



*Sedgwick County...  
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District 3 Citizens Advisory Board Meeting  
Minutes

Monday, January 6, 2020  
7 p.m.

Goddard School District  
Conference Center

**Board members in attendance:** Sharon Aislieger, Lamont Anderson, Nancy Hinten, Janice Manlove, Kevin McWhorter, Glen Shafer, David Wright

**County representatives:** Commissioner David Dennis, Kate Flavin, Kyle Fiedler, Dave Yearout

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**ORDER OF BUSINESS**

1. **Call to Order** – Meeting called to order by Chair Lamont Anderson, 7 pm.
2. **Approval of December Minutes** – Janice Manlove moved to accept the minutes. Seconded by Kevin McWhorter, passed unanimously.

**PUBLIC AGENDA**

None

**NEW BUSINESS**

1. **Consideration of ZON2019-000053 – Principal Planner Dave Yearout, MAPD**

Members of the public in attendance included; Ethan Weber, Eric Scripsick, Judy Clonch, Roger Clonch, Nicholas Word, Justin Shore, and Billy Gray.

In 2004, the Lake Vista neighborhood was developed, the property in question was exempt from that development.

The property is currently zoned Rural Residential (RR) however that zoning requires a minimum of two acres of land. The lot size is smaller than two acres so the owners requested the property to be re-zoned to Single Family (SF-20) so they can build a residential structure.

Planning staff recommends the zoning change noting that the owners are also required to go through a platting process.

Anderson asked about concerns raised by Ethan Weber, owner of a neighboring property, wanting to know if his concerns had been clarified.

Yearout said that the County cannot impose minimum standards, we follow state laws. The State allows pre-built homes on foundation with pitched roof and siding, and the owners can do that on this property, if that is what they chose, with SF-20 zoning.

Nancy Hinten wanted to know where access to the property is from.

The property is primarily accessed from 21<sup>st</sup> St.; the owners asked to have a second access off of residential street to the south for a garage/RV storage.

Manlove wanted to know what other land is not part of Lake Vista.

This is the only lot not included

Nick Ward, owner of the land to the east, was under the assumption that this property would be required to conform to the Lake Vista rules. He wanted to know the intent from the owners as to what they were going to do. He heard it was going to be a Morton type building.

There is currently no contract on specific plans for the home. Their RV will be stored inside a garage building. They do not have a description as to what they will build because of zoning. Current zoning will allow them to build more than just a house. Their daughter lives next door, they want to live nearby.

Eric Scripsick is on the board for the Lake Vista community, he said there are concerns from neighbors about this property not having to follow the covenants that all of the other homes surrounding it have to.

McWhorter wanted to know what keeps the house from being in the HOA.

HOA's are a private contract (marketing tool) to sell lots. Land around the HOA is not subject to the same standards. Properties not included in an HOA are not subject to the same rules, it is up to the owners as to how they want to build/ keep up their property.

McWhorter also asked if the HOA would want this property included if given the opportunity and also asked the owners if they would want to be part of the HOA.

It would take a neighborhood vote with at least 75 percent in favor to include the house. The owners of the property in question do not want to be part of the HOA. This specific HOA does not require dues of any kind.

Eric Scripsick wanted to know what the owner's opposition to the HOA is.

Owners want a smaller house than the minimum requirements of the HOA.

A formal plat must also be approved for a building permit to be issued.

Sharon Ailsieger asked what has led the neighbors to believe the house won't be decent.

They want to protect themselves because the applicants do not want to conform. The neighbors are concerned about property values.

Ailsieger made a comment that covenants are only as good if there is money to hire a lawyer to get them enforced.

Eric wants an answer about what is going to be built on the subject property before he builds his home.

Ailsieger clarified that this home would be built on site, not brought in.

Hinten asked about drainage for this property and waste system.

Drainage in the area is good and they would be required to have an onsite wastewater system.

Anderson said that based on information from the County, MAPD and rights of the owner he made a motion to approve planning staff's recommendation to re-zone to SF-20. Ailsieger seconded the motion.

McWhorter asked if there could be legal recourse from owners in Lake Vista if the County approves this.

