

Meeting Minutes

City of Leoti Governing Body met in regular session Monday, June 15, 2015, 7:00 p.m., at the City Hall Meeting Room.

Mayor Cheryl Green and Councilors Roger Porter, Matt Price, Kenneth Farr, and Jim Roelfs were present. Councilor Amanda Baker was absent. Also in attendance were Tyrrell Tankersley, Chad Smades, Ross Smades, Camie Konicek, J.D. Perry, City Attorney Rebecca Faurot, City Administrator Ted Cherry, City Superintendent Joel Landis, and Interim City Clerk Cendy Morcillo.

Mayor Green called the meeting to order at 7:01 p.m.

The Mayor opened with the Pledge of Allegiance to the Flag of the United States of America.

Price moved, Farr seconded, to add item J- Kris Casper Hearing Request under other business. Motion carried unanimously.

The Mayor read rules on addressing Council at the Governing Body Meeting.

Porter moved, Roelfs seconded, to approve the agenda with addition of items J-Kristopher T. Casper Hearing Request under other business. Motion carried unanimously.

Farr moved, Roelfs seconded, to approve the consent agenda items a-e: a) approval of the May 25th, 2015 Dangerous Structures Hearing Minutes; b) approval of the May 26th, 2015 Work Session Minutes, c) approval of the May 26th, 2015 Special Meeting Minutes, d) approval of the June 1st, 2015 Regular Meeting Minutes e) accounts payable warrants 39132-39151 & 1212869, in the amount of eighty one thousand, two hundred thirty-one dollars and eighty-two cents; motion carried unanimously.

Mayor Green opened the floor for public comments. There were no public comments at this time.

City Attorney reported on Municipal Court, met with Code Enforcement Officer prior to court in order to review Nuisance Ordinance as well as fielding questions as they come up.

City Superintendent Joel Landis reported on shop activities including spraying weeds, mowing, road patching and maintenance of equipment. He informed Council that he will be attending training in Dodge City on June 18th and 19th for additional credit towards water operator certification; water operator testing will be in Lawrence on August 8th or in Topeka in September. Landis also gave update on Well 16.

City Administrator Ted Cherry presented a report on behalf of Code Enforcement Officer Nick Salinas. Per Code Enforcement Officer Nick Salinas, cleanup is taking place around town including downtown planters and at the City Park. Multiple properties have been abated for weeds, Animal Shelter inspection has been completed. Administrator Cherry reported on audit completed by Kennedy McKee, upcoming sewer maintenance starting July 6th, well 16 and street sweeper.

Farr moved, Porter seconded, to nominate Roger Porter to fill the vacancy in the Office of Council President. Motion carried unanimously.

Porter moved, Roelfs seconded, to approve the second reading of Ordinance 2015-04: **AN ORDINANCE AMENDING CHAPTER 7 ARTICLE 4 SECTION 7-402 OF THE 1977 CITY CODE OF THE CITY OF LEOTI TITLED 'JUNKYARD LICENSE', REVISING SECTION TO ALLOW JUNK DEALERS TO OBTAIN CITY LICENSE.** Motion carried unanimously.

Farr moved, Porter seconded, to approve the building permit for Lyle Geyer at 212 North Waters. Motion carried unanimously.

Porter moved, Roelfs seconded, to approve the building permit for George and Deb Eckert at 211 West D Street. Motion carried unanimously.

Wichita County Parks and Recreation Director Sheri Loy was not present to discuss batting cages allocation.

Roelfs moved, Porter seconded, to table this item to the next regularly scheduled council meeting for further discussion. Motion carried unanimously.

Porter moved, Roelfs seconded, to deny the request submitted by Terri Brack for city utility bill reimbursement. Mayor Green called the roll: Price – Yea, Farr – Yea, Porter – Yea, Roelfs – Yea; motion carried unanimously.

Price moved, to approve the SK Electric Bid to replace existing breaker panel and upgrade electrical wiring at the city shop without the option to replace existing lights for and additional amount of \$3500.00, Farr seconded; motion carried unanimously.

