

August 3, 2022

The governing body of the City of Seneca met in regular session August 3, 2022 at 7:30 p.m., in the council room, located at 531 Main Street, Seneca, Kansas. Present were Mayor Joe Mitchell and council members Jim Mitchell, Steve Bennett, Ray Shinn, Mike Stallbaumer, and Alice Lackey. Also present were Angel O'Neil, Tami Haverkamp, Jim Reitz, Matt Diehl, Martin and Laurie Schmelzle, and Doug Schmelzle.

Steve Bennett made a motion to approve the minutes of the regular meeting held July 20, 2022. The motion was seconded by Mike Stallbaumer. All present voted yes. Motion carried.

Laurie Schmelzle presented the governing body and Tami a packet containing information pertaining to Ordinance No. 1424 amending Ordinance No. 1371 and amending the Seneca Zoning Ordinance of the City of Seneca, Kansas. Laurie asked that the council members read through the documents prior to making a decision. Laurie stated that the ordinance would limit property rights and could have substantial economic impact to those in the ETJ. According to Laurie, approximately 149 landowners would be involved in the decision. If each landowner had 2 wind turbines, it would have a \$3,500,000 private impact plus \$1,000,000+ to the local government. Laurie stated she talked to at least 8 attorneys and the Topeka Deputy General about "leap frogging." Laurie asked to make a formal request that the city council request information from the Attorney General on leap frogging. At 7:39 p.m., Laurie completed her public comments.

Ray Shinn made a motion to approve Appropriation Ordinance Number 1427. The motion was seconded by Mike Stallbaumer. All present voted yes. Motion carried.

The planning commission held a public hearing on July 21, 2022, to gather public input on an ordinance to amend the Seneca Zoning Ordinance. The planning commission's recommendation is that the City of Seneca adopt Ordinance 1424 to amend Ordinance 1371, making commercial/utility grade wind turbines prohibited within the zoning jurisdiction of the City of Seneca. Jim Mitchell made a motion to table the adoption of Ordinance 1424 for one meeting, until Martin Mishler can review the information presented by Laurie Schmelzle. The motion was seconded by Steve Bennett. All present voted yes. Motion carried.

The Travel & Tourism Committee met to review grant applications for the summer. The list of grants requested was presented to the City Council along with the committee's recommendations. Jim Mitchell made a motion to approve the Travel & Tourism grants. The motion was seconded by Steve Bennett. All present voted yes. Motion carried.

The council was presented with a street closure request submitted by Seneca Area Chamber & Downtown Impact to close Main Street, from 5th – 6th on October 8, 2022, from 2:30 p.m. to 7:30 p.m., during Oktoberfest. Jim Mitchell made a motion to approve the street closure request by Seneca Chamber & Downtown Impact. The motion was seconded by Alice Lackey. All present voted yes. Motion carried.

The council was presented with a second street closure request submitted by Seneca Area Chamber & Downtown Impact to close Main Street from 5th – 6th on October 29, 2022, from 9:30 a.m. to 12:30 p.m., during Seneca Spooktacular. Steve Bennett made a motion to approve the street closure request by Seneca Chamber & Downtown Impact. The motion was seconded by Mike Stallbaumer. All present voted yes. Motion carried.

Seneca Area Chamber & Downtown Impact submitted an application for a special event CMB license for a beer tasting event during Oktoberfest. The license would be for October 8, 2022 from 2:30 p.m. to 7:30 p.m. Ray Shinn made a motion to approve issuance of the CMB license for Oktoberfest. The motion was seconded by Mike Stallbaumer. All present voted yes. Motion carried.

Sons of American Legion submitted an application for a special event CMB license for a beer garden during the Seneca Fire Department's Stutz 100th Birthday party on August 27, 2022 from 10:00 a.m. to 10:00 p.m. Jim Mitchell made a motion to approve issuance of the CMB license. The motion was seconded by Ray Shinn. All present voted yes. Motion carried.

Tami presented the council with the first draft of the 2023 budget. The mill levy was held steady at 32.591, which was the same as 2022. The budget hearing is scheduled for September 7, 2022. To meet notice requirements, the governing body would need to approve for publication the Notice of Hearing to Exceed Revenue Rate and Budget Hearing. Ray Shinn made a motion to approve for publication the

Notice of Revenue Neutral Rate Hearing & Budget Hearing, scheduled for September 7, 2022. The motion was seconded by Jim Mitchell. All present voted yes. Motion carried.

Ray Shinn reported the sales tax collected for the city's 1% was \$78,621.80, and from the county was \$25,921.82 for a total of \$104,543.62.

At 8:02 p.m., Jim Mitchell made a motion to go into executive session for fifteen minutes until 8:17 p.m., with the governing body and Tami for the purpose of discussing the acquisition of real estate, with no action to be taken. The motion was seconded by Steve Bennett. All present voted yes. Motion carried.

Alice Lackey made a motion to adjourn. The motion was seconded by Jim Mitchell. All present voted yes. Motion carried. Meeting adjourned at 8:18 p.m.

Angel O'Neil
Acting City Clerk