

**CITY OF BELLE PLAINE
CITY HALL
401 N. Merchant**

REGULAR COUNCIL MEETING MINUTES

CALL TO ORDER

Mayor Richard Penn called the Regular Council Meeting for the City of Belle Plaine, Kansas, to order on Thursday, April 6, 2017 at 7:00 PM.

COUNCIL ATTENDANCE

Members Present

**Tori Bohannon Dennis McGinnis
David Armstrong Rob Narron**

A quorum was present

Staff Present

Gordon Fell – Police Chief; Guy Howell – Maintenance Superintendent; Linda Stinnett – City Clerk; Casey Yingling – City Attorney; and Loree Hisken – Library Director.

PLEDGE OF ALLEGIANCE

MAYOR’S COMMENTS

- Mayor Penn congratulated Police Sgt. Bill Berry, who was named the 2017 Quality Citizen by the Belle Plaine Community Foundation.

PUBLIC ITEMS

- Phila Storts asked the proposed use of the former EMS Building at 112 W. 4th. Mayor Penn explained that an algorithm was used to score the proposals for the sale of the building which included his plan for a business. Frank Ritter’s proposal outscored all others on a 2:1 margin, he said. Clerk Stinnett verified that Mr. Ritter did obtain a business license for the property.

ADDITIONS OR CORRECTIONS TO THE AGENDA

- None.
-

APPROVAL OF CONSENT ITEMS

MOTION: Bohannon made a motion to approve the Minutes for the Council Meeting on 03-16-17. Armstrong seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

MOTION: Narron made a motion to approve Payroll Ordinance 03-30-17; and Warrant Ordinances 03-31-17 and 04-06-17. Bohannon seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

NEW BUSINESS

Charter Ordinance No. 18

Charter Ordinance No. 18 was presented to replace Charter Ordinance No. 12(2), putting the requirements for a Council quorum back to a simple majority.

MOTION: Narron made a motion to approve Charter Ordinance No. 18 with the stipulation the requirements of Section 4 (two publications) and Section 5 (petition period) are met. Bohannon seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

Barner Center Air Conditioning Units

Carol Cole, Friendship Meals Director, reported that two window air conditioning units developed mold and had to be removed. The kitchen area is now getting hot for the workers. Chief Fell said Jason Pelkey, with JP Services, planned to assess the air conditioning situation at the Barner Center on April 11.

MOTION: Narron made a motion to table the discussion until the April 20 meeting. McGinnis seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

Mrs. Cole also requested City help to install weather-stripping around doors to limit potential insect infestation. City staff has already done the work in areas they had access to, so Mrs. Cole said she would work to give them access to the other doorways.

Age Limit for Fitness Center

The Community Center Board received a request to lower the age limit for the Fitness Center to age 16. An e-mail survey of current members resulted in 14 were against the change and nine approved.

MOTION: McGinnis made a motion to leave the age limit rules for the Fitness Center the same. Narron seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

Extraterritorial Jurisdiction Discussion

Mayor Richard Penn said the City's request for Extraterritorial Jurisdiction was turned down on April 3, 2017, by the Board of Sumner County Commissioners.

OLD BUSINESS

Zoning Regulations – Ordinance No. 1655

MOTION: Narron made a motion to receive and file the unapproved Minutes of the Belle Plaine City Planning Commission meeting of March 16, 2017, at which the Zoning Regulations and the Official Zoning Maps were adopted. The Minutes constitute a written summary of the public hearing conducted by the Planning Commission. McGinnis seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

Bickley Foster, Planning Consultant, presented information on the new Zoning Regulations and the Official Zoning Maps. David McDonnell, resident of rural Belle Plaine, spoke to the Council about his opposition to the Extraterritorial Jurisdiction, as he previously felt it would lead to annexation. Mayor Penn said the Council will now look at its options and Mr. McDonnell volunteered to help if the City tries to resell the idea to area residents.