The County can't impose standards, there is no legal basis. Covenants are created by the developer and are often not consistently enforced. They often get thrown out in court because they are not consistently enforced.

Hinten asked what the speed limit on 21<sup>st</sup> Street in this area is.

The speed limit is posted 55.

Hinten also asked about access for lots one and three in Lake Vista, she is worried about access on 21<sup>st</sup> Street.

Those lots are accessed off of Cornelson within the Lake Vista development.

Manlove isn't concerned about the access off of 21<sup>st</sup> for this property, as there are many homes in the County that are accessed off of similar paved County roads with similar speed limits.

The motion passed 5-2 with David Wright and Glen Shafer opposing.

## **2. 2020 Census Update – Jason Dean, Census Partnership Specialist**

Jason Dean, Partnership Specialist with the U.S. Census Bureau presented about the 2020 Census.

The Census is conducted to ensure accurate representation, funding, and is required by the Constitution.

This Census there is an option to respond online. A mailer will go out with the option to respond online, there will be a code on the mailer to enter online to ensure that the information is recorded appropriately.

If you are unsure that a person claiming to be with the Census is official, they should have a Government ID badge identifying them as a Census employee, a bag with the Census logo, and should be able to provide an identification number that can be verified by the Census office.

Manlove asked if the Census will ask for names of everyone in the house.

The Census will ask about everyone living in the house. The Census Bureau does not interact with other parts of the government, for instance they do not share information with the IRS. The Census information is not public for 72 years.

In early 2020, the Census will begin working on group quarters information. Group quarters include people that live at the same address but are not related; nursing homes, prison/ jail, dorms. Group quarters are also often places where homeless get their services.

McWhorter asked if group quarters was the ballot question approved in the fall 2019 election.

The law changed how Kansas counted college students and military; it put the state in line with the rest of the country.

The Census has to conduct their own survey, they cannot use information collected prior by other organizations, such as United Way.

Manlove asked how they interact with households/ people that do not speak English.

The Census can call for translators and has translators for the 12 most common languages in the United States.

A big portion of the non-responses are from renter occupied houses. EVERYONE should fill out the Census, owner or not.

The Census is hiring workers. In Sedgwick County, they are paying \$16.50/ hour. Workers need to be 18 by this spring; positions are part time up to 40 hours. Workers set their schedules and need to have reliable transportation.

In an article from Hutchinson, they said that they have lost \$48,000 in 10 years from households uncounted.

The Census does quality checks, if they do not have the response that they were projecting for an area; they will re-do the area to make sure it is accurately represented.

### **3. 2020 Meeting Calendar Review – Kate Flavin, Sedgwick County PIO**

Kate pulled up the 2020 Calendar to confirm the District 3 Citizen's Advisory Board dates for 2020, they are as follows:

February 3

March 9

April 6 (in the Santa Fe Room at Goddard Admin Building across from regular space)

May 4 (in the Santa Fe Room at Goddard Admin Building across from regular space)

June 1

July 27 (Combined July and August Meeting)

August No Meeting

September 14

October 5

November 2

December 7

## **BOARD AGENDA**

### **Citizens Advisory Board Members**

Manlove brought up Century II and the ideas that have been talked about with what to do with that facility. She asked about the aquarium idea, and asked if an aquarium was in the Sedgwick County Zoo's master plan.

An aquarium is in the Zoo's 25 year Master Plan.

McWhorter wanted to clarify the zoning case discussed earlier in the meeting. He wanted to know what happened beyond the CAB.

The property has to still be approved for re-zone by MAPC and then can have a protest period. Once that is finished, it also has to have a plat.

McWhorter also clarified if there was any legal basis keeping this property from being part of the HOA.

The developer did not own the property. HOA could have bought it. HOA doesn't have control over any property that isn't in their authority.

Ailslieger mentioned that the owners weren't clear what kind of house they would build, they weren't re-assuring.

If the property stays zoned RR, it allows for a lot more uses than changing the property to SF-20.

### **Comments from Commissioner Dennis**

Presented a copy of the Strategic Plan handout and gave a brief overview of the reason we completed a new plan. This process started in January 2019 and it engaged over 900 Sedgwick County employees. It is a living document.

