

**REGULAR CITY COUNCIL MEETING  
CITY ADMINISTRATIVE OFFICES  
511 N. COMMERCIAL**

**March 5, 2011  
7:30 P.M.**

**PRESIDING:** Mayor Keith DeHaven

**GOVERNING BODY MEMBERS PRESENT:** Jon Jenson, Thom Noone, Lynne Vigil, Larry Emmel, Rick Jacob arrived at 7:34 p.m.

**ALSO ATTENDING:** Jaci Reimer, City Administrator; Janise Enterkin, City Clerk; Brad Jantz, City Attorney; Kelley DeGraffenreid, Harvey County Independent; Rodger Gutzmer, John Pittinger, Jeremy Liby, Walter Hoyt, Cynthia Hoyt, Teresa Eggleston, Rodney Eggleston

ADDITIONS/DELETIONS TO THE AGENDA

**MOVED BY VIGIL AND SECONDED BY EMMEL TO APPROVE THE AGENDA AS PRESENTED. MOTION CARRIED.**

CONSENT AGENDA

**MOVED BY JENSON AND SECONDED BY NOONE TO APPROVE THE CONSENT AGENDA INCLUDING:**

**MINUTES OF THE REGULAR COUNCIL MEETING OF FEBRUARY 21, 2012**

**PAYROLL CHECKS 25895-25916**

**GENERAL DISBURSEMENT CHECKS 57683-57718.**

**MOTION CARRIED.**

PUBLIC COMMENT

No public comments given.

STAFF REPORTS

**Jaci Reimer, City Administrator**, presented a report about 202 W. 8<sup>th</sup>. The property has been purchased by a new owner and they are asking for an extension of 6 months to complete unfinished repairs left by the previous owners. **Council member Jenson** said he would like to have the request in writing. **City Attorney Jantz** explained to Council the process when dealing with a new owner. The hearing is to be re-scheduled. The new owner will appear with an agenda of repairs. Council said they wanted the request for the extension to be made both in writing and in person. The hearing will be held at the next Council meeting March 19<sup>th</sup>.

Jaci reviewed the amendment to the building inspection agreement to add the city of Moundridge and the change to the mileage rate due to the distance traveled and the higher cost of fuel. The insurance policy is being reviewed and updated. Jaci attended a conference on FEMA risk mapping. Council was asked to re-schedule the Special Council meeting regarding Public Building Commission for either March 8, 12 or 15 at 7PM. Staff will contact J.T. Klaus with Triplett, Woolf and Garretson to confirm best date and time.

**MOVED BY JENSON AND SECONDED BY NOONE TO ADJOURN INTO EXECUTIVE SESSION REGARDING PROPRIETARY INTEREST AND TRADE SECRETS FOR 10 MINUTES BEGINNING AT 7:35PM WITH MAYOR, COUNCIL, CITY ADMINISTRATOR, CITY CLERK, CITY ATTORNEY AND JEREMY LIBY IN ATTENDANCE. MOTION CARRIED.**

Meeting reconvened at 7:50 PM with no binding action taken while in executive session.

Jaci presented the 2011 Annual City Review.

#### NEW BUSINESS

Executive Session was moved later in the meeting after Mayor and Council Reports.

#### OLD BUSINESS

**MOVED BY JACOB AND SECONDED BY JENSON TO APPROVE THE REVISION TO BUILDING INSPECTOR CONTRACT INCLUDING CITY OF MOUNDRIDGE AND RAISING THE MILEAGE RATE DUE TO INCREASE IN FUEL PRICES. MOTION CARRIED.**

**MOVED BY EMMEL AND SECONDED BY JACOB TO APPROVE THE SECOND AMENDMENT TO THE JOINT INSPECTION SERVICES TO INCLUDE THE CITY OF MOUNDRIDGE. MOTION CARRIED.**

After reviewing Ordinance #667 – RV Parking on streets, it was the CONCENSUS OF COUNCIL TO LEAVE ORDINANCE 667 AS WRITTEN.

Council then reviewed the Zoning Regulation Article X, Section 6, page 43 dealing with Recreational Vehicles storage and utilize for living in a residential district. **Jaci and Council** discussed the parking of RV's. Jaci gave the suggestions of allowing 1 front yard use, either RV, boat, trailers, etc. behind the site triangle.

**Council member Emmel** asked what the definition of 'housekeeping' meant in Section 6, number 2.

**Atty. Jantz** explained that it means you cook there, it's where your residence is. Jantz told Council that the meaning can be defined in the document if that is what they want.

**Council** didn't feel it was necessary to include a definition.

**Jaci** said that staff does not want to change the regulation against living in a recreational vehicle or camper in the front yard.

**Council member Emmel** said that he agreed, it is a matter of public safety.

**Atty. Jantz** said that the city uses the IBC codes, 4 different codes would consider this to be a violation.

**Council member Jacob** said the only thing he would change would be to allow owner to park one recreational vehicle or boat in their drive way, not in their yard, but a dedicated drive way, sand, gravel but not in the grass. He doesn't think that people should live in them for safety reasons.

