

KECHI CITY COUNCIL MEETING MINUTES

February 25, 2021

I. CALL TO ORDER/ROLL CALL

Mayor Speer called the meeting to order at 7:00pm

Council present: Brian Adams, Betty Washington, Matt Brewer, Richard Haddock, and Margaret McCormick.

City staff present: Kamme Sroufe, City Administrator; Andrew Kovar, City Attorney; Jessie Woodrow, Chief of Police; Theresa Morlan, City Clerk; Thomas Bevan, Director of Public Works; Chris Morlan, Zoning Administrator; Kris Brown, Deputy City Clerk; and Joseph Trumbull, Police Lieutenant.

Guests present: Karin Anderson, Jerrod Sroufe, Doug and Cathy Bonnesen, Arnel E. Thomas Jr., Rick Alley, Troy Osborne, Terry Brown, Debbie Harp, and Rebecca Mellies.

A. PLEDGE OF ALLEGIANCE – Led by John Speer.

B. APPROVE AGENDA

Motion by Brian Adams to approve the Agenda, moving Consent Agenda item 2, Emergency Covid Leave Personnel Policy, to New Business item E, having 20-minute Executive Session for Non-Elected Personnel, and 30-minute Executive Session for Attorney/Client Privilege. Seconded by Matt Brewer. Motion carried 5-0-0.

C. EXECUTIVE SESSION

Motion by Betty Washington to go into Executive Session for matters on non-elected personnel for 20 minutes with the meeting to resume at 7:26pm. Motion was seconded by Brian Adams and carried 5-0-0.

Meeting resumed at 7:28pm. No binding action was taken.

Motion by Betty Washington to go into Executive Session for matters on non-elected personnel for 10 minutes with the meeting to resume at 7:39pm. Motion was seconded by Brian Adams and carried 5-0-0.

Meeting resumed at 7:41pm. No binding action was taken.

D. APPROVE AGENDA

Consent Agenda

1. Minutes February 11, 2021 Meeting
3. Reorganization Structure/Job Description Updates
4. Employee Merit Increase

Motion by Betty Washington to approve the Consent Agenda. Motion was seconded by Richard Haddock and carried 5-0-0.

II. COMMUNICATIONS

A. Public Forum – Arnel Thomas Jr, 205 E Kechi Rd, addressed the Council concerning stormwater utility fees of \$6 per month. He has not paid it, but then received a past due notice from the City with a disconnect date. He is upset that he has to pay the city for the stormwater, but still has to mow his ditch. He feels he should not have to pay if he mows his own ditch. He also noted that over the past several months, he has trapped skunks, raccoons, and opossums around his property. He feels this is a growing problem that the city needs to address, and he volunteers to be animal control and trap them around Kechi.

Karin Anderson, 300 E Kechi Rd., addressed the council regarding the noise ordinance that was on the agenda for this meeting. She is very happy that this has come before council, and she has inquired about having one. She is concerned with possible noise from the Tap House next to her residential properties. She feels the times and decibels are suitable to regulate noise. She did have concerns with the exemptions for motor vehicles and wondered if it includes jake brakes, but that jake brakes are mainly only an issue around the corners on K-254. She thanked the council for their time and the ordinance.

Troy Osborne, 340 E Dakota, stated that the Northwoods rezoning greatly affects those who live in this area. The expectation of size and definition of what is allowed in the area are of concern. Property values are currently inflated, but this will go away. There is a concern that smaller houses will lead to duplexes and low-income housing. This is not a long-term solution and feels the proposed housing will be unappealing. It will hurt homes appreciating in value in this area. He is concerned that rezoning will turn the area into Rock Road area with more crime and more turnover.

B. Kechi Civic Groups – None

III. NEW BUSINESS

- A. Conditional Use Request – CU-2021-01 – 421 N Shawnee Dr. – Oversize Storage Building – Ordinance 1771-21 - id**– Zoning Administrator (ZA) Morlan presented the case. There were no abstentions, and a quorum of 6 was established. The city clerk received no protest petitions, and the City Council received a copy of the Planning Commission minutes. The requested 384sqft building would bring total storage for a lot less than three acres over the allowed limit. There was no public comment and applicants were not present. Planning Commission recommended approval without conditions.

Motion by Richard Haddock to approve CU-2021-01 and adopt Ordinance 1771-21 allowing the conditional use. Motion was seconded by Matt Brewer and carried 5-0-0.