Porter moved, Farr seconded, to approve Resolution 2015-10: **A RESOLUTION AUTHORIZING THE 2014 WAIVER FROM ACCOUNTING PRINCIPLES GENERALLY ACCEPTED IN THE UNITED STATES OF AMERICA.** Motion carried unanimously.

Porter moved, Price seconded, to approve Resolution 2015-11: **A RESOLUTION AUTHORIZING THE 2015 WAIVER FROM ACCOUNTING PRINCIPLES GENERALLY ACCEPTED IN THE UNITED STATES OF AMERICA.** Motion carried unanimously.

Consideration of Ordinance 2015-05: **AN ORDINANCE AMENDING ORDINANCE 2014-03 'ESTABLISHING ANIMAL CONTROL AND REGULATION WITHIN THE CITY OF LEOTI, KANSAS.' ADDING SECTION 23 ESTABLISHING ANIMAL HOUSING ON LOTS ONE (1) THROUGH SEVEN (7) BLOCK TWO (2) OF THE CASE ADDITION INSIDE THE CITY LIMITS OF LEOTI, KANSAS.**

Mayor Green asked if there were any public comments on this item.

Guest Camie Konicek voiced several concerns and opinions and asked council not to limit the type of animals and quantity she can have and explained the impact those limitations might have on her future business.

Members of the public were permitted to make statements and ask questions of the Governing Body. After all present were given the opportunity to speak and ask questions. Mayor Green asked Council for a motion on the issue.

Farr moved, Porter seconded, to amend the ordinance to allow 30 outdoor animals excluding fowl, exotic, vicious, wild, poisonous animals and indoor animals as unlimited for the space. Mayor Green called the roll: Roelfs – Yea, Porter – Yea, Farr – Yea, Price – Nay. Motion did not pass due to lack of two thirds majority vote of total council.

Further discussion was had between citizens and council with other options presented, including a ratio option. No motion was made.

Roelfs moved, Farr seconded, to amend the ordinance to allow 40 outdoor animals excluding fowl, exotic, vicious, wild, poisonous animals and indoor animals as unlimited for the space. Mayor Green called the roll: Roelfs – Yea, Porter – Yea, Farr – Yea, Price – Nay. Motion not passed due to lack of two thirds majority vote of total council.

Mayor Green made executive decision to send Ordinance 2015-05 back to the Leoti Planning Commission due to the Council's inability to come to an agreement on the ordinance.

Price moved, Porter seconded, to approve the first reading of Ordinance 2015-06: **AN ORDINANCE REPEALING CITY ORDINANCE NUMBER 941, OF THE CODE OF THE CITY OF LEOTI, KANSAS, AND DIVIDING THE CITY OF LEOTI INTO ZONES, OR DISTRICTS, RESTRICTING AND REGULATING THEREIN THE LOCATION, ERECTION, REPAIR, CONSTRUCTION, RECONSTRUCTION, ALTERATION, AND USE OF BUILDINGS, STRUCTURES, INDUSTRY, RESIDENCE, SPECIAL USES, AND THE USE OF LAND WITHIN SAID ZONES OR DISTRICTS.** Mayor Green called the roll: Price – Yea, Farr – Yea, Porter – Yea, Roelfs – Yea; motion carried unanimously.

At 9:00 p.m., Porter moved, Farr seconded, to recess into executive session with the City Attorney, City Administrator and City Council with the exception of Councilor Roelfs for a period of five minutes to discuss nonelected personnel matters. Regular meeting resumed at 9:05 p.m. Mayor Green declared that no action was taken.

Porter moved, Farr seconded, to set a hearing date requested by Kristopher T. Casper for July 6th, 2015 at 6:15 p.m.

Porter moved, Farr seconded, to adjourn at 9:16 p.m.; motion carried unanimously.

Cheryl Green, Mayor

Cendy Morcillo, Interim City Clerk