**Council member Emmel** said that he agreed with utilizing RV's for living, sleeping should not be permitted.

**Teresa Eggleston** explained their circumstances with their visiting family members and asked if Council would consider issuing a special permit for people that are visiting to live in their RV's.

**Council member Jenson** said he feels that there should be some levity for visiting family but he sees the other side also.

**Council member Vigil** said she would like more time to look into what is required to make it a safe environment so we can allow some flexibility.

**Jaci Reimer, City Administrator** said the electric is the biggest issue and if you allow permitting it should be included in the permitting process and she does not want to see it allowed in the front yard. If it is not being lived in, it can be parked in the front yard on a driveway.

**Walter Hoyt** would like to see the city issue special permits.

**Jaci Reimer, City Administrator** said this is a decision that the citizens have asked Council to make and not one that should be reverted back to the Planning Commission. The Planning Commission is reviewing the Zoning Regulations and is asking for input from the Council regarding the RV's.

**Atty Brad Jantz** asked Council, "Do you or do you not want to allow certain types of parking and if so at what level and I will create the verbiage. I don't need all the extra what ifs, because the minute you do that you start to gear it toward particular individuals, who have individual concerns, that's when you are going to start getting the same thing that you have over there, we had five or six revisions and then cast it all out anyway cause we couldn't make it work. It needs to be something that is a general policy note, which is what you guys do, you say we want to allow them, we want to allow them for temporary purpose of 7 to 10 days or something, come back with something for it, and we will take a look at it. We want to allow one to be parked in the front, and we want it to be parked on concrete or some type of pavement or no we don't care if they park it on the grass, just tell us that much. We'll draw it and then bring it to you, but start there, just give us the general policy statement that you want us to bring ethicacy to so that we can get you something but all the what ifs we'll be all night and that is fine if that is what you want to do but I'm still at a point where I don't know exactly what you want."

After continued discussion, it was CONSENSUS OF COUNCIL FOR THE CITY ATTORNEY TO WRITE A DRAFT ON RECREATIONAL VEHICLES.

Reviewed Animal Control Ordinance Article 2 Dogs and Cats Section 2-1. CONSENSUS OF COUNCIL TO LEAVE ANIMAL CONTROL ORDINANCE AS WRITTEN. Any resident that had received letters concerning the number of animals will be sent a letter stating that at this time, the animals will be grand-fathered in but will not be allowed to have any more than 3 dogs or 3 cats once the cat/dog has been removed from the home by either natural causes or by removal.

#### MAYOR & COUNCIL REPORTS

MOVED BY JENSON AND SECONDED BY EMMEL TO APPROVE THE FAIR HOUSING PROCLAMATION FOR THE MONTH OF MARCH, 2012. MOTION CARRIED.

Mayor DeHaven presented the Council with the Flood Safety Awareness Week that was approved by Governor Brownback.

MOVED BY NOONE AND SECONDED BY JENSON TO ADJOURN INTO EXECUTIVE SESSION FOR THE PURPOSE OF ACQUISITION OF PROPERTY FOR A PERIOD OF 15 MINUTES BEGINNING AT 10:20PM WITH MAYOR, COUNCIL, CITY ADMINISTRATOR, CITY ATTORNEY AND CITY CLERK IN ATTENDANCE. MOTION CARRIED.

Meeting reconvened at 10:50 PM with no binding action taken while in executive session.

**MOVED BY JENSON SECONDED BY NOONE TO APPROVE THE CITY ADMINISTRATOR AND CITY ATTORNEY TO NEGOTIATE FOR THE PURCHASE OF 520 N. COMMERCIAL AND BRING OFFER BACK TO COUNCIL. MOTION CARRIED.**

**MOVED BY JENSON AND SECONDED BY EMMEL TO APPROVE THE CITY ADMINISTRATOR AND CITY ATTORNEY TO NEGOTIATE FOR THE PURCHASE OF 522 N. COMMERCIAL AND BRING OFFER BACK TO COUNCIL. MOTION CARRIED.**

**MEETING REMINDERS**

March 10, SCAC, Westar Energy Office, 777 W. Central, Wichita

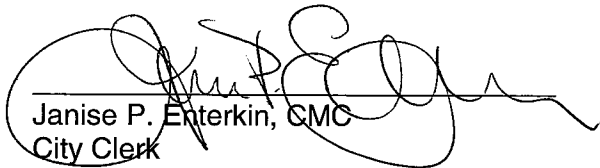
March 17, Eggs & Issues ~ Schroeder, McGinn, Senior Center

March 26, American Legion Volunteer Dinner, Am. Legion, 6:30PM Social, 7PM Dinner

March 27-29, KRWA Century II, Wichita

**MOVED BY EMMEL AND SECONDED BY JACOB TO ADJOURN. MOTION CARRIED.**

Meeting adjourned at 10:55 PM

  
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Janise P. Enterkin, CMC  
City Clerk