MOTION: Narron made a motion to revise the proposed Zoning Regulations and Official Zoning Map as follows: to revise Section 1-103 on Zoning Jurisdiction to indicate that the jurisdiction is for the City of Belle Plaine, Kansas, only, and to approve the Zoning Regulations and Official Zoning Map 1 of 1 as revised, to include the revisions in Ordinance No 1655, to approve the Ordinance as revised and direct the City Clerk to publish it. McGinnis seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

Subdivision Regulations – Ordinance No. 1656

MOTION: Bohannon made a motion to note that a motion has previously been made, to receive and file the unapproved Minutes of the Belle Plaine City Planning Commission meeting of March 16, 2017, at which these Subdivision Regulations were adopted. The Minutes constitute a written summary of the public hearing conducted by the Planning Commission. McGinnis seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

No one spoke when Mayor Penn asked for public comment and no one left communications with the City Clerk prior to the meeting.

MOTION: Armstrong made a motion to revise the proposed Subdivision Regulations as follows: To revoke Section 1-103 on the Subdivision Jurisdiction to indicate that the jurisdiction is for the City of Belle Plaine, Kansas, only, and to approve the Subdivision Regulations as revised, to include the revision in Ordinance Number 1656, to approve the Ordinance as revised and direct the City Clerk to publish it. Narron seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

Floodplain Management Ordinance.

MOTION: Bohannon made a motion to note that a motion had previously been made, to receive and file the unapproved Minutes of the Belle Plaine City Planning Commission meeting of March 16, 2017, at which this Floodplain Management Ordinance was adopted. The Minutes constitute a written summary of the public hearing conducted by the Planning Commission. Narron seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

Bickley Foster, planning consultant, advised that the Floodplain Management Ordinance was approved by the state on Feb. 22, 2017. This version was created to include the Extraterritorial Jurisdiction which was turned down by the Board of Sumner County Commissioners, making the new version no longer viable.

Mr. McDonnell spoke again, reiterating that he opposed the Extraterritorial Jurisdiction because a presentation used the term “orderly annexation.”

David Foster, planning consultant, said work by the City on the Comprehensive Plan started with a training session which emphasized “total community.” The effort was not about the city, but improving quality of life for the entire community, he said. In the entire process, neither the Council nor Planning Commission ever mentioned annexation or increasing the tax base, he said.

MOTION: McGinnis made a motion to override the recommendation of the Planning Commission, and to disapprove the proposed Floodplain Management Ordinance. Narron seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

PURCHASE ORDERS

- None.
-

STAFF REPORTS

Staff reports included an update that the library's cabinets and flooring in the storage room are finished; an update that the Quiet Zone has progressed through about 65 percent of the preliminary work; residents are working on the three junk vehicle notices which are not resolved; and state inspection reports from two former city trash dumping sites, West and 100th and 80th and Greenwich.

EXECUTIVE SESSION

MOTION: Bohannon made a motion to go into Executive Session for Attorney/Client Privilege and Non-Elected Personnel from 8:40 to 9:15 PM. Chief Fell, Clerk Stinnett, Supervisor Howell, Planning Consultants Bickley and David Foster, and City Attorney Yingling were asked to be in the session. Narron seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

Council returned to open session at 9:15 PM.

MOTION: Bohannon made a motion to hire David Storts as a police officer, beginning April 10, 2017, as a part-time employee at \$11.00 per hour; moving to full-time on May 8, 2017, at \$14.50 per hour; and moving to \$15 per hour when he completes training. Narron seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

MOTION: Bohannon made a motion to go into Executive Session for Attorney/Client Privilege from 9:16 to 9:45 PM. Chief Fell, Clerk Stinnett, Supervisor Howell, Planning Consultants Bickley and David Foster, and City Attorney Yingling were asked to be in the session. Armstrong seconded.

VOTING YEA: ALL VOTING NAY: NONE MOTION CARRIED.

Adjournment

MOTION: Bohannon made a motion to adjourn the council meeting. Armstrong seconded. The motion carried, with only Council Member Narron opposed, and the meeting adjourned at 9:45 PM.

Respectfully Submitted,

Linda Stinnett, City Clerk