



District 2 CAB

Haysville Community Library

December 13, 2022

Meeting Minutes

**Board Members in Attendance:** Martha Pint, Dr. William Hammers (on Zoom), Spencer Dean, Tabitha Lehman, Jessica Atherton, Ashlie Brockleman (on Zoom), Tony Martinez, Jeff Hersh, Gage Hunt

**1. Call to Order:**

- a. Martha Pints called the meeting to order at 6:01 pm.

**2. Roll Call Vote:**

- a. Board members in person and on Zoom identified themselves by saying, "Here."

**3. Approval of Minutes:**

- a. Gage Hunt made a motion to approve the November 1 meeting minutes. Tony Martinez seconded the motion. The motion carried unanimously.

**4. Public Agenda:**

- a. No public comment here.

**5. New Business:**

**a. Presentation by Eryn Ebach, MAPC Associate Planner, on Zoning Case CON2022-00045**

- i. A Conditional Use permit is requested for an event center on property zoned RR Rural Residential District on the east side of South Hydraulic Avenue and one-quarter mile north of East 87<sup>th</sup> Street South (8558 S. Hydraulic).
  - 1- Applicant plans to maintain the existing tree line, install a screening fence along the property line, limit the hours of operation to Monday through Thursday, 10 a.m. to 6 p.m. and Friday through Sunday, 9 a.m. to 11 p.m. Applicant will also require paid security at all events, limit use of the meadow for outdoor ceremonies from 10 a.m. to 7 p.m. and restrict amplified music to the indoor facility.
  - 2- Planning Staff recommends the request be denied because the development would increase traffic, sanitation needs, noise and light pollution, and public safety needs.
  - 3- Tabitha Lehman asked if the walkways would be paved. If not, she says they would not be in compliance with the Americans with Disabilities Act. Eryn Ebach said she will have to check into that.
  - 4- Tony Martinez asked how conditions of a Conditional Use permit are enforced. Eryn Ebach said the permit would be revoked if the owner is not in compliance.
- ii. Applicant, Gift Uloho, explained his plans for the event center as a wedding venue.
  - 1- He said this is a family business with 30 years' experience in weddings as organizers of the Bridal Expo
  - 2- The owners bought the property 10 years ago, cleaned up trash, and Uloho's parents now live next to the venue site.

- 3- They plan to restrict outdoor music and to require doors and windows to be closed during events to reduce noise.
  - 4- Spencer Dean asked about overflow parking. The applicant said there would be 50 spots initially, but they could add more later.
  - 5- Tabitha Lehman repeated her question about whether walkways would be paved. Applicant said they are gravel right now, but he's willing to do whatever is needed.
  - 6- Jeff Hersh asked who lived next to the venue. Applicant said his parents live there. Uloho lives in west Wichita.
  - 7- Tabitha Lehman asked how noise would be controlled during outdoor weddings in the meadow. Applicant said music would not be allowed outdoors.
  - 8- Tony Martinez asked how the applicant would control the number of people at an event. Applicant says he will keep the renter's credit card on file and penalize them for being over-capacity. He believes this will deter families from inviting too many people.
  - 9- Martha Pint asked if the applicant will staff every event. Applicant said yes, and they will hire the required security.
  - 10- Jeff Hersh asked if a traffic study had been done. Applicant said no, but he believes people leave weddings at different times, not all at once, so traffic should not be a concern.
  - 11- Tabitha Lehman asked about the future of the property if this permit is not approved. Applicant wasn't sure, but worries that people will again dump trash on the land if they think it's not being used.
  - 12- Gage Hunt asked if the applicant had reached out to other residents in the area. Applicant had not talked to the neighbors because he wasn't sure if that would be appropriate in this process.
  - 13- Tony Martinez asked the applicant to describe the insulated building. Applicant said it's a metal building with insulation on the walls and ceiling.
  - 14- Jessica Atherton asked if four bathroom stalls would be enough for a capacity crowd. Applicant said other wedding venues he's seen only have one bathroom stall, and four is in compliance.
  - 15- Gage Hunt pointed out the contract does not include any insurance to protect neighbors' property from damage. Applicant said he would consider that if needed. Right now, he's carrying business and life insurance on the property.
- iii. Several residents voiced opposition to the event center.
- 1- Charles Rector Sr. said he's concerned about the effects on the septic system and well water in that area.
  - 2- Tonya Ridpath can see the property from her backyard. She wants the neighborhood to stay residential because traffic is already high in that area, and more cars will likely lead to accidents.
  - 3- Ronald Waltrip is a neighbor speaking on behalf of five nearby properties. He worries about increased traffic and accidents, trash, and lowered property values.

