

**Haysville Planning Commission
Minutes
February 14, 2013**

Those members present were: Tim Aziere, Deb Coleman, Janet Parton, Katie Roggenbaum, Don Schneider, and Bob Wethington.

Chairperson Aziere called the Haysville Planning Commission Meeting to order at 7:01 p.m. in the Council Chambers of the Haysville Municipal Building, 200 West Grand Avenue.

Aziere presented for approval the minutes of November 15, 2012.

Motion by Wethington

Second Parton

I move to approve the minutes as presented.

Aziere yea, Coleman yea, Parton yea, Roggenbaum yea, Schneider yea, and Wethington yea.

Motion declared carried.

Aziere presented a Public Hearing for Zone Change Request from “AA” Single Family to “AAA” Single Family (418 W. 79th Street South).

Morgan stated it had been discovered that the certified ownership list provided by the title company did not accurately identify the necessary notification area. Morgan stated the city attorney had recommended the public hearing not occur and that the planning commission refrain from taking comments from the public regarding this item. Morgan stated the process from here would require a new ownership list, re-notification, and a new public hearing date be set. Morgan suggested that planning commission table the item.

Motion by Wethington

Second by Parton

To table the item until a new list is provided and public hearing reset.

Aziere yea, Coleman yea, Parton yea, Roggenbaum yea, Schneider yea, and Wethington yea.

Motion declared carried.

Aziere presented a Consideration of Vacation Request – Platted Alley of Twin Pines 2nd Addition Replat.

Morgan gave information on the vacation request which had been initiated by the city on behalf of business owners located adjacent to the alley. Morgan stated the business had originally requested three feet in the area located behind their business. Morgan said staff had suggested vacating five feet the entire length of the alley. Morgan stated this would make the 30’ alley consistent with current subdivision standards which require alleys to be 25’. Morgan provided the correspondence that had been received. Morgan advised any future vacations of the alley would revert in a manner that total vacation would provide 25’ to each side of the properties located adjacent to the alley.

Motion by Parton

Second by Roggenbaum

I make a motion to recommend approval of the vacation of the east 5’ of alley.

Aziere yea, Coleman yea, Parton yea, Roggenbaum yea, Schneider yea, and Wethington yea.

Motion declared carried.

Page 2 Planning Commission – February 14, 2013

Aziere presented the Closing Calendar.

Morgan stated the publication dates on the closing needed to be amended. Morgan said the official newspaper had changed owners and their publication dates were on Thursdays instead of Fridays. Schneider asked if the submittal deadline would change. Morgan stated it would not.

Motion by Wethington

Second by Roggenbaum

I would move we approve the closing calendar with the change in publication date.

Aziere yea, Coleman yea, Parton yea, Roggenbaum yea, Schneider yea, and Wethington yea.

Motion declared carried.

Aziere presented the Review Calendar.

Motion by Wethington

Second by Roggenbaum

I would move for the approval of the review calendar.

Aziere yea, Coleman yea, Parton yea, Roggenbaum yea, Schneider yea, and Wethington yea.

Motion declared carried.

Aziere presented a Review of Historic District Master Plan.

Coleman stated there was now a shed by the Hometown Market. Schneider stated there are also bathrooms that weren't there before. Schneider asked what the next major project was for the Historic Committee. Coleman stated due to funding constraints they focused on landscaping and statues. Coleman said the Historic Committee keeps the master plan in mind when doing their landscaping improvements. Aziere stated the majority of the plan was completed. It was discussed that there were significant improvements on the plan that had not been completed. Schneider stated he had concerns that structures were being built that didn't comply with the master plan and didn't comply with the historic regulations for architectural and aesthetics. Coleman stated the Historic District worked with the city on projects and the city assured them they were consistent with the regulations.

Motion by Parton

Second by Roggenbaum

Motion to keep the Historic District Master Plan as presented.

Aziere yea, Coleman yea, Parton yea, Roggenbaum yea, Schneider yea, and Wethington yea.

Motion declared carried.

There was nothing under Old Business.

There was no Correspondence or Informational Reading.

Under Committee Updates Wethington said the Park Board had been replacing dead trees. Wethington stated 100 trees had died and they were going to plant hardier trees. Wethington stated the batting cages at Plagens-Carpenter were approved.

Coleman stated the Historic District gazebo was being continually vandalized. Coleman stated they discussed replacing the spindles with aluminum or removing the spindles completely. Coleman said the Wire House had been painted and drainage issues were taken care of. Coleman stated they would like to install a fountain. Schneiter stated they should have the blacksmith shop make wrought iron spindles for the gazebo.

Schneiter stated the Community Building was in bad shape. Coleman stated that was completely the responsibility of the city. Schneiter stated he wasn't sure if the park board would be responsible. Coleman stated she didn't believe the area was a designated park. Schneiter asked that staff look into who would be responsible for the maintenance. Morgan stated she was under the impression it was part of the Historic District and therefore the committee's responsibility but said that she would look into the issue. Schneiter stated the building was not a very good reflection of the community. Coleman stated it would be good to know if the area was under parks. Schneiter stated he believed it was designated as a park after the 1999 tornado.

Aziere asked for any Off Agenda items.

Schneiter stated they had at one time discussed using a Sedgwick County property owner list but it was decided to use a title company. Schneiter stated there was no repercussion to the title companies for their errors and the property owner paid a big expense for the list. Morgan stated the city attorney had advised planning commission to not get involved in financial details between the applicant and the title company. Morgan said there would be additional expenses the applicant would owe the city for notifications and publications but said the financial agreements between the title company and applicant should not include the city. Morgan stated she uses the \$275 application fee to cover as much of the notification and publication expenses but that if fees exceeded the application fee then the applicant would be billed for those expenses. Morgan stated the application fee was not typically used to cover staff costs and said the fee was much lower than other cities in the area. Morgan said this was a great example of why the city should require certified lists from title companies because of the liability to the city if the proposed zone change request had gone through and it was later discovered the notification list was inaccurate. Morgan stated the small expense the applicant had to pay for a certified list outweighed the potential cost to taxpayers for litigation and financial obligation by the city to the applicant. Roggenbaum said the applicant would be entering into a contract with the title company. Schneiter agreed but said the city was the one requiring a certified list. Morgan stated the notification process was dictated by state statute. Schneiter agreed but said the city was requiring more than state statute dictated. Parton asked how often the application fee was evaluated. Morgan stated she tried to do a full survey of the surrounding communities every two years to determine how the city's fees for various zoning procedures. Parton asked how often the expense was more than the application fee. Morgan stated most applicants weren't charged an additional expense.

Aziere asked for a motion for Adjournment.

Motion by Parton

Second by Schneiter

I motion to adjourn.

Aziere yea, Coleman yea, Parton yea, Roggenbaum yea, Schneiter yea, and Wethington yea.

Motion declared carried.

The meeting of the Haysville Planning Commission adjourned at 7:28 p.m.