God” Rally at the Riggs Park Band Shell on Saturday, August 29<sup>th</sup> at 7:00 p.m. He advised questions could be directed to 524-5000. After seeing no further announcements, Mayor Armstrong advised that this would be City Clerk Janie Cox’s last Council meeting before her retirement. He presented her with a plaque honoring her 35 years of service to the City of Haysville.

Under Notices and Communications, Mayor Bruce Armstrong presented an Email from Cox Communications Regarding Channel Changes.

Under Other Business, Mayor Bruce Armstrong presented Consideration of Zoning Code Amendment 2020-01. Mayor Armstrong advised documents in the Council packet relating to this matter include staff reports and recommendations, as well as draft minutes from the August 13<sup>th</sup> meeting of the Planning Commission. He advised that Planning approved the Zoning Code Amendment with an alteration to make Assisted Living Facilities a conditional use in zones “B” and “BB”. Mayor Armstrong advised the amendment presented to the Planning Commission would have made Assisted Living Facilities allowed in zones “B” and “BB” and would have made Assisted Living Facilities in zone “A” allowed as a conditional use. He went on to say the Planning Commission’s addition of Assisted Living Facilities as a conditional use in “B” and “BB” was unnecessary, and placed an undue burden on any facility that may be interested in bringing this housing option to Haysville. Mayor Armstrong advised that since the Commission’s alterations to the Code made it more difficult to work with the City, staff recommended overriding their decision and approving the revisions presented by staff originally. Mayor Armstrong introduced Planning and Zoning Administrator Angie Millspaugh, who stood for questions from Council. Councilperson Steve Crum clarified what a motion would need to look like should Council decide to override the Planning Commission and approve staff’s recommendation and asked if two separate motions would need to be made. City Attorney Josh Pollak advised only one motion would be needed to reject Planning’s recommendation and accept staff’s recommendation. Councilperson Danny Walters asked what the rationale was behind having Assisted Living Facilities allowed with a conditional use. Millspaugh explained that if they are allowed with conditions, the Planning

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Commission and the City Council would be able to stipulate certain conditions, such as lighting, noise, and screening based upon the needs of the surrounding area. Councilperson Janet Parton stated that any annexed property always comes in under zone “A”, so if an Assisted Living Facility annexed property, the conditions of zones “B” and “BB” wouldn’t matter. Mayor Armstrong stated that having the conditions on zones “B” and “BB” tells people that the City is difficult to work with and doesn’t want growth. Councilperson Walters asked if the amendment could be sent back to the Planning Commission to separate the Assisted Living Facility considerations from the other considerations it was included with. Mayor Armstrong advised that sending the amendment back to Planning would require them to hold another public hearing, which was not ideal. Councilperson Russ Kessler asked Millspaugh to clarify what code currently says, what Planning Commission wants it to say, and what staff wants it to say. Millspaugh advised that nursing home facilities are the only facilities currently addressed in the Zoning Code, and they are allowed in Light Commercial Zone and up. She advised that Assisted Living Facilities are not currently mentioned in the Zoning Code, stating staff recommends Assisted Living Facilities occur in residential zones as their primary function is housing. Mayor Armstrong advised that the developers that build and operate these facilities tend to put housing for independent seniors adjacent to the Assisted Living Facility they build. Councilperson Crum advised he spoke with Economic Development Director Zach McHatton at length, and there is a company currently expressing interest in building an Assisted Living Facility in Haysville, but making extra red tape for them to navigate may push them away from Haysville completely. Additional discussion occurred regarding traffic implications, and ramifications of conditional use in Zone “A” versus allowable use in Zones “B” and “BB”, as well as the experiences in other communities where Assisted Living Facilities have been built in residential areas.

Motion by Walters – Second by Ewert

I make a motion that we override the recommendation of the Planning committee as listed in the number one bullet and take staff’s recommendation.

After the motion and the second, Councilperson Russ Kessler asked if the City was currently having issues relating to cargo containers, which were also addressed in the Zoning Code Amendment. Mayor Armstrong advised there is currently no regulation on cargo containers, and the proposed regulations give one year for compliance. Kessler asked if those regulations would apply to storage facilities, and Mayor Armstrong answered in the affirmative. Seeing no other discussion, Mayor Armstrong called the question.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Parton nay, Crum yea, Thompson yea.

Motion declared carried.

Mayor Armstrong asked for Department Reports.

On behalf of the City Clerk’s Office, Chief Administrative Officer Will Black advised that City Hall would be closed on September 7<sup>th</sup> for Labor Day and that Red Tag Day would

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be on September 9<sup>th</sup>. For the Police Department, Black advised the visiting officer was Master Police Officer Grady Germany. For Public Works, Black informed Council that an emergency repair had to occur in the Waste Water Treatment Plant to replace a mixer motor at a cost of \$11,705.00. Black advised of Recreation Department announcements, including a running program called Where the Wild Things Run, signups for Yoga and Zumba, and the Dog Daze event at the pool on August 30<sup>th</sup>.

There were no Off Agenda Citizens to be Heard.

Under Bills to be Paid, Mayor Bruce Armstrong presented the Bills to be Paid for the Last Half of August.

Motion by Ewert – Second by Parton

I'd like to make a motion that we pay the last half of August bills.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Parton yea, Crum yea, Thompson yea.

Motion declared carried.

Under Council Items, Mayor Bruce Armstrong asked for Council Concerns. Councilperson Steve Crum advised that a weekly update of COVID-19 cases by zip code revealed Haysville was trending higher than other areas and stressed the importance of wearing a mask to keep COVID-19 numbers low. Councilperson Russ Kessler asked for an update on the Haysville Hustle. Mayor Armstrong advised that the bus is in the parking lot now, and staff is focusing on getting policies and procedures developed.

Under Council Items, Mayor Armstrong advised residents as 750 E. Forest Ct. have appeared in court, are partially compliant, and have two more weeks to come into full compliance.

Mayor Bruce Armstrong presented for approval Adjournment.

Motion by Kessler – Second by Ewert

Mayor and Council, I make a motion we adjourn tonight's meeting.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Parton yea, Crum yea, Thompson yea.

Motion declared carried.

The Regular Council Meeting adjourned at 7:37 p.m.

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Janie Cox, City Clerk