

Prior to the start of the Regular Council Meeting Mayor Armstrong drew the names of the Railroad Reward winners. The winner of the \$25.00 was Kathy Roush, 1915 S. Edgemoor, Wichita, 67218; the \$50.00 winner was Lacy Albert, 920 W. 65th Street South, Wichita, 67217 and the \$100.00 winner was Terri Holloway, 209 Moy Ct., Haysville, 67060. Mayor Armstrong announced they would be drawing the winner of the Baja Bug after the Council Meeting.

Mayor Armstrong called the Regular Council Meeting to order at 7:03 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was called by Recording Secretary Carla Mann: Carroll here, Rooney here, Rardin here, Gibson here, Pierce here, Lindsay here, Crum here, Hampton here.

Invocation was given by Dr. George Lespagnard, First Christian Church.

Mayor Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Armstrong presented a Public Hearing to Consider Vacation Access Control on Lots 2 and 3, Block A, Downtown Addition.

Mayor Armstrong asked for a motion to open the Public Hearing.

Motion by Rardin – Second by Gibson

Mr. Mayor, I make a motion to open the public hearing for downtown vacation access control on lots 2 and 3, block A.

Carroll yea, Rooney yea, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton yea.

Motion declared carried.

Mayor Armstrong advised Council would be following the regular public hearing script to make sure all action needed was taken. Mayor Armstrong asked if Council had received any outside contacts regarding that case. There were none. Mayor Armstrong asked any Councilmembers with conflicts of interest regarding the case to withdraw themselves from Council action. There were none. Mayor Armstrong asked if the City had any written communication regarding that matter. There were none. Mayor Armstrong advised the City would be the applicant. Mayor Armstrong asked for any questions from the applicant for Council. There were none. Mayor Armstrong asked for anyone from the public who would like to speak in regard to the access control on lots 2 and 3, block A. There were none. Mayor Armstrong asked for comments from the applicant. Mayor Armstrong explained it was being done so the businesses being built on Main Street would be able to have access. Mayor Armstrong asked for anyone from the public who wished to rebut the comments. There were none. Mayor Armstrong asked for a motion to close the public hearing.

Motion by Rardin – Second by Crum

Mr. Mayor, I make a motion we close the public hearing.

Carroll yea, Rooney yea, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton yea.

Motion declared carried.

REGULAR COUNCIL MEETING

FEBRUARY 28, 2005

PAGE 2

Motion by Gibson – Second by Rardin

Mr. Mayor, I'll make a motion that we approve the vacation access control on lots 2 and 3, block A, Downtown Addition.

Carroll yea, Rooney yea, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton yea.

Motion declared carried.

Under Presentation and Approval of Minutes Mayor Armstrong presented for approval the Minutes of February 14, 2005.

Motion by Rardin – Second by Gibson

Mr. Mayor, if there are no corrections I make it a motion to approve the minutes of February 14, 2005.

Carroll yea, Rooney yea, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton yea.

Motion declared carried.

Under Citizens to be Heard Mayor Armstrong called Linda Beehler, Chamber of Commerce President.

Linda Beehler, Chamber of Commerce President, advised Council she would like to follow up on a letter that had been sent to Councilmembers expressing the Haysville Chamber of Commerce's support of the zone change for Robert and Vicky Nunn's property on South Broadway. Beehler advised the residents in the area of the property and the Planning Commission had received the cooperation of the Nunns in regard to the protective overlay and the wishes of the residents. Beehler stated antique and custom vehicles were a specialized industry and more people were getting involved for pleasure. Beehler said Haysville had a large and active car club who hosted one of the largest car shows in the area at the Haysville Fall Festival and that business was viewed by herself and the Chamber as a compliment to the interest of many of the citizens in Haysville. Beehler stated Haysville needed growth with the loss of several businesses to the area and the Nunns would bring new business and activities to the area. Beehler advised the City did not want to be viewed by other businesses wanting to come to town as being difficult to work with.

There were no Licenses or Bonds.