- B. Zoning Regulations Amendment – Ordinance 1772-21 – ZA Morlan reported the changes recommended by the Planning Commission: Remove duplexes as being allowed in R-1A. Allow Pet Grooming as a Conditional Use in C-1. All previously “Prohibited Home Occupations” will be changed to Conditional Use and be reviewed every two years, and any home occupation not expressly listed will also be by conditional use.**

Motion by Richard Haddock to adopt Ordinance No. 1772-21 and authorize the mayor to sign. Motion seconded by Matt Brewer, and carried 5-0-0.

- C. Noise Ordinance No. 1774-21 – City Administrator Kamme Sroufe presented the ordinance that was researched by Chief Woodrow and reviewed by City Attorney Andrew Kovar.**

Motion by Betty Washington to adopt Ordinance No. 1774-21. Motion seconded by Richard Haddock and carried 5-0-0.

- D. Piper-Sandler Financial Services Agreement – CA Sroufe presented the agreement which has not changed in content from 2020.**

Motion by Brian Adams to approve the agreement and authorize signing. Second by Matt Brewer and carried 5-0-0.

- E. Emergency Covid Leave Policy – CA Sroufe presented recommended guidelines which would be retroactive to January 1, 2021 and expiring on August 31, 2021. It would allow each employee 80 hours of sick leave only for the use in event of Covid related leave.**

Motion by Matt Brewer to approve the Emergency Leave Policy. Second by Brian Adams and

carried 5-0-0.

IV. OLD BUSINESS

A. **Rezone Northwoods Lots , Block from R-1 to R-1A – Ordinance 1773-21 -**

ZA Morlan reported this request was had been returned to the Planning Commission for reconsideration. The Planning Commission recommended approval as original submitted. If the rezone is approved the number of lots in the application area would change from 23 to 38 on the two cul-de-sacs on the northwest portion of the development.

Applicant, Rick Alley addressed the council stating that these would be zero-step single-family homes which would allow for aging families to down-size but remain in single-family homes. Duplexes will not be allowed, and only the two cul-de-sacs will be rezoned, all other lots will remain R-1. No currently developed lots are adjoining area to be rezoned.

Council member Adams asked the City Attorney what the Council could consider and what the Council's options were. The City Attorney instructed the Council to consider the 9 factors and findings listed in the Zoning Administrator's report. The City Attorney stated that since this matter was returning to the Council after having been originally sent back to the Planning Commission for further consideration, the Council could approve or override (deny or change) the recommendation of the Planning Commission by a majority vote.

ZA Morlan recommended approval of the request and ordinance.

Council members Adams and Haddock expressed concern that the size of the homes proposed and the denser configuration allowed under R-1A would be incompatible with the surrounding R-1 properties and could detrimentally affect such properties. The Council members further considered the views expressed during the public forum and agreed that current residents bought with the idea of how the neighborhood would be developed and that a change to R-1A would change the character of the immediate neighborhood.

Motion Brian Adams to deny Z-2020-01. Motion seconded by Richard Haddock and carried 5-0-0.

V. INTERACTIVE DIALOG

A. Water & Sewer Rate Update – CA Sroufe reported that she does not intend to bring both rates at the same time. Due to the recent events with gas, it would be better to have only the sewer rate adopted at the next meeting and wait until later in the year to change the water rates.

B. Gas Update – CA Sroufe reviewed recent events regarding extreme cold weather event and the related high gas prices due to increased demand and well heads freezing up. What the city budgets annually for gas, was equal to what one day during the cold snap. Kansas Attorney General has opened an investigation, KMGa has been reaching out to lawmakers both at state and national level, Senator Moran's office has reached out to us, and a group from KMGa is meeting with Senator Marshall on Friday, February 26. Options for dealing with both the bill that the city receives for gas consumed in February and customer billing will need to be decided as possible relief becomes available. Council and Mayor expressed their appreciation to city staff for working on the issue and dealing with residents in a positive manner.

VII. EXECUTIVE SESSION

Motion by Betty Washington to go into Executive Session for the purpose of Attorney-Client privilege. Meeting to resume at 9:15pm. Motion seconded by Brian Adams and carried 5-0-0.

Meeting resumed at 9:15pm. There was no binding action taken.

VI. ADJOURNMENT

Motion by Betty Washington and second by Matt Brewer to adjourn. Motion carried 5-0-0. Meeting was adjourned at 9:16pm.

Signed: _____
John Speer, Mayor

Attest: _____
Theresa Morlan, City Clerk