

The Regular Council meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was called by Recording Secretary Pam Robbins: Hampton here, Crum here, Pierce here, Holub here, Youngers here, Ewert here, and Streets here. Councilperson Rob Wilkerson was absent.

The Invocation was given by Reverend Tim Leaf, Resurrection Lutheran Church.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Bruce Armstrong presented the Status Report for 301 Summey, Travis and Jennifer Morgan Re: Nuisance Abatement Violation (Tabled from 10-24-05, 11-28-05, and 12-29-05).

Code Enforcement Officer Cale Topinka addressed the Council and reported the inoperable truck was still on the property. Topinka stated he had spoken to Mr. Morgan that day and Morgan said he could not make it to the Council meeting that evening because he was working overtime that week. Topinka said he was told by Morgan that the truck had belonged to his father and he needed to have him put the title into his name instead. Topinka advised the hold up was the title on the vehicle. Topinka told Council the Resolution was before them for their consideration. Mayor Bruce Armstrong asked if anyone was present to speak on behalf of Mr. Morgan. There was nobody present to speak. Mayor Bruce Armstrong asked Council what they would like to do about the nuisance abatement. Councilperson Ken Hampton asked if the City Attorney had completed the changes in the Ordinance for inoperable vehicles as discussed previously. Armstrong advised there would be a workshop on the Ordinance along with several other issues. Councilperson Steven Crum advised Mr. Morgan had been given an extension at the last Council meeting to hear back from the State. Crum reminded Council that Topinka had contacted Morgan that day.

Motion by Crum – Second by Youngers

I would be inclined to go ahead and make a motion that we table this until the first meeting in February and hopefully Morgan can have the paperwork straightened out by then and we will not have this problem anymore.

Hampton yea, Crum yea, Pierce nay, Holub nay, Youngers yea, Ewert nay, Streets nay.

Motion denied.

Mayor Bruce Armstrong advised Council the nuisance abatement had not been tabled and asked if anyone would like to make a motion to pass the Resolution.

Motion by Hampton – Second by Pierce

I will make the motion that we pass the Resolution on the abatement for 301 Summey.

Hampton nay, Crum nay, Pierce yea, Holub yea, Youngers nay, Ewert yea, Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

JANUARY 9, 2006

PAGE 2

Mayor Bruce Armstrong presented the Status Report for 936 E. Grand, Overflow Storage, Jack D. Harris Re: Nuisance Abatement Violation (Tabled from 12-12-05).

Code Enforcement Officer Cale Topinka addressed Council and said he drove by the property of 936 E. Grand that day and progress had been made. Topinka stated some of the items had been removed from the lot. Topinka advised Council Mr. Harris was present that evening and the Resolution was before them for their consideration.

Jack Harris, 5240 Sullivan addressed Council and said he was there to ask for an extension on the nuisance abatement. Harris stated he had been given a thirty day extension the last time he came to Council and he found out that thirty days was not actually what he had been given because the time frame had been from one Council meeting to another Council meeting. Harris said he wanted to ask for an extension until the first Council meeting in February. Mayor Bruce Armstrong advised the first Council meeting in February would be on the 13th and that would give Harris a little over thirty days. Armstrong asked if there were any questions from Council. Councilperson Keith Pierce asked Topinka if progress had been made on the property. Topinka said yes. Pierce said that was what he had been looking for since Mr. Harris had not had much time to start cleaning up.

Motion by Pierce – Second by Hampton

I would make a motion that we go ahead and table this for thirty days until the first meeting in February.

Hampton yea, Crum yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Bruce Armstrong thanked Mr. Harris for coming to the Council meeting. Harris advised he was not through speaking to Council. Harris stated he had asked Councilperson Bill Youngers to come by and talk with him. Harris said Youngers showed up that day and they talked about the situation and Harris felt Youngers had a better idea of what was going on now and how things were being done. Harris said it was his understanding that he was there because of a nuisance abatement law and he wanted to know if that was correct. Armstrong told Harris that was correct. Harris said he had been shown rodent control paperwork that had nothing to do with his matter and it was not recognizable in the nuisance abatement which talked about having items off the ground eighteen inches. Harris said he did not mind the eighteen inches off the ground, but if they took away four foot of storage all the way around the outside of his property, the storage would be cut in half. Harris said that would hurt his pocketbook and he could see no reason to have things eighteen inches off the ground unless they raised rats that big around there. Harris asked why the four feet and if it was just because somebody had said so at one time or another and asked if there was a good logical reason for it. Armstrong advised that was what the Ordinance had said at the time they were written and that would be discussed at a workshop they would set up for nuisance abatements. Harris said he did not have a complete copy of all the Ordinances, and if he did, he would not have the time to read them. Harris said he did have the nuisance abatement paperwork because that was what he was being charged with and that was what he was going by. Harris said he should have been told things and he had not. Harris said he still thought that four feet was too much and they were taking away from his property and his

REGULAR COUNCIL MEETING

JANUARY 9, 2006

PAGE 3

livelihood. Harris explained that he could put things in two rows now and had room to turn but if four foot was taken away, he would not have enough room. Armstrong told Harris that his property was something that would be looked at within the workshop because he was also in violation of the Zoning Ordinances for outside storage even though he had been there for years and years. Armstrong said Council would also be looking into the outside storage regulations. Harris said the "grandfather act" had been thrown out the window and did not exist anymore. Armstrong said that was something that needed to be discussed to find out what to do about outside storage and Harris fell in the outside storage area of the Ordinance. Harris asked how long all of that would take and in the meantime, if he had to comply with what he was being told and then six or seven months to a year down the road, would he still be told he could do that. Armstrong advised Harris that he had to comply with the nuisance abatement at that point. Harris said in other words, he had to get rid of cars that he had charged rent to people for storage on his property. Armstrong stated that inoperable vehicles fell under the nuisance abatement laws. Harris asked how outside storage was determined and asked what he could store outside. Armstrong explained the outside storage was determined in the zoning part of the Ordinance and that would be looked at in the workshop. Harris said he could not get rid of those automobiles until Council gave him a definite answer one way or another. Armstrong told Harris he had been given a definite answer on the nuisance abatement. Harris asked if that was fair. Armstrong told Harris he did not say it was fair but he had received an answer. Harris advised Councilperson Steven Crum that he had some paperwork to give him and if he would like to share it with everyone else that was fine. There were additional comments by Mr. Harris and Council.

Mayor Bruce Armstrong presented for approval the Minutes of December 12, 2005.

Motion by Hampton – Second by Pierce

If there are no corrections or discussion, I make a motion that we pass the minutes for December 12, 2005.

Hampton yea, Crum yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Minutes of December 29, 2005.

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion we accept the minutes from December 29th if there are no changes.

Hampton yea, Crum yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Under Citizens to be Heard Mayor Bruce Armstrong presented Gary White, 6410 S. Osage Re: City Ordinances.

Gary White, 6410 S. Osage addressed Council and stated the last time he was there, he had asked who his accusers were and advised he had filled out the proper forms and they did not exist. White said the Council needed to go back and look at all the nuisance laws and Ordinances and whatever. White advised the accusers needed to be listed on the paperwork per order and per law and also the problems they had on the nuisances. White told Council he had

REGULAR COUNCIL MEETING

JANUARY 9, 2006

PAGE 4

three inspections by Code Enforcement Officer Cale Topinka and every time he came out, there was something new on the Agenda that had never been brought up before. White said he would not have had a summons if he would have known what he was supposed to take care of back in September. White stated he had always taken care of the problem with no problems. White said he needed to know what the problems were so he could take care of them and three months was a long time from a nuisance notice for a summons to appear in court. White advised Topinka had never told him what he needed to get rid of until the last two inspections and every time he came out, there was something different that needed to be taken care of. White said he thought if somebody received a notice, they needed to be told what the items were and if there were new items, they needed to be sent another notice. White said he was not a mind reader and he needed to know if there was an Ordinance problem or if it was junk. White wanted to know when the workshop would be scheduled and who was invited. Mayor Bruce Armstrong said the date had not been set for the workshop and all workshops were always open to the public. White wanted to know how the public would be notified of the workshop. Armstrong told White when the date was set at a Council meeting; it would be posted on Channel 7. Armstrong stated again that anyone from the public was invited to attend the workshops.

There were no Licenses or Bonds to be approved.

Mayor Bruce Armstrong presented for approval the Introduction of Ordinances and Resolutions.