- 4- Applicant responded to concerns. He said there will be less trash in the area because people won't use the land as a dumping ground. Applicant also said the event center will have its own water well so it won't put a strain on the system.
  - 5- Gage Hunt asked where the septic system sits, and applicant described where the laterals will run.
  - 6- Jessica Atherton asked about traffic concerns, and the applicant said he plans to light the entryway and put signs out. Otherwise, he has no control over the traffic flow on Hydraulic.
  - 7- Tony Martinez is concerned about a blind entrance, but the applicant said he plans to move the tree line back to allow more visibility.
  - 8- Tabitha Lehman also worries that drivers would not see the entrance, slam on their brakes and possibly cause accidents.
  - 9- Dr. Bill Hammers asked if there is a storm shelter on site. Applicant said no, and they can't put in a basement because of the high water table.
- iv. Ashlie Brockleman made a motion to support the Planning Staff's recommendation to deny the Conditional Use permit. Tabitha Lehman seconded it. Seven members voted 'aye' and two voted 'nay' so the permit was denied.
- b. Presentation by Eryn Ebach, MAPC Associate Planner, on Zoning Case CON2022-00043**
- i. A Conditional Use permit is requested to place a 165-foot telecommunications tower and lightning rod on the north side of E. 69<sup>th</sup> Street South, near I-35 (1300 E. 69<sup>th</sup> Street South). The property owners are leasing this land, which is unplatted.
    - 1- Planning Staff recommends approval of this permit because the monopole proposed is in conformance with the Community Investments Plan and meets all wireless communications rules.
    - 2- The City of Haysville and MAPC have already approved the plan.
  - ii. Applicant, Patrick Irwin, spoke about measures taken to minimize any negative impacts.
    - 1- The monopole tower does not need any guide wires. It sits back from the streets and is surrounded by a heavy fence.
    - 2- Applicant says his company met with neighbors, who do not oppose the new tower.
    - 3- Tony Martinez asked about a letter the CAB members received from SBA, which owns a nearby tower (100 feet to the south) that is 488 feet high. AT&T is currently on that tower, and SBA says AT&T never complained about service, so why is another tower needed? Applicant believes AT&T could not reach an agreement on a new contract with SBA, but under Kansas law, this is not relevant to the zoning case and should not be considered.
    - 4- Kenneth Geistfeld, a resident and licensed amateur radio operator, asked if the applicant planned to radiate below 169 feet. Applicant said yes, they plan to lease out space to other tenants. The FCC regulates power levels and has deemed this safe.
  - iii. Patrick Edwards, attorney for SBA, spoke in opposition to the plan.

1. He said SBA's tower was built in 1997, stands 320 feet higher than the proposed tower, and is 880 feet away. AT&T, T-Mobile, Verizon and Sprint currently use it.
  2. SBA's tower has room for more cell carriers, and its research shows their cell coverage is comparable to what the proposed tower would provide.
  3. Patrick Edwards says the statute cited by the applicant has never been interpreted by the Kansas Attorney General.
- iv. John Taylor, attorney for the applicant, gave a rebuttal.
- 1- He said the state statute is very clear, that other tower locations cannot be taken into account when deciding zoning issues. Several counties like Rice, Wyandotte and others have recognized the validity of the statute in cases like this.
- v. Tabitha Lehman made a motion to support the Planning Staff's recommendation to approve the permit for a telecommunications tower. Gage Hunt seconded it. It passed unanimously.
- c. Presentation of Department of Corrections Overview by Steven Stonehouse, Director**
- i. The Department of Corrections is divided into three branches: Juvenile Programs, Adult Programs and Administrative services. 280 out of 350 job positions are filled.
- 1- Adult Services includes Pretrial Services, which allows inmates to make bail and stay home until their court hearing. It saves the jail a lot of money because it costs \$75/day to incarcerate someone, compared to \$6/day for supervision by Corrections.
  - 2- The Adult Intensive Supervision Program is funded by the State of Kansas, commonly known as Community Corrections. These are men and women who need supervision but not confinement. Many are dealing with substance abuse and other issues.
  - 3- Adult Residential & Work Release are two alternatives to prison. Inmates pay rent, have to work, and deal with any substance abuse issues they have.
  - 4- Specialty courts, like drug court and veteran's treatment court, allow people with severe drug addictions to see the judge and probation officers weekly.
  - 5- Juvenile services include JIAC, where youth offenders are assessed. JIAC is licensed for 81 people, and the average daily population is 47.
  - 6- If needed, some youth are sent to the Juvenile Detention Facility. Since kids have to go to school under state law, private teachers provide education, and JDF even holds some graduations. Average stay is 45 days.
  - 7- The Juvenile Residential Facility is an alternative to detention. It's for kids who can't go home for some reason. The program is on pause because of a staffing shortage.