The 2020 budget and CIP totaling over \$450 million take approximately 6 months to develop. Budget requests from now on have to align with the strategic plan.

2019 budget was tough, spent approximately \$5-6 million from reserves that wasn't budgeted for originally.

Tuesday, January 7, Commissioner Dennis will attend the Farm Bureau lunch for all elected officials.

There is also a dinner and public forum January 7 with legislators, Chamber, City of Wichita, and Sedgwick County, and REAP. Doors open at 6 p.m., forum is at 6:30 p.m. at City Hall.

There is a legislative forum at Wichita State University on Thursday, January 9. Legislators will hear from Sedgwick County, REAP, Wichita Regional Chamber, schools, and other community leaders.

Sedgwick County has created a palm card with our priority legislative issues and joint partner statement.

Behavioral Health remains the County's number one priority.

COMCARE reimbursements from the state are not covering operating costs, the County is asking for a four percent increase in reimbursements.

There are only two mental health facilities in the state: Larned and Osawatomie. We clarified that we want a regional mental health facility in Sedgwick County. In the late 1990's facilities were closed, the savings at the state level were never redistributed. Of the \$8.2 million, Sedgwick County is asking for \$2 million to address the needs of the uninsured and underinsured. In 2019, the Governor wanted to eliminate foundational funding for community crisis centers, in special session legislators put it back in. We want the funding permanently in the state budget.

Cities are allowed to have nuisance abatement under home rule authority. Counties do not have this option, currently, the County has to site the property owner and take them to court. Creating a charter commission would allow Sedgwick County to have similar rules/ authority that the City does. We have a charter designating Sedgwick County as an urban area, but we need to establish a charter commission.

Other issues not listed on the palm card were provided to the County's Lobbyist to use during the legislative season.

A new County Commission Chairperson will be selected on January 15; a reception at 10:30 a.m. will follow the meeting.

As Chairman, he can recognize an organization for supporting citizens in Sedgwick County with the annual Chairman's Award. This year, he selected Kansas Honor Flight.

Riverfront Legacy Master Plan will have a public open house at 5:30 p.m. at Newman University Dugan Gorges conference center on January 14. No matter what happened, Century II will not come down tomorrow. There will need to be a public vote to determine how to fund the project, performing arts and conventions will also need new space before they can move out. In the meantime, an option to save Century II could potentially still be brought forth.

INTRUST Bank Arena will celebrate its tenth anniversary on January 9 with a celebration on sight.

Dale Miller, MAPD director, retired. There are three finalists for his position and one candidate is local.

The Appraiser position is still not filled. A finalist was selected but before an offer was made, the applicant rescinded his application.

The Chamber's annual Chair's luncheon will be on January 30 at INTRUST Bank Arena.

During the Christmas season, carolers from area schools sang in the Courthouse. Commissioner Dennis thought it would be a good idea to create a student position on

his CAB for a student in their senior year of high school. Staff will have to amend the resolution for his CAB to include this position.

CAB members were in favor of this idea.

Manlove asked about layoffs and what the impact/ outcome would be at Spirit.

County is working with state and federal partners to figure out what to do. The Government is looking at \$25 million in assistance. Senator Moran is trying to pressure the FAA, but it is hard because of the problems the plan had. There is also a ripple effect beyond Spirit with all of the suppliers and their workforce.

The County also talked to Textron shortly after their incident to find out how they could assist with their workforce. Sedgwick County Fire District 1 and Sedgwick County Sheriff's Office were responsible for the scene as the campus is in the county. The event was a group effort with assistance and collaboration with Wichita Fire and Police and many other agencies.

Hinten mentioned that the layoffs could also impact the Census for our area if the workforce isn't retained.

Spirit has been trying to diversify their work so that they are not completely dependent on Boeing work.

Shafer asked about incentives that were given to Spirit.

Spirit doesn't report until year three and a claw back wouldn't occur until year five. The facility isn't complete yet either.

## **ADJOURNMENT**

Ailsieger made a motion for adjournment, Shafer seconded. Chair Anderson adjourned the meeting at 9:09 p.m.

Next meeting will be at 7 p.m. on Monday, February 3, at the Goddard School Conference Center.