Mayor Bruce Armstrong presented for approval A RESOLUTION OF SUPPORT AND APPROVAL FOR THE DEVELOPMENT OF AN AFFORDABLE RENTAL HOUSING COMMUNITY, BRIDGEWATER APARTMENTS, PHASE II.

Mayor Bruce Armstrong advised there was a representative present from the Bridgewater Apartments to speak to Council that evening.

James McDonald with Zimmerman Properties addressed Council and gave everyone a copy of the site plan. There was a discussion about the new units, the income requirements, utilities and storm shelters. Mayor Bruce Armstrong asked Council what they would like to do about the Resolution.

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion that we go ahead to allow you to sign A RESOLUTION OF SUPPORT AND APPROVAL FOR THE DEVELOPMENT OF AN AFFORDABLE RENTAL HOUSING COMMUNITY, BRIDGEWATER APARTMENTS, PHASE II.

Councilperson Joe Holub asked if the City had a responsibility to provide storm shelters. Mayor Bruce Armstrong advised the City did not have a responsibility to provide storm shelters and the other apartment complexes in the City did not have storm shelters.

Hampton yea, Crum yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets nay.

Motion declared carried.

REGULAR COUNCIL MEETING

JANUARY 9, 2006

PAGE 5

Mayor Bruce Armstrong presented AN ORDINANCE ANNEXING AND INCORPORATING CERTAIN LAND WITHIN THE BOUNDARIES OF THE CITY OF HAYSVILLE, KANSAS.

Motion by Crum – Second by Hampton

I would like to go ahead and make a motion that we go ahead and annex the tract of land in the South Half of the Southeast Quarter of Section 36, Township 28 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas as described in the paperwork they had before them.

Hampton yea, Crum yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Notices and Communications.

Mayor Bruce Armstrong presented Captain Glen Randol, Sedgwick County Fire Department, Station #34 Re: Program Activity Update for December.

Mayor Bruce Armstrong advised that nobody from the Sedgwick County Fire Department was present at the Council meeting and he gave a summary of the Activity Report.

Mayor Bruce Armstrong presented the Public Works Activity Report for December (Yearly Included).

Mayor Bruce Armstrong presented the Recreation Activity Report for December (Yearly Included).

Mayor Bruce Armstrong asked for Governing Body Announcements.

Councilperson Steven Crum addressed the request from last Council meeting regarding the smoking ban in Haysville. Crum stated he had placed a letter in the Haysville Times asking for input from the citizens of Haysville. Crum said he needed to hear from everyone so the Councilmembers would know what the citizens would like to have done about the situation. Crum said he did not want to base the results on responses from just a few people. Mayor Bruce Armstrong advised the matter would be on the last Council Agenda for January for discussion purposes.

Under Other Business Mayor Bruce Armstrong presented for approval the Authorization for Water Plant Upgrade.

Public Works Director Randal Dorner reported there had been a committee selected to look at the control system of the Water Plant. Dorner reviewed slides of various equipment at the Water Plant and explained why the system needed to be upgraded. Dorner asked Council for permission to receive bids for the upgrade.

Motion by Hampton – Second by Crum

REGULAR COUNCIL MEETING

JANUARY 9, 2006

PAGE 6

If there are no other questions, I would like to go ahead and allow Randy to let out for bids the upgrade on the chlorine system not to exceed \$200,000.00.

Hampton yea, Crum yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Pay Request for Old Oaks Hike and Bike Trail.

Mayor Bruce Armstrong advised the pay request had been signed in the wrong place and it needed to be signed in the proper place.

Motion by Crum – Second by

Mr. Mayor, I make a motion that we go ahead and make a payment to Bryant and Bryant Construction for \$66,915.00 contingent on having the cost estimate sheet signed in the correct place.

Hampton yea, Crum yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the presentation from the Street Committee.

Councilperson Keith Pierce asked Multimedia Specialist Sean Conley to show the slide presentation he had prepared of various streets and intersections throughout Haysville, which the Street Committee had determined required repairs or replacement. The total cost of the project would be \$1,279,435.56. After a discussion, Mayor Bruce Armstrong stated methods of financing would be looked at along with the Capital Improvements Plan that would be coming from the Planning Commission next week to see how much money would be available.

Mayor Bruce Armstrong presented the Discussion of Investment of Idle Funds (Requested by Councilperson Ken Hampton).

Mayor Bruce Armstrong asked City Attorney Lee Parker if there were any time restrictions on placing City funds in a C.D. Parker advised there were no Statutes restricting the time.

Motion by Hampton

The monies that are in Prairie State Bank, I would like to make a motion that we go ahead and allow the Finance Director to put that into a thirteen month C.D. if possible.

There was a discussion on the best interest rates for the C.D. Mayor Bruce Armstrong advised the money could not be used and it had to set in the bank. Armstrong stated the thirteen month C.D. at 4.10 interest would be a good deal.

Councilperson Steven Crum seconded Hampton's motion.

Councilperson Bill Youngers asked if the Council would have to renew the C.D. again in thirteen months. Mayor Bruce Armstrong advised they needed to have a finance committee to make

REGULAR COUNCIL MEETING

JANUARY 9, 2006

PAGE 7

recommendations as to what they needed to do. Councilperson Ken Hampton stated the money that would be earned from Prairie State Bank was budgeted by Public Works Director Randal Dorner. Hampton advised he had talked to Dorner to make sure that tying up the money would not be an inconvenience to the Public Works Department budget. Hampton said that Dorner told him it would not be a problem as long as he knew the money was there. Armstrong said the money would be tied up but the interest would be paid back monthly and not compounded.

Hampton yea, Crum yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.
Motion declared carried.

There was nothing under Old Business on the Agenda.

Mayor Bruce Armstrong asked for the Department Head Reports.

City Clerk Carol McBeath had nothing to report.

Director of Governmental Services Carol Neugent had nothing to report.

Police Chief Mike McElroy had nothing to report and introduced the attending officer, M.P.O. Randy Nowak.

Public Works Director Randal Dorner reported on Council action forms: a sign down in the vicinity of 800 Karla Court will be replaced by Friday of that week; trash and debris at 209 Trout in which a door hanger had been hung will be re-inspected that week and if not taken care of will proceed through the court system; mud in the gutter at Alexander and Hunter would be taken care of as soon as the street sweeper can get to that area. Dorner advised that both street sweepers were being used now. Dorner reported the Skateboard Park graffiti had been removed, the fixtures had been checked to make sure it was tightened up, and the manufacturer had been contacted about the peeling of paint on the equipment. Dorner said the manufacturer had looked at the equipment but he had not heard back from them.

Recreation Director Georgie Root reported the Haysville Activity Center would be taking registrations that month for Youth Dance Classes, Tiny Tot Basketball, Adult Volleyball, and Adult Co-ed Basketball. Root said if anyone was interested in any of the programs to please contact the Haysville Activity Center.

Under Appointments Mayor Bruce Armstrong asked Councilmembers what committees they would like to serve on and also announced the positions required for the Senior Center Advisory Board, Tree Board, and the Historic District Committee. Councilperson Michael Streets volunteered to serve on the Senior Center Advisory Board. Councilperson Bill Youngers stated he was already serving on the Historic District Committee by virtue of being the Park Board Chairperson and Councilperson Keith Pierce volunteered to serve on that committee also. Councilperson Steven Crum stated he would continue to serve on the Tree Board. Councilperson Ken Hampton and Councilperson Steven Crum volunteered to serve on the Finance Committee. Councilperson Keith Pierce and Councilperson Ken Hampton volunteered

REGULAR COUNCIL MEETING

JANUARY 9, 2006

PAGE 8

to serve on the Utility Committee. There were no volunteers for the Police Committee or the Recreation Committee.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

Howard Cook, 323 Twin Pines Avenue addressed the Council and asked that the Council acknowledge the e-mails they had received with at least a "thank you" to let the sender know it had been received.

There was no Executive Session.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the First Half of January.

Councilperson Ken Hampton advised he had spoken to Police Chief Mike McElroy and Public Works Director Randal Dorner before the Council meeting about the cost of the gas bill at the animal shelter. Hampton stated they would be discussing a way to cut the cost.

Motion by Hampton – Second by Pierce

If there is no other discussion, I will go ahead and make a motion that we pay the bills for the first half of January of 2006.

Hampton yea, Crum yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

There was nothing on the Consent Agenda.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Steven Crum asked citizens to let him know about the smoking issue.