- 8- Juvenile Field Services includes Home Based Supervision, Juvenile Intensive Supervision Program, Case Management, Conditional Release and the Evening Reporting Program.
- 9- In response to the death of Cedric Lofton in September 2021 at JIAC, several changes were made. Corrections created Memorandums of Understanding with surrounding law enforcement agencies so everyone understands Sedgwick County's operations and policies. Corrections is also improving the cameras and audio system in the buildings. Finally, Corrections is collaborating more with foster care providers and mental health agencies.
- 10- Tabitha Lehman asked if the State of Kansas has been supportive of JIAC changes since KDOC funds JIAC. Steven Stonehouse said yes, representatives attended every community taskforce meeting and backed the action taken.
- 11- Several volunteer programs offer their help to juveniles through therapy, mentoring and employment. Youth for Christ is a non-denominational program that works with many kids.
- 12- Jeff Hersh asked if female inmates are also housed at the jail. Steven Stonehouse said yes.
- 13- Tony Martinez asked about mental health services for juveniles and adults. Steven Stonehouse said there is a behavioral health program with therapists and peer counselors, and ComCare provides counselors for drug court. He said many adults in custody have mental health issues, and some juveniles in custody are too sick to go to the state mental hospital where they don't have enough staff. That's why a regional mental health hospital and biomedical campus in Sedgwick County are so crucial.
- 14- Gage Hunt asked if the jail takes advantage of college students training to be counselors. Steven Stonehouse said he's sure they do because Corrections is.
- 15- Jessica Atherton asked about the number of offenders from Haysville ending up in custody. Steven Stonehouse said people from Haysville and Derby make up a large population in Corrections.
- 16- Jeff Hersh asked what the common juvenile offenses are these days. Steven Stonehouse said burglaries. When he was a probation officer, juveniles were often picked up for misdemeanor theft and possession of marijuana. Crimes are more serious among kids these days.
- 17- Steven Stonehouse said staffing is his main challenge. The County recently increased pay for Corrections officers, but it's still not enough to compete with other employers.

**d. Discussion of Future Agenda Items by Stephanie Birmingham, Strategic Communications**

- a. Instead of our regular meeting on Jan. 10, 2023, members will take a tour at the Sedgwick County Zoo. Stephanie asked members to RSVP because our group

must be limited to 24 people total. She will email more details to members as the date gets closer.

- b. Commissioner Sarah Lopez suggested canceling the February meeting in anticipation of her twins' birth. Members agreed.
- c. At future meetings, Jessica Atherton wants to hear more about what's being done to address the issues that lead to incarceration, especially for youth and those with mental health issues.
  - a. Jeff Hersh discussed what he sees in the Haysville school district. He said the need for social workers is huge, and there aren't a lot of services available for kids with serious needs.
  - b. Martha Pint asked about the status of the SPARK grant Sedgwick County applied for several months ago. Commissioner Lopez said the State has set aside \$15 million for a regional mental health hospital so Sedgwick County is hoping to get \$25 million in SPARK money, but we are still waiting on a decision on that.
  - c. Since the Election Commissioner resigned, Jeff Hersh asked if someone else from the Election Office could talk about the recent election. Stephanie Birmingham will look into it.

## **6. Adjournment**

- a. The meeting adjourned at 8:25 p.m.