Under Introduction of Ordinances and Resolutions Mayor Armstrong presented for approval AN ORDINANCE ADOPTING THE CODIFICATION OF ORDINANCES OF THE CITY OF HAYSVILLE, KANSAS, PROVIDING FOR THE EFFECTIVE DATE THEREOF, PROVIDING FOR THE REPEAL OF CERTAIN OTHER ORDINANCES NOT INCLUDED THEREIN, SAVING CERTAIN ORDINANCES FROM REPEAL AND SAVING CERTAIN ACCRUED RIGHTS AND LIABILITIES. **(Ord. #872)**

REGULAR COUNCIL MEETING

FEBRUARY 28, 2005

PAGE 3

Motion by Crum – Second by Pierce

Mr. Mayor, if there is no more discussion I make a motion that we pass AN ORDINANCE ADOPTING THE CODIFICATION OF ORDINANCES OF THE CITY OF HAYSVILLE, KANSAS, PROVIDING FOR THE EFFECTIVE DATE THEREOF, PROVIDING FOR THE REPEAL OF CERTAIN OTHER ORDINANCES NOT INCLUDED THEREIN, SAVING CERTAIN ORDINANCES FROM REPEAL AND SAVING CERTAIN ACCRUED RIGHTS AND LIABILITIES.

Carroll yea, Rooney yea, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton yea.

Motion declared carried.

Under Notices and Communications Mayor Armstrong presented the City Clerk Activity Report for January.

Mayor Armstrong presented the Governmental Services Activity Report for January.

Councilperson Rardin asked if the website was being updated. Director of Governmental Services Carol Neugent advised it was. Councilperson Crum advised the joint meeting with the School Board should have been on the activity report. Neugent advised it was one of the miscellaneous items but not under meetings.

Mayor Armstrong presented the Police Department Activity Report for January.

Mayor Armstrong asked for Governing Body Announcements.

Councilperson Carroll updated Council on the Curbside/Solid Waste Committee's activities. Carroll advised the City Attorney's had represented Bel Aire in their efforts to implement the city's curbside recycling and waste collection. Carroll stated there was the potential for savings on a monthly or quarterly basis. Carroll advised he would like to set a workshop date for Council to discuss the options.

Motion by Carroll – Second by Rooney

I would make a motion that we set March 7th at 6:30 at the City Building for a workshop to discuss curbside recycling and solid waste collection.

Motion was withdrawn by Councilperson Carroll. Councilperson Rooney withdrew his second.

Motion by Carroll – Second by Rooney

I would make a motion that we set March 21st at 6:30 at the City Building for the workshop for the same purpose.

Carroll yea, Rooney yea, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton yea.

Motion declared carried.

REGULAR COUNCIL MEETING

FEBRUARY 28, 2005

PAGE 4

Councilperson Rardin advised the meals had not been delivered due to equipment failure and the problem had been fixed. Rardin said there were 76 seniors in attendance at the Jam Session the previous Sunday. Rardin advised the Jam Sessions would be held every third Sunday of the month for all of 2005. Rardin further advised the AARP would be on hand at the Senior Center for tax preparation free of charge to all citizens.

Councilperson Crum thanked all volunteers who helped with the Kristen Swartzendruber Basketball Tournament the past weekend.

Mayor Armstrong presented a Memorandum from Police Chief Mike McElroy Re: Police Officer Gregory Wright – Promotion to Master Police Officer.

Under Other Business Mayor Armstrong presented for approval a Consideration of Memorandum from Planning Commission Re: Zone Change Request “D” Light Commercial to “E” Heavy Commercial With Protective Overlay.

Councilperson Hampton advised it was vague the first time the zone change was presented to Council, he did not want a metal building built and that was not the case, and he did not see a problem with the homeowners in the area of the business going in, however was concerned about the environmental issues of the paint booth. Hampton advised he had spoken with Walter Rooney at the Sedgwick County Fire Department and was told they were in charge of the codes of paint booths. Hampton asked Public Works Director Randy Dorner if the business would be subjected to those same codes. Dorner explained the fire department would be called on to okay the plans submitted for the paint booth. Dorner further explained the City’s inspector would be inspecting electrical and making sure it was built according to the plans. Dorner said the fire department would be called upon to make the final inspection of the paint booth. Hampton advised he was assured by Walter Rooney that the filters were good in protecting the environment for emitting chemicals and were inspected on an annual basis unless there were complaints and then it would be inspected sooner. Hampton advised those were the concerns he had the first time it was presented and that was why he had voted no but now understood and did not have a problem with what was being put in and the safeguards were there to protect the neighborhood. Hampton advised he did however have a problem with the ordinance as presented in regard to the uses prohibited on a Class “E.” Hampton said he was concerned with the zone being changed to “E” since certain businesses were allowed whether the Nunns owned the property or not. Hampton advised he did not want to see amusement enterprises such as dancehalls, pool halls and auction houses and further advised he felt those things should be excluded. Hampton stated he would vote in favor of the ordinance if those items were included. Councilperson Carroll advised he had voted no the first time because of the zoning being changed from light commercial. Carroll stated it was originally intended to zone land in front of residential areas light commercial and he would like to remain consistent with that plan. Councilperson Gibson stated the Nunns, the Planning Commission and the residents of the area had spent a lot of time on that project and conclusions had been reached appropriate for all parties and felt Council should back the business and the zone change. Councilperson Rooney advised he had some residents contact him who would like to see the six foot fence constructed on the property and Mayor Armstrong explained if it were to pass that was one of the requirements.

REGULAR COUNCIL MEETING

FEBRUARY 28, 2005

PAGE 5

Motion by Gibson – Second by Rardin

Mr. Mayor, I make a motion that we change the zoning from “D” to “E” on Lot 5, Block E, Orchard Acres Addition to Haysville, Sedgwick County, Kansas, as recommended by the Planning Commission with the protective overlays.

Carroll nay, Rooney nay, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton nay.

Motion declared carried.

There was no Old Business.

Mayor Armstrong asked for Department Head Reports.

City Clerk Carol McBeath advised Council the primary election would be held on March 1, 2005 and stated she had statutes for Council if they wanted them regarding how primary elections work. McBeath advised voting registration had closed for the primary and would re-open March 2, 2005 for the general election and close on March 21, 2005. McBeath advised the voting locations would remain the same for the general election even if the Main and Grand intersection were to open as the Election Commission’s office believed it would be more confusing to change the locations that soon. McBeath advised Council of the locations for voting for each ward. Councilperson Lindsay asked about the purchasing policy brought up at the last Council Meeting by Councilperson Hampton. McBeath advised it was being discussed. Lindsay asked if Council would be receiving any information on the policy changes and when it would be received. McBeath advised something would be brought back to Council and it was hoped to be prepared by the next Council Meeting. Mayor Armstrong advised it would be presented to Council upon completion.

Director of Governmental Services Carol Neugent had nothing to report.

Police Chief Mike McElroy introduced the attending officer, M.P.O. Paul Strother. McElroy advised the annual Storm Spotter Severe Weather class would be held on Thursday, March 10th at 7:00 p.m. at the Haysville Middle School Multi-Purpose Room and would be presented by Sedgwick County Emergency Management.

Public Works Director Randy Dorner advised the speed limit sign at Sarah Lane and Hungerford and street sign on Peach had been installed that day. Dorner further advised the potholes on Lamar, Willow Lane and other streets had been filled. Dorner stated the car parked at Faye’s Family Dining had been removed that day after notice was served the previous week. Dorner advised staff was waiting on the return slip for the delivery of the registered letter to 6450 Ward Parkway. Dorner displayed a short video on the railroad project showing the street being put in at Main and Grand. Dorner advised the street would be open within the next couple of weeks. Dorner advised after the street opens the sidewalks would be completed and there would be times lanes on one side or the other would be closed for that. Councilperson Pierce asked about the schedule for Clinton Street. Dorner advised they were waiting for better weather.

REGULAR COUNCIL MEETING

FEBRUARY 28, 2005

PAGE 6

Recreation Director Wendy Wilkinson had nothing to report.

There were no Appointments.

Mayor Armstrong asked for Off Agenda Citizens to be Heard.

Roxy Cook, 323 S. Twin Pines, PRIDE Committee, requested \$3,871.60, which included 22 lighted pole decorations, shipping and tax at a discounted rate. Cook advised she would have to call the companies the following morning in order to receive the 40% discount from one company and 10% from another. Cook stated Council had previously approved six banners for the Kay Street bridge in the amount of \$600.00, and it was unknown as to whether they were included. Cook requested approval for the \$600.00 for the banners if the money was still available. Cook stated decorations were also needed for the railroad bridge. Cook advised of the plans for the next year. Councilperson Gibson asked if the money was available from the previous year. Mayor Armstrong explained it was not held over and it would come from the capitol improvement budget. There was a discussion regarding the total needed to cover the request of the PRIDE Committee. Councilperson Gibson advised the total should be \$5,293.60. Councilperson Hampton asked why the Committee needed approval that night as was the case the previous time they had requested funds for holiday decorations. Cook advised in order to take advantage of the discount the order had to be placed that following day. Cook asked if the City could be billed directly.

Motion by Rardin – Second by Gibson

Mr. Mayor, I make a motion to approve the expenditure of \$5,293.60, for the Christmas decorations.

Carroll yea, Rooney yea, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton yea.

Motion declared carried.

Mayor Armstrong advised Roxy Cook the companies could bill the City directly. Councilperson Rooney asked if the PRIDE Committee had solicited businesses for money for the decorations. Councilperson Gibson advised they had not at that time but planned to in the future. Councilperson Carroll thanked PRIDE for the banners on Hungerford Street as it looked nice at Christmas time and suggested the City logo be placed on some of the banners.

Howard Cook, 323 S. Twin Pines, advised he was concerned the new business that was approved at that meeting may cause a drainage problem on the west side of Broadway. Cook stated a six inch rain would cause water to run to Blossom at his yard.

Mayor Armstrong called for a motion to go into Executive Session for Attorney/Client Privilege and Land Acquisition for 15 minutes to include Council, the Mayor, the City Attorney, the Director of Governmental Services and the Public Works Director.

Motion by Rooney – Second by Gibson

I make that motion.

Carroll yea, Rooney yea, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton yea.

Motion declared carried.

**REGULAR COUNCIL MEETING
FEBRUARY 28, 2005
PAGE 7**

Council went into Executive Session at 8:10 p.m.

Council returned from Executive Session at 8:26 p.m.

Mayor Armstrong advised there was no binding action taken in Executive Session.

Motion by Crum – Second by Rooney

Mr. Mayor, I make a motion that we go back into Executive Session for Attorney/Client Privilege and Land Acquisition to include Governmental Services, Public Works and the City Attorney for 15 minutes.

Carroll yea, Rooney yea, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton yea.

Motion declared carried.

Council went back into Executive Session at 8:26 p.m.

Council returned from Executive Session 8:41 p.m.

Under Bills to Be Paid Mayor Armstrong presented for approval the Bills to be Paid for the Last Half of February.

Motion by Rardin – Second by Crum

Mr. Mayor, if there is no discussion I make a motion that we pay the bills for the last half of February.

Carroll yea, Rooney yea, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton yea.

Motion declared carried.

Mayor Armstrong presented for approval the Consent Agenda.

Motion by Rooney – Second by Rardin

Mr. Mayor, I make a motion we accept the Consent Agenda.

Carroll yea, Rooney yea, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton yea.

Motion declared carried.

Mayor Armstrong asked for Council Concerns.

Councilperson Hampton welcomed the Nunns to Haysville.

Councilperson Crum thanked Public Works Director Randy Dorner for the tour of the railroad project. Crum asked about the limbs at 6450 Ward Parkway. Public Works Director Randy Dorner explained nothing had been done and Public Works would be sending notification to the owner that the deadline for picking up limbs had passed and they would have to clean it up. Crum suggested anyone running for office be given a notice regarding lawful sign placement. City Clerk Carol McBeath advised that was being done. Director of Governmental Services Carol Neugent advised she had contacted those whose signs were illegally placed and they said they would move them.

REGULAR COUNCIL MEETING

FEBRUARY 28, 2005

PAGE 8

Councilperson Lindsay advised he had spoken with several residents who had stated the City Building was only open during the hours they worked and felt it was difficult to make it to the City Building during the business hours. Lindsay advised it might be a good idea to be open one Saturday a month to accommodate those people.

Councilperson Gibson asked about the progress of the limb pickup. Public Works Director Randy Dorner explained they had completed the process and were looking at trees hanging in the rights-of-way. Dorner stated the crusher would be coming down next week. Gibson asked about the senior housing progress. Mayor Armstrong explained they were waiting for a letter of intent from the bank for financing.

Councilperson Carroll requested the wastewater surplus fund be placed on the next Council Agenda under Other Business since it was about that time of year to begin reviewing it.

Mayor Armstrong drew the name of the winner of the Baja Bug. The winner was Johnny Howell, 220 W. Market, Derby, KS 67037.

Mayor Armstrong requested a motion for adjournment.

Motion by Rardin – Second by Crum

I move we adjourn.

Carroll yea, Rooney yea, Rardin yea, Gibson yea, Pierce yea, Lindsay yea, Crum yea, Hampton yea.

Motion declared carried.

The Regular Council Meeting adjourned at 8:49 p.m.

Carol McBeath, City Clerk