Councilperson Ken Hampton asked about the contract with the City Attorneys expiring on December 31, 2005. Hampton wanted to know if the City had re-negotiated or added anything to the contract. Mayor Bruce Armstrong said he had a new contract he had been looking at. Armstrong explained he had set a date to meet with the City Attorneys to discuss the contract with them. Armstrong stated the old contract gave the ability to extend it and carry over until the notification time. Armstrong told Council the new contract would be discussed with them at the next Council meeting.

Armstrong asked the Council to be thinking of a date in February for a town hall meeting and let him know so notification could be sent out to citizens. Armstrong advised the meeting would be held at the Haysville Activity Center. Armstrong told Council they needed to set workshops for nuisance abatements, capital improvements, and the trash RFP. Armstrong asked that whoever was in charge of the trash committee to let Council know what to do with the matter. Armstrong stated there needed to be a joint meeting with the Planning Commission on capital improvements, streets, and drainage. Armstrong advised the joint meeting needed to be set for the first quarter of the year.

REGULAR COUNCIL MEETING

JANUARY 9, 2006

PAGE 9

Mayor Bruce Armstrong asked for a motion to adjourn.

Motion by Pierce – Second by Ewert

Mr. Mayor, I make the motion that we adjourn.

Hampton yea, Crum yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

The Regular Council meeting adjourned at 8:29 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Armstrong at 7:02 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was called by Recording Secretary Carla Mann: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, Streets 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 C.J. Cross, Haysville Times Update.

Mayor Armstrong advised due to illness in the family C.J. was unable to attend the meeting.

Mayor Armstrong presented a Status Report for 523 E. 71st Street South, Arthur Pirner, Re: Nuisance Abatement Violation (Tabled from 09-12-05, 10-24-05, 11-28-05 and 12-29-05).

Code Enforcement Officer Cale Topinka advised the property located on Lots 1, 2 and 3, Block A, Grand Avenue Industrial Park 3rd Addition, Haysville, Kansas, commonly known as 523 E. 71st Street South, belonging to Arthur Pirner had been tabled from December 29, 2005. Topinka advised he had spoken with Arthur Pirner's daughter, Linda Gehrer and further advised most of the property had been abated, however, the utility poles remained.

Linda Gehrer, 13740 E. St. Andrews Pl., 67230, advised she had found telephone poles were not an easy thing to get rid of. Gehrer said approximately six flat-bed trailers had hauled off some poles and six or more truck bed loads were taken. Gehrer stated she had contacted the area trash haulers and dump sites who advised they would not take telephone poles at their facilities. Gehrer advised she would advertise in the Haysville and Wichita paper for anyone who might be interested in the utility poles. Public Works Director Randy Dorner advised utility poles were hard to dispose of as most places refused to take them. Dorner said transfer stations might take them with special arrangements if they were cut into small pieces. Dorner said the City had a difficult time getting rid of utility poles in the past as well. Dorner suggested contacting soccer clubs and other sports organizations who use them for parking and to keep vehicles off the fields.

Motion by Pierce – Second by Crum

I would make a motion that we grant this one more time and look at it again the second meeting in February to give her a chance to run an ad and move those poles.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Under Presentation and Approval of Minutes Mayor Armstrong presented for approval the Minutes of January 9, 2006.

REGULAR COUNCIL MEETING

JANUARY 23, 2006

PAGE 2

Motion by Hampton – Second by Pierce

If there's no discussion I make a motion that we approve the minutes for January 9, 2006.

Hampton yea, Crum yea, Wilkerson abstain, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Under Citizens to be Heard Mayor Armstrong presented Lane Dixon, 341 Stewart Ct., Nuisance Abatement at 351 Stewart Ct.

Lane Dixon, 341 Stewart Ct., advised the residence located at 351 Stewart Ct. had been an on-going nuisance abatement problem. Dixon thanked Code Enforcement Officer Cale Topinka for his help since he had done more to clean up the property than anyone in the past. Dixon read Council the definition of nuisance he had obtained from the City's website. Dixon suggested Council drive by 351 Stewart Ct. and take a look at it for themselves. Dixon also suggested Council pass a clothesline law within the nuisance abatement code as that residence had a clothesline running from a tree to another tree to a telephone pole on the side yard.

Under Approval of Licenses or Bonds Mayor Armstrong presented Tiffany Olson, 1421 E. Grand Avenue Re: Full Throttle Lounge – Drinking Establishment.

Tiffany Olson, 1421 E. Grand, Full Throttle Lounge, requested permission to open her business upon receipt of her state liquor license without having to return to Council. Mayor Armstrong asked if all of her paperwork was in order. City Clerk Carol McBeath advised she had not received her state license and she would like Council approval contingent upon receiving her state license. City Attorney Alison McKenney Brown advised state statute required the state license prior to the City being able to act on the issue. Olson advised she expected to receive her license the first part of that week. Mayor Armstrong advised her she would not have to appear before Council upon receipt of her license but rather be required to submit the state license to the City Clerk's Office and a City license would then be issued.

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. #897)**

Motion by Hampton – Second by Crum

I'll make a motion that we accept the 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.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

JANUARY 23, 2006

PAGE 3

Mayor Armstrong presented for approval A RESOLUTION SUPPORTING AFFORDABLE AIR SERVICE IN KANSAS AND THE ACCOMPANYING REQUEST TO GOVERNOR KATHLEEN SEBELIUS AND THE KANSAS LEGISLATURE TO CREATE A KANSAS AIR SERVICE DEVELOPMENT PROGRAM TO PROTECT OUR AFFORDABLE AIR FARES AND BUILD OUR KANSAS AIR SERVICE INFRASTRUCTURE. (Res. #06-03)

Mayor Armstrong advised that resolution was sent to the City by the local REAP group who sent the same to all the cities.

Motion by Crum – Second by Hampton

I'd like to go ahead and make a motion that we allow you to sign the resolution SUPPORTING AFFORDABLE AIR SERVICE IN KANSAS AND THE ACCOMPANYING REQUEST TO GOVERNOR KATHLEEN SEBELIUS AND THE KANSAS LEGISLATURE TO CREATE A KANSAS AIR SERVICE DEVELOPMENT PROGRAM TO PROTECT OUR AFFORDABLE AIR FARES AND BUILD OUR KANSAS AIR SERVICE INFRASTRUCTURE.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$588,000 PRINCIPAL AMOUNT OF TEMPORARY NOTES, SERIES A, 2006 OF THE CITY OF HAYSVILLE, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH. (Res. #06-04)

Mayor Armstrong explained the resolution was for the temporary notes for properties located in Southbrooke, Sanitary Sewer, Waterline and Street Drainage Improvements.

Financial Advisor, Chuck Bouly, of George K. Baum, advised the two-year notes were for \$588,000 which Intrust Bank had purchased at 3.5%. Bouly advised upon completion of the project the assessment process would be completed such as was done previously on Country Lakes. Mayor Armstrong asked why there was difference in the estimated cost and the \$588,000. Bouly advised the figure was based on the bid amount and the other was an engineer's estimate.

Motion by Hampton – Second by Pierce

I'll go ahead and make the motion that we approve A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$588,000 PRINCIPAL AMOUNT OF TEMPORARY NOTES, SERIES A, 2006 OF THE CITY OF HAYSVILLE, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND

REGULAR COUNCIL MEETING

JANUARY 23, 2006

PAGE 4

AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2006, OF THE CITY OF HAYSVILLE, KANSAS (NOTICE OF BOND SALE ATTACHED). **(Res. #06-05)**

Mayor Armstrong explained the resolution covered bonding of the temporary notes for improvement projects within the City. Chuck Bouilly, of George K. Baum, advised the bond sale date was set in the resolution at February 13, 2006, authorizing the firm to advertise for bids, distribute the documentation and receive bids.

Motion by Hampton – Second by Pierce

I'll go ahead and make the motion that we pass the resolution authorizing the offering for sale of general obligation bonds, series 2006, of the City of Haysville, Kansas, as presented before us tonight.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Under Notices and Communications Mayor Armstrong presented the City Clerk Activity Report for December (Yearly Included).

Mayor Armstrong presented the Governmental Services Activity Report for December (Yearly Included – to be distributed).

Councilperson Hampton advised he did not like information distributed the night of the meeting as he did not have time to review it. Hampton stated when information could not be compiled within in a timely manner they might be placed on the next agenda. Mayor Armstrong advised if Council needed more time for discussion the item could be tabled.

Mayor Armstrong presented the Police Department Activity Report for December (Yearly Included).

Councilperson Hampton asked about the number of dogs still impounded on the yearly report. Police Chief Mike McElroy advised that was a typo and the figure should have been zero. Councilperson Holub asked if the new Animal Control vehicle was in use and on the streets. McElroy advised the vehicle had not been delivered and was expected late February or early March.

Mayor Armstrong asked for Governing Body Announcements.

REGULAR COUNCIL MEETING

JANUARY 23, 2006

PAGE 5

Councilperson Pierce stated Patty Waters was re-elected chairperson of the Historic District and Rolla Crum was elected as vice-chair. Pierce advised Planning/Community Relations Coordinator Angela Millspaugh remained the secretary. Pierce further advised the Planning Committee had been working through open hearings regarding the sign ordinances and he had reviewed the tapes of the meetings and told the other Councilmembers they could also review them if they would like.

Under Other Business Mayor Armstrong presented for approval a Consideration of Proposal for New Postage Machine.

Mayor Armstrong advised City Clerk Carol McBeath had requested the matter be tabled as she had found another vendor who might be cheaper.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we table the consideration of proposal for a new postage machine.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval a Consideration of Agreement for Part-Time City Attorney for Haysville, Kansas.

Councilperson Hampton asked if the agreement differed from the first contract. Mayor Armstrong explained it was different in that the proposed contract provided for a prosecutor and split the time/payment between the two main attorneys. Mayor Armstrong further explained hiring the new prosecutor would allow the other attorneys the ability to spend more time on the City's work rather than the prosecution. There was a discussion of the number of hours the attorneys would be working for the City either in Court or on City related business. Hampton stated he was concerned about the requirements of the primary services as one of the requirements for the attorneys was to attend regular governing body meetings. Hampton said the previous year there were two Council Meetings where there were no attorneys present and asked what assurances the attorneys had to be in attendance at all regular Council Meetings. City Attorney Alison McKenney Brown advised Lee Parker and herself served as municipal judges and they were required to attend the Municipal Judges Conference that was held out of town. McKenney Brown said that was disclosed at the time the contract was signed and entered into. McKenney explained the other missed meeting was due to Lee Parker becoming ill and she was already in attendance at another City meeting, however, she had come into the City Building the next day and picked up a copy of the video for review to make sure there were no legal issues that should be brought back. McKenney Brown advised she could not assure Council no one would get sick that year but could assure there would not be a conflict with the League of Municipality Judges Conference requirement. McKenney Brown stated she and Lee Parker had been discussing who they might feel comfortable bringing in to set in on Council Meetings if the situation ever happened again where both could not attend. Hampton asked about the other attorney that would be brought in for prosecution. McKenney Brown said that attorney was experienced in prosecution for other cities. Hampton asked if the new attorney would be covered under the Tort Claims Act. Brown advised she would. Hampton stated statutes 15-204 and 15-209 referenced appointment, election, removal and qualifications of officers of third class cities

REGULAR COUNCIL MEETING

JANUARY 23, 2006

PAGE 6

and asked if the statutes should reference second class cities. McKenney Brown advised the language in both second and third class cities were identical, however, the statute numbers were typos and the correction should be noted.

Motion by Hampton – Second by Pierce

I'll make a motion that we approve the part-time City Attorney agreement as presented before us with the corrections on the Kansas statutes to the change from a third class city to a second class city.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval a Consideration of Authorization for Mayor to Sign Temporary Construction Easement.

Public Works Director Randy Dorner explained the City had been contacted by the County in regard to the cleanup of the Cowskin Creek. Dorner advised the county had made their way up the creek from the county line and would start at 95th Street in May or June, working their way north toward Haysville. Dorner stated in late May or June they would be crossing the property belonging to the City off of 95th Street. Councilperson Crum asked how long the temporary construction easement would be needed. Dorner stated it would last until the completion of the project. Councilperson Holub asked if they would be working up to the Wichita-Valley Center Floodway. Mayor Armstrong advised it was his understanding that they would and would meet with the City once they reached the City limits to discuss the plans.

Motion by Hampton – Second by Pierce

If there's no other questions I'll go ahead and make a motion that we authorize the Mayor to sign the temporary construction easements for the Cowskin project #8218AA, Tax Key # SA-156-2 and SA-151, property located at Haysville, Kansas.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval a Consideration of Proposal for A/E Services from Law/Kingdon, Inc. Re: Haysville City Offices.

Mayor Armstrong advised Councilperson Pierce had asked about space problems in the City Building and the Police Department. Mayor Armstrong said a space study had been done in 1999 by Law/Kingdon and staff had asked the firm to update the study and look at the library and additional parking needs. Mayor Armstrong advised the proposal for the update from Law/Kingdon was being presented to Council for approval. Mayor Armstrong advised later in the agenda Council would be establishing a date and time for a capital improvements workshop and suggested Council consider what that proposal might do to the capital improvements dollars. Councilperson Crum asked if there were other companies who could bid on the project. Mayor Armstrong explained Law/Kingdon was asked to propose a bid since they had the design, layout and all measurements and staff felt they could expand on information they already had for a reasonable cost. Mayor Armstrong further explained there were other architectural companies that could do it. Director of Governmental Services Carol Neugent advised the City did go out

REGULAR COUNCIL MEETING

JANUARY 23, 2006

PAGE 7

for an RFP in 1999. Councilperson Hampton advised he felt the project should go forward and the City had already paid for the drawings in 1999 but felt it was premature and a decision should be made after the capital improvements workshop. Hampton stated he questioned using the library until they were able to get the funding for building a new facility. Councilperson Youngers asked if the previous plan involved expanding the existing building. Mayor Armstrong advised that was correct. Youngers said the previous study would not be very helpful since the proposed project of 1999 would not be addressing the future. Youngers advised he understood why the City had chosen to go with them since they had the previous drawings and measurements and he also felt it was premature at that time to move forward until after the capital improvements workshop. Councilperson Pierce advised he would like to see a ten-year plan done on the building. Hampton agreed the project should go forward but felt it should be tabled until after the meeting with the Planning Commission.

Motion by Crum – Second by Holub

If there's no other discussion then I would like to see us table the consideration of proposal for A/E Services from Law/Kingdon, Inc. regarding our offices here in expansion to table it until the meeting after our workshop, which the date will be set later in the meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval to Establish a Date for a Town Hall Meeting.

Councilperson Crum asked what time frame Council was looking to have the workshop. Mayor Armstrong explained whatever time Council chose he wanted to make sure residents would be made aware of the time and date well in advance in order to make arrangements to be there. There was a discussion regarding various times and dates. Mayor Armstrong suggested it be held early enough in the year to get citizen input for 2006.

Motion by Pierce – Second by Hampton

Mr. Mayor, I make a motion that we set February 28, 2006, for our Town Hall Meeting at the HAC, at 7:00.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval to Establish a Date for a Nuisance Abatement Workshop.

Councilperson Crum asked how long staff would need to have information ready for the meeting. Mayor Armstrong explained the City Attorneys had already compiled some information that would be distributed to Council. There was a discussion about possible dates and times for the workshop.

REGULAR COUNCIL MEETING

JANUARY 23, 2006

PAGE 8

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I make a motion that we, on Saturday, the 25th of February, at 10:30 in the morning, we have a workshop regarding nuisance abatements that will be here at the City Building.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval to Establish a Date for a Capital Improvements Program Workshop (to Include Planning Commission).

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I make a motion that we set March the 2nd, 2006, at 7:00, at the City Building for a workshop to discuss capital improvements with the Planning Commission.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented a Senior Center Grant Application.

Mayor Armstrong advised the grant application was turned down for reasons such as fire stations, mental health centers, fire trucks, etc. Mayor Armstrong stated the City could re-apply in the Fall. Councilperson Hampton asked if anyone on staff could find out what could be done in order to get more points on the local efforts. Mayor Armstrong explained the deduction of ten points was due to a missing document that should have been submitted with the grant application. Mayor Armstrong explained those that were approved matched with 100% and the City would have had to matched 100% in order to receive fifteen points.

Under Old Business Mayor Armstrong presented a Discussion of Smoking Ban in All Public Buildings.

Mayor Armstrong explained Council had thirty days to gather public comment on the matter and opened the floor for Council discussion regarding the smoking ban. Mayor Armstrong advised the Chamber of Commerce had contacted their members to see if they wanted to make comments one way or the other on the topic. Councilperson Crum advised he had received Emails and phone calls as well as face-to-face discussions with thirty-three people where he found twenty-eight supported some type of ban and five said to leave it the way it was. Crum stated there were no partitions or separate ventilation systems for smokers in the three diners in Haysville. Crum said people stated they would like to be able to go into a sit-down restaurant without having to breath second hand smoke. Councilperson Youngers advised the non-smokers that had contacted him were not as interested in making the bars and bingo establishments smoke-free as they were the sit-down restaurants. Youngers advised he felt the air quality in eating establishments should be addressed if smoking were continued to be allowed. Youngers further advised he would like to let the market decide on what was done with smoking regulations. Councilperson Streets advised he felt the decision should be left up to each business and the City should not govern smoking. Pierce advised he also felt the businesses should be sensitive to the public without Council having to enforce a ban and he would like to know how the businesses and the Chamber felt about the issue. Councilperson Wilkerson also said he would like to hear from the businesses and suggested a City-wide vote be conducted. Councilperson Crum advised

REGULAR COUNCIL MEETING

JANUARY 23, 2006

PAGE 9

he agreed with a vote and asked what the cost would be. Mayor Armstrong advised the last vote cost the City approximately \$6,000.00. Councilperson Pierce advised he felt the Chamber of Commerce should partner with the City to survey or help with the tab of a vote. Mayor Armstrong reminded Council a Town Hall Meeting was scheduled for the 28th of February and the topic could be covered at that time. Mayor Armstrong advised the City Attorneys had done some research on other cities where a ban was put into effect. Mayor Armstrong suggested Council table the matter until after the Town Hall Meeting to the first meeting in March.

Motion by Pierce – Second by Crum

Mr. Mayor, I make a motion that we table the discussion of the smoking ban in all public buildings until the first meeting in March, which would be March 13th.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong asked for the Department Head Reports.

City Clerk Carol McBeath advised Council the Senior Center would be open from 8:00 a.m. to 5:00 p.m. effective February 1, 2006.

Director of Governmental Services Carol Neugent had nothing to report.

Police Chief Mike McElroy introduced MPO Malcolm Young as the attending officer.

Public Works Director Randy Dorner advised the street sweeping was being done at that time and both the old and the new sweepers were being used. Dorner advised he had received a Council Action form regarding graffiti and loose fasteners in the skate park and both items had been taken care of. Dorner advised the skate ramp manufacturer would be re-painting the ramp on a day with warmer weather. Dorner said he had received a Council Action Request form on 209 Trout where there was plastic and debris in the front yard. Dorner stated a door-hanger was left at the residence and it was re-inspected and found nothing had been done so a notice of violation was mailed to the address. Councilperson Hampton asked why the old street sweeper was being used when the City had purchased a new one. Dorner explained the old sweeper picked up the leaves faster and the new one cleaned better. Dorner further explained he had advised in his presentation that the old one would continue to be used to sweep leaves in the Fall. Dorner advised City Attorney Alison McKenney Brown would address the 340 Hillcrest issue. McKenney Brown advised in mid-September of 2005, Council had passed a resolution on 340 Hillcrest notifying the owner and any interested parties that if the property was not brought into compliance it would be demolished. McKenney Brown stated the mortgage holder and other interested parties had attended the public hearing and asked the Council for additional time to see if they could collect insurance and foreclose on the property. McKenney Brown stated Council had passed the resolution at that time, however, staff had been working with the mortgage holder who had since notified the City in late December that the money had come through and the property would be brought into compliance by January 1, 2006. McKenney Brown said approximately January 1st, she was told by the mortgage holder the foreclosure had been denied since the property was not in good enough condition and they would no longer maintain an interest in it. McKenney Brown advised Public Works Director Randy Dorner had made the decision that Council had passed the resolution and it was time to move forward on it and all

REGULAR COUNCIL MEETING

JANUARY 23, 2006

PAGE 10

required notices were sent by certified mail which were received by the owner. McKenney Brown advised an error in publication had been found which did not interfere with notice, however, in order to proceed with the process she requested Council allow staff to republish the resolution correctly. McKenney Brown advised it was published in compliance with every other section of the code with the exception of one and she felt it would be best at that point to proceed after the publication requirements were met according to the code. McKenney Brown requested a motion to republish the resolution.

Motion by Crum – Second by Wilkerson

I would go ahead and make a motion that we allow staff to republish the resolution that we had passed on 340 Hillcrest, to republish that so that we may give notification to cover the ordinance. Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Recreation Director Georgie Root had nothing to report.

Under Appointments Mayor Armstrong presented for approval Steve Crum and Ken Hampton to the Finance Committee; Ken Hampton and Keith Pierce to the Utility Committee; Pat Ewert and Rob Wilkerson to the Police Committee; Mayor Armstrong and Director of Governmental Services Carol Neugent to the Recreation Committee; Bill Youngers (as Park Board Chairperson) and Keith Pierce (As Council Representative) to the Historic Committee; Mike Streets to the Senior Center Advisory Board and Steve Crum to the Tree Board.

Motion by Pierce – Second by Crum

Mr. Mayor, if there's no discussion or contention I move that we approve the appointments as presented before us under Item 8, A-G.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval the Appointment of Larry J. Powell, Community Development Director.

Mayor Armstrong advised Council had a copy of the resume and Mr. Powell would begin working the following day if approved. Councilperson Pierce asked how many applications were reviewed. Mayor Armstrong advised there were approximately 20-25 applications. Councilperson Hampton asked if it was known why Mr. Powell's first jobs lasted only 6 months to two years. Mayor Armstrong advised they did not ask that question as it seemed insignificant since it was so long ago.

Motion by Crum – Second by Streets

If there is no other discussion Mayor, I'd like to make a motion that we allow you to appoint Larry J. Powell as our Community Development Director.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

JANUARY 23, 2006

PAGE 11

Mayor Armstrong presented for approval the Appointment of Debbie Coleman, 149 Wayne, to the Historic District Committee.

Motion by Crum – Second by Pierce

Mr. Mayor, I'd like to make a motion that we allow you to appoint Debbie Coleman, 149 Wayne, to the Historic Committee.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval the Appointment of Barbara Pacheco, 136 Champion, to the Historic District Committee.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I'd make a motion that we allow you to appoint Barbara Pacheco, 136 Champion, to the Historic Committee.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong asked for Off Agenda Citizens to be Heard.

There were none.

There was no Executive Session.

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

Councilperson Hampton asked about the \$1,620.00 paid to REAP. Mayor Armstrong explained it was for the annual membership fees. Hampton asked about the annual payment of \$12,347.00 paid to the utility service company. Public Works Director Randy Dornier explained it was a yearly contract where the company inspected and re-painted the water tower. Hampton advised the gas utility payment was \$357.00 for the 18x20 animal shelter compared to \$317.00 for the Senior Center. Hampton stated he would like to form a committee to possibly improve the animal shelter to lower the fuel costs.

Motion by Hampton – Second by Ewert

I'll make a motion that we pay the bills for the last half of January, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval the Consent Agenda.

REGULAR COUNCIL MEETING

JANUARY 23, 2006

PAGE 12

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I make the motion that we approve the Consent Agenda.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong asked for Council Concerns.

Councilperson Hampton suggested a committee be formed to see what could be done about the animal shelter which might fall under the Utility Committee. Hampton stated Councilperson Pierce and himself could meet to go over the options for the shelter. Mayor Armstrong stated he felt it would be best if one person from the Police Committee be involved since the building was part of that department. There was a discussion of who would be involved. It was decided Councilperson Wilkerson and Councilperson Hampton would look into the situation. Hampton stated he had researched the ordinances and found the Financial Director was to periodically report to Council on the availability of idle funds and investment options. Hampton advised he would like to direct the Financial Director to get that information to Council so it could be discussed. Mayor Armstrong stated he felt it was something that should go before the Finance Committee and he would check on availability and call a meeting.

Councilperson Crum suggested the City look into publishing event information in the Wichita Eagle since it would get out to citizens in Wichita and the surrounding areas. Crum stated he had spoken with a reporter from the Wichita Eagle who covered events and promotion of surrounding cities since the City of Haysville seemed to be left out when that information was published. Crum said he would like to see media relations improve with the Wichita Eagle and possibly direct the new Community Development Director to work on it. Crum advised he felt it would benefit the City to get information out to more people.

Councilperson Wilkerson advised he would like to apologize to the Dairy Queen as they seem to get overlooked in discussions regarding quality sit-down eating establishments. Wilkerson advised he felt it was a good idea to look into better heating for the animal shelter.

Councilperson Pierce reminded Council he had tapes covering the Planning Commission meetings. Pierce stated one of the items he felt should be covered in an upcoming workshop or a separate workshop was the issue of the trash. Councilperson Crum advised that committee had not met. Councilperson Holub asked if there was a need for the old equipment sitting around the Public Works facilities and requested Public Works Director Randy Dorner rid the City of the unused equipment.

Councilperson Youngers advised he would like to see the vacant spot for Ward II on the Park Board be filled.

Councilperson Pierce asked if there were two vacancies on the Planning Commission. Mayor Armstrong advised he was in the process of putting together a letter requesting appointments.

Mayor Armstrong asked for Adjournment.

REGULAR COUNCIL MEETING

JANUARY 23, 2006

PAGE 13

Motion by Pierce – Second by Holub

Mr. Mayor, I make a motion that we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea,
Streets yea.

Motion declared carried.

The Regular Council Meeting adjourned at 8:57 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:02 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was called by Recording Secretary Pam Robbins: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, and Streets here.

Invocation was given by Pastor Mike Bradshaw, Haysville Christian Church.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Mayor Bruce Armstrong introduced the new Community Development Director Larry Powell to the Council.

Under Special Order of Business Mayor Bruce Armstrong presented the Presentation of Police Department Awards.

Mayor Bruce Armstrong stated he would like to give out Distinguished Service Awards to Sergeant Robert Crites, Sergeant Kevin Sexton, MPO Randy Nowak, MPO Gregory Wright, MPO "Mac" McDonald, and Master Communications Officer Guy Mitchell. Armstrong explained that on March 20, 2005 all of the officers were involved with helping solve an armed robbery and putting the three suspects in prison for their crime. Armstrong gave the officers their awards and thanked them for a job well done.

Mayor Bruce Armstrong presented the Status Report for 936 E. Grand Avenue, Overflow Storage, Jack D. Harris Re: Nuisance Abatement Violation (Tabled from 12-12-05 & 1-9-06).

Code Enforcement Officer Cale Topinka addressed Council and stated he had a Resolution before the Council for their consideration. Mayor Bruce Armstrong suggested the Council table the matter until after the nuisance abatement workshop on February 25, 2006. Councilperson Bill Youngers advised he had been by to check the property of Jack Harris and Harris had made progress on the clean up.

Motion by Youngers – Second by Hampton

I would like to table this again until the 13th of March until the Council can discuss the inoperable vehicles issue at the workshop.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented C.J. Cross, Haysville Times Re: Update.

C.J. Cross addressed Council and explained to them she would be having a Hometown Sweepstakes with a \$1,000 prize of Haysville Bucks. Cross stated that beginning on March 1, 2006 the Haysville Times would be mailed instead of hand delivered. Cross advised the deadline for publications would be noon Tuesday instead of Wednesday.

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 2

Mayor Bruce Armstrong presented for approval the Minutes of January 23, 2006.

Motion by Hampton – Second by Pierce

If there is no discussion, I make a motion that we approve the minutes for January 23, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Under Citizens to be Heard Mayor Bruce Armstrong presented Maureen Gile, St. Cecilia Catholic Church Re: Hosting Trap Shoot.

Maureen Gile, St. Cecilia Church addressed Council and explained the church had been having fund raisers to make money to add the 7th and 8th grade classes to the school. Gile told Council they had been having golf tournaments and silent auctions and thought they would try something different this year. Gile explained the church would be serving food also for the hunters and they would be able to play cards. Gile said she had asked beforehand about any Ordinance that would prohibit them from shooting and there was. Gile said she would like to know if the Council could exempt the church so they could have the trap shoot. Mayor Bruce Armstrong advised he would let the City Attorney Lee Parker address the question. Parker advised as part of the Uniform Public Offense Code that Council passed every year, there is a prohibition against firearms within the corporate limits of the City. Parker explained there were exceptions for a licensed “sport shooting range” which would include trap, skeet, target practice and the use of rifles, hand guns, and bow and arrows. Parker advised that in 2001 the State passed the Legislation that set the standards for having a sport shooting range. Parker told Council they would have to change the Ordinance with another Ordinance to provide an exemption. Mayor Bruce Armstrong advised the way everything had been written, the Council had been restricted and could not exempt the church. Councilperson Joe Holub stated he was a member of the Council and a member of the St. Cecilia’s Catholic Parish and wanted to know what his position in the matter would be. Parker explained the conflict of interest to Holub and told him he would need to abstain from the issue. Councilperson Bill Youngers suggested for Gile to see if she could use some property in the County. There was a discussion about the boundaries within the City and County and lead in shot gun shells. Armstrong suggested Gile talk with Commissioner Tim Norton.

There were no Licenses and Bonds to be approved.

Mayor Bruce Armstrong presented the Presentation of Bids for \$1,520,000 Bond Series 2006 (Charles M. Bouilly, Senior Vice President of George K. Baum & Company).

Charles M. Bouilly, Senior Vice President of George K. Baum & Company addressed Council and gave them a copy of the bid tabulations that had been received that day at 2:00 p.m. Bouilly stated there were four bids that had been received and the lowest was UMB Bank, NA at 3.929784%. Bouilly recommended Council accept the lowest bid from UMB Bank, NA at the net interest cost of \$568,312.25.

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 3

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we accept the bid from UMB Bank for \$568,312.25 at the average net interest rate at 3.929784% for the Bond Series 2006.

Councilperson Keith Pierce asked if the motion needed to include the net interest cost. Mayor Bruce Armstrong asked if he meant the 3.929784%. Pierce said the \$568,312.25 was not defined as what it was.

Councilperson Steven Crum amended his motion to include that dollar amount be known as net interest cost.

Councilperson Rob Wilkerson amended his second.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$1,520,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2006, OF THE CITY OF HAYSVILLE, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

Motion by Hampton – Second by Pierce

I will go ahead and make a motion that we accept AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$1,520,000 PRINCIPAL OF GENERAL OBLIGATION BONDS, SERIES 2006, OF THE CITY OF HAYSVILLE, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF \$1,520,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2006, OF THE CITY OF HAYSVILLE, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. _____ OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 4

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion that we accept A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF \$1,520,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2006, OF THE CITY OF HAYSVILLE, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. _____ OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Under Notices and Communications Mayor Bruce Armstrong presented the Sedgwick County Fire Department, Station #34 Activity Report for January – Captain Glenn Randol.

Captain Glenn Randol addressed the Council and reported on the structure fire and gave a summary of the Activity Report. Mayor Bruce Armstrong asked how this January compared to last January. Captain Randol stated it had been dryer this January and reported his crew had helped Harvey County with their fires last week. Captain Randol asked how far west the City had annexed their property on 71st Street. Mayor Bruce Armstrong advised it was to the ½ mile line.

Mayor Bruce Armstrong presented the Public Works Activity Report for January.

Mayor Bruce Armstrong presented the Recreation Activity Report for January.

Mayor Bruce Armstrong asked for Governing Body Announcements.

Councilperson Ken Hampton advised his e-mail had not been working but he should have it fixed within a couple of months.

Councilperson Steven Crum announced that on February 26th the Knights of Columbus would be having a breakfast to benefit the Special Olympics Program for USD 261. Crum said he did not know the time of the event yet but he would check into it and give the information to Media Specialist Sean Conley and have him put it on Channel 7.

Councilperson Keith Pierce reported the Utility Committee had met last week and they would be looking at the Public Works inventory.

Councilperson Joe Holub reported he now had e-mail if anyone wanted to contact him.

Councilperson Bill Youngers reported there would be a second annual Garden Tour and they were hoping to have a twilight tour this year for the people who had done quite a bit of

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 5

lightscaping. Youngers asked the citizens who were interested in participating in the tour to contact him.

Councilperson Patricia Ewert reminded everyone there would be no school on Thursday, Friday, and Monday.

Councilperson Steven Crum said he would like to thank everyone who worked the booth at the Home Show.

Mayor Bruce Armstrong reminded the Council they had set a workshop for Capital Improvements with the Planning Commission on Thursday, March 2, 2006. Armstrong advised the Councilmembers, the Planning Commission, City staff, and citizens would be attending the workshop. Armstrong suggested moving the location of the meeting to the Community Building so there would be more room. Armstrong advised there needed to be a motion made by Council to move the meeting so there would be time to publish the change. Councilperson Steven Crum asked what time the meeting would be held. Armstrong stated the workshop had been scheduled for 7:00 p.m.

Motion by Crum – Second by Ewert

Mr. Mayor, I make a motion that we move the workshop set for March 2nd here, we move it to the Community Building and that would be for March 2nd at 7:00 p.m. for the Capital Improvements Workshop.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Memorandum from Public Works Director Randal Dorner Re: Full Time Temporary General Maintenance Worker Jonathan Todd – New Hire.

Mayor Bruce Armstrong presented the Memorandum from Police Chief Mike McElroy Re: Master Police Officer Malcolm Young – End of Training Period.

Mayor Bruce Armstrong presented the Memorandum from Police Chief Mike McElroy Re: Master Police Officer Grady Germany – End of Training Period.

Under Other Business Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Haysville Planning Commission Re: Zone Change Request – “AA” to “A”.

Councilperson Steven Crum stated he wanted everyone to know that he was employed by USD 261. Councilperson Patricia Ewert advised she was also employed by USD 261. Planning and Community Relations Coordinator Angela Millspaugh addressed Council and stated the property that would be re-zoned was the property the school recently acquired for the Middle School. Millspaugh reported the Planning Commission had recommended the zone change from “AA” to “A” because when the property had been annexed, it was zoned as “AA.” Councilperson Joe Holub asked why a zone change was needed. Millspaugh reported the Zoning Ordinance states

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 6

that under conditional use, schools are only allowed in “A” Single Family zoning and not allowed in “AA” zoning.

Motion by Hampton – Second by Pierce

I make a motion that we allow the zone change from “AA” to “A” on this piece of property that is presented before us.

Hampton yea, Crum abstain, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert abstain, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Haysville Planning Commission Re: Revisions to Sign Regulations.

Planning and Community Relations Coordinator Angela Millsbaugh addressed Council and reviewed the information from the Planning Commission. There was much discussion of the recommendation, questions about specific requirements, the effect on businesses and non-profit organizations, and especially portable signs. Council reviewed their options with the City Attorney and which of their concerns needed to be addressed further.

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion that we send this back to Planning and have them review the site triangle part and maybe have it checked over by the City Attorney and make sure the City would be covered on everything on that one and I also ask that they take a look at page 7, the retail promotional sign. I would like to see it perhaps have time limits and size regulations and those types of things and also placement. I would also like them to go ahead and look on Section 16-1007 on the lapse of sign permits to see if that is something we can leave in there.

Mayor Bruce Armstrong reminded Crum that on page 1 was the retail sign definitions that needed to be looked at also.

Councilperson Steven Crum said he would like to amend his motion to have the Planning Commission be more specific on the temporary sign permit on the \$10 or \$20 and give a firm amount on that and have Public Works Director Randal Dorner check into that.

Councilperson Ken Hampton said he would like to second the amended motion.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Haysville Planning Commission Re: Wire House Bids.

Councilperson Steven Crum said he would like to make sure that the Planning Commission understood the Council knew they had worked hard on the sign revisions and the Council

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 7

appreciated what they were doing. Crum said they were trying to please a lot of different people. Mayor Bruce Armstrong said the Planning Commission needed to be commended for their hard work.

Mayor Bruce Armstrong advised the Council they had before them the bids for the Wire House. Armstrong reminded the Council there would be a Capital Improvement Workshop on March 2, 2006. Armstrong stated the Historic District was part of the Capital Improvement plan. Armstrong said he felt the issue needed to be discussed at the workshop and recommended the Council make a motion to table the Agenda Item until after the workshop had been held.

Motion by Pierce – Second by Crum

Mr. Mayor, I make a motion that we table the consideration from the Planning Commission's recommendations on the Wire House bids until after our Capital Improvements Workshop.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Police Chief Mike McElroy Re: Authorization to Purchase New Patrol Vehicle.

Police Chief Mike McElroy addressed the Council and explained the 2006 Police Budget had allotted funds for a replacement of a marked patrol vehicle. McElroy advised bids had been solicited from three vendors the City had used in the past and one vendor chose not to submit a bid. McElroy reported the lowest bid came from the State contractor dealership. McElroy told Council an older Police car would be disposed of at a later date after the Police Department received the new car to replace it. There was a discussion about delivery of the vehicle, equipment included, and the number of vehicles currently in use by the Police Department. Councilperson Ken Hampton questioned the need for down time on vehicles. McElroy explained that if a vehicle was doubled up with officers, that vehicle would be on the streets for twenty-four hours solid and there was no meaningful downtime for it because it was constantly being used. McElroy told Council that unit No. 16 would be pulled off the line and the new vehicle would replace it so there would still be only eight marked patrol vehicles for the fleet. Mayor Bruce Armstrong asked if the vehicle that would be disposed of would be the one with the highest mileage of over 127,000 miles. McElroy stated that was correct.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we accept the bid from Rusty Eck Ford for \$23,223.00 for a new Police vehicle.

Hampton nay, Crum yea, Wilkerson yea, Pierce yea, Holub nay, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from City Clerk Carol McBeath Re: Council Meeting Changes – 2006.

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 8

Mayor Bruce Armstrong advised the two changes for the Council meetings would be Monday, October 9th to Tuesday October 10th, and Monday, December 25th to Thursday, December 28th.

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion that we make changes for the two Council meetings scheduled for 2006 and change the October 9th meeting to Tuesday, October 10th and change December's meeting on Monday the 25th to Thursday, December the 28th.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Recreation Director Georgie Root Re: proposed Pool Pass Restructure.

There was a discussion on the prices of coupon books and Recreation Director Georgie Root explained the costs.

Motion by Hampton – Second by Pierce

I make a motion that we pass the proposed pool pass restructuring for the year of 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Recommendation from Haysville Park Board Re: Disposal of Excess Property.

Councilperson Bill Youngers stated there was one of the properties next to his house that he would like to buy and wanted to know if he could discuss it with Council or if that would be a conflict of interest. City Attorney Lee Parker advised Youngers just noted that he did have a conflict of interest and told him that he should not talk about the subject at the Council bench but he could talk to the City as a citizen with an interest in the property. Councilperson Michael Streets wanted to know if the Council needed to pass a motion to approve the disposal of the property and Mayor Bruce Armstrong confirmed that. Armstrong stated the City would have to set the value of the property. Director of Governmental Services Carol Neugent stated that if Council approved the disposal of property, the City would have to move forward to get a clear title on one of the properties. Neugent advised the Council would then have to come back and decide if they wanted to set minimum bids. Neugent said that would give the staff direction what information they needed to bring back to Council concerning the properties. Parker advised that reserves were reserved for a reason. Parker told Council if they were reserved for park land that was one thing but if they were reserved for drainage or utilities, it may not be as easy to clear or vacate the property. Armstrong advised that none of the properties were for drainage or utilities. Neugent told Council that the City did not recommend any properties that were needed for drainage purposes or that might have had an easement. Neugent stated the title issue was on the Sunflower Park because of the abandoned water wells. Councilperson Ken Hampton asked how a minimum price would be set for the properties. Hampton wanted to know if the City needed to

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 9

get appraisals for the properties. Armstrong advised the properties that were marketable would need to be appraised for a value because the City owed it to the citizens to get the best price possible out of the properties.

Motion by Pierce – Second by Holub

Mr. Mayor, if there is no other discussion, I make a motion that we authorize the Park Board to go ahead and move forward with this and take it to the next step.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers abstain, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Pay Request Re: Old Oak Hike/Bike Trail.

Public Works Director Randal Dorner showed pictures of the Hike/Bike Trail on Delos and Grand Avenue. Dorner explained the process of the project and stated the cement depth was four to four and a half inches. Mayor Bruce Armstrong asked about the measuring of the cement. Dorner explained it was measured from the top of the two by four frames and stated the cement was six to eight inches thick in driveways on Grand Avenue. Dorner stated the trail went along Delos, Jane, behind the Wastewater Treatment Plant, and behind Old Oaks. Armstrong asked how many places were measured before the cement had been poured. Dorner advised several places had been checked before the cement had been compacted and after to make sure the depth had been met. Dorner stated the cement had been covered with plastic to keep it from cracking in the cold weather. There was a discussion about areas that had not yet been finished, an estimated completion date, and warranty. Dorner advised there was a one year warranty on the project once it had been accepted. Dorner told Council that before the job had been accepted and signed off before the final completion, they would do a complete walk through of the whole project. Dorner advised an inspector, the engineer, and he would be involved concerning the concrete standards. Councilperson Keith Pierce asked why the height of the sidewalk along Grand Avenue had not been chosen to be flatter. Dorner explained the ADA regulations were taken into consideration for the slope of the sidewalk project.

Motion by Hampton – Second by Pierce

I make a motion that we pay Bryant and Bryant Construction for the Old Oak Hike and Bike Trail project in the amount of \$154,144.96.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Contract Agreement with Professional Engineering Consultants Re: Water Treatment Facility Telemetry & Chlorination Improvements (PEC Project No. 35-06000-1263).

Professional Engineering Consultant Rod Young addressed Council and explained the present system the City had was over fifteen years old and the parts were getting harder to find to repair

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 10

it. Young advised the contract would upgrade and take care of the telemetry system, the chlorine, and the analyzer. Councilperson Keith Pierce asked how long the improvements would last the City. Young told Council the individual that had done the last system for the City would be doing the new system and they were a very reputable company with good service. Councilperson Ken Hampton asked if Young would be doing the inspections on the system. Public Works Director Randal Dorner advised Council the Haysville Water Supervisor would be the inspector on the project with periodic inspections from the engineer that designed it. Councilperson Joe Holub asked about the periodic field inspections cost. Young told Council the payment for the field inspection was based on a factor of 2.7 times the direct costs and the company was number one in the State. Young assured Council that everything would be done right.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we accept the consideration of contract agreement with PEC regarding the water treatment facility telemetry and chlorination improvements.

Councilperson Ken Hampton asked if a price needed to be put in the motion or have it just as it was presented to Council. Mayor Bruce Armstrong advised agreement could be voted on as it had been presented to the Council.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Information Re: Licensing of Bingo Establishments.

Mayor Bruce Armstrong told Council the City had a request from one of the bingo establishment owners about the issuing of bingo licenses that the City now charges. Armstrong advised the City Attorney had researched the matter and came to the conclusion that the City could not be charging for bingo licenses. Armstrong advised Council they had before them an Ordinance that would rescind the Ordinance and give the City the ability to give the 2006 bingo license fees back to the bingo establishments.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we pass an Ordinance concerning repeal of Chapter 5, Article 12 of the Code of the City of Haysville, Kansas adopted pursuant to Ordinance No. 897 regarding the licensing of bingo establishments.

Councilperson Steven Crum asked if he needed to add anything to his motion or if he needed to do anything different to make sure the bingo establishments were refunded for the year of 2006. Mayor Bruce Armstrong advised the Ordinance would take effect for the year 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 11

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Building Plans for R.A.M. Property (Team Players LLC).

Mayor Bruce Armstrong reminded Council that in the past the City had sold property to R.A.M. Property on Main Street. Armstrong advised that the City had retained the ability to approve the way the buildings would look and the owner had come to the City to get permission for the buildings to be built on that property. Armstrong stated the present owner would be a member of Team Players LLC, which was a group working together to build the buildings. Councilperson Steven Crum asked about the sizes and if there would be two businesses or four small ones to go into the new buildings. Armstrong stated it depended on who leased the space. Crum wanted to know if Team Players LLC was active and successful in the Wichita market. Armstrong reported the developers were well known in the City of Wichita and throughout the State. Armstrong advised the builders would have to meet all the building permit requirements but the consideration was for just the approval of the way the buildings would look after they had been constructed. Crum asked if the buildings presented to Council were the actual buildings that would be built and could not be changed. Armstrong stated that was correct. Crum advised that had been done before to the City and he wanted to make sure it did not happen again. Armstrong advised that was why the City was voting on the plans submitted before them. Councilperson Bill Youngers wanted to know if there would be two Kwik Shops in Haysville. Armstrong explained the lease was up on the old Kwik Shop and they wanted to stay in town and felt Main Street was where they wanted the business to be.

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion that we accept the building plans for R.A.M. Property and Team Players LLC as presented.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Under Old Business Mayor Bruce Armstrong presented for approval the Consideration of Proposal for New Postage Machine (Tabled from 1-23-06).

Mayor Bruce Armstrong stated the item had been budgeted for. City Clerk Carol McBeath advised the money would come from encumbered funds. Councilperson Bill Youngers advised he was not familiar with the companies Neopost or DocuForce but he did know that other people were not satisfied with Pitney Bowes. Youngers asked if other businesses had been contacted that had used either Neopost or DocuForce machines and asked if they had been satisfied with those companies. McBeath reported she had been given references and they were contacted. McBeath stated she had not heard anything bad about the other two businesses but other people were not pleased with Pitney Bowes also. Councilperson Steven Crum asked if the annual service agreement fee was something that had to be paid every year. McBeath stated that was correct.

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 12

Motion by Pierce – Second by Wilkerson

I move that we approve the purchase of equipment from DocuForce at a total cost of \$5,005.00.

Councilperson Ken Hampton advised the total cost would be \$5,545.00. Mayor Bruce Armstrong stated the amount of \$540.00 for the service agreement needed to be added into the motion.

Councilperson Keith Pierce amended his motion to recommend that they approve the purchase of the equipment from DocuForce of a total cost of \$5,545.00.

Councilperson Rob Wilkerson amended his second.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath stated she had nothing to report.

Director of Governmental Services Carol Neugent stated she had nothing to report.

Police Chief Mike McElroy introduced the visiting officer Eric Hunt. McElroy reported on Child Safety Week and the importance of the use of seat belts and car seats.

Public Works Director Randal Dorner reported on nuisance abatement updates for 209 Trout, 340 Hillcrest, and 434 7th Street. Dorner reported there had been some dirt left over from the railroad project and he would like to have authorization, with Mayor Bruce Armstrong's approval, to sell the excess dirt. Armstrong advised the sale of the dirt would be at the market rate. Councilperson Steven Crum asked if the City would need the dirt in the near future. Dorner stated the City needed dirt from time to time but the dirt was better for fill rather than top dressing.

Motion by Crum - Second by Wilkerson

If there is no other discussion, I make a motion that we go ahead and allow Randy to sell excess dirt at a fair market rate.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Recreation Director Georgie Root stated she had nothing to report.

There was nothing on the Consent Agenda.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 13

Howard Cook, 323 S. Twin Pines, addressed Council and reported the Council meetings on Channel 7 were cutting out with the sound. Cook reported the depth on part of the concrete on the Hike/Bike Trail measured only two and a half to three inches. Public Works Director Randal Dorner stated he had not found a location like that and he had walked the entire trail. Cook advised the concrete was covered now. Mayor Bruce Armstrong asked Cook to show Dorner where the problem was because it would be dug up if it was not the depth it should be. Dorner asked Cook to contact him the next day and they would locate the spot.

There was no Executive Session on the Agenda.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the First Half of February.

Motion by Hampton – Second by Pierce

If nobody has any questions, I will make the motion that we pay the bills for the first half of February 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Ken Hampton thanked Councilperson Rob Wilkerson and Police Chief Mike McElroy for their help with working to resolve the gas bill problems at building 403.

Councilperson Steven Crum had a concern about the Capital Improvements Workshop that would be held on March 2, 2006. Crum wanted to be sure the Historic District Committee and other specific committees be invited to attend the workshop. Mayor Bruce Armstrong advised workshops were open to the public and anyone could attend. Crum asked Public Works Director Randal Dorner about the information in the newspaper on the water table being low. Crum wanted to know if the City's wells were running strong. Dorner advised the wells were monitored on a monthly basis. Crum said he had not had a chance to complete an Action Form on 133 Baughman and asked Dorner to check the semi trailers being parked there. Dorner said he would check into the zoning and nuisance abatement issues.

Councilperson Rob Wilkerson thanked Council and Police Chief Mike McElroy for taking time to discuss some issues the past week.

Councilperson Bill Youngers stated that in the past Public Works Director Randal Dorner had presented a landscape design for the east side of Main Street. Youngers wanted to know if businesses would have to comply with the landscaping. Mayor Bruce Armstrong advised that businesses had a temporary approval due to the weather, but they would have to comply with the landscaping requirements.

Mayor Bruce Armstrong asked for Adjournment.

REGULAR COUNCIL MEETING

FEBRUARY 13, 2006

PAGE 14

Motion by Pierce – Second by Ewert

Mr. Mayor, I make a motion that we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Regular Council meeting adjourned at 8:58 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Armstrong at 7:02 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was called by Recording Secretary Carla Mann: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, Streets here.

The Invocation was given by Reverend R. Laney Kuhn, United Methodist Church.

Mayor Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Armstrong presented a Public Hearing to Consider a Request to Vacate a Utility Easement – Lot 16, Block B, Southbrooke Addition to Haysville, Sedgwick County, Kansas.

Mayor Armstrong advised Council would be working from a script in order to be fair to everyone. Mayor Armstrong asked for a motion to open the public hearing.

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion that we open the public hearing to consider a request to vacate a utility easement.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong asked if any Councilmembers had any outside contact regarding the case. There was no one. Mayor Armstrong asked if any Councilmembers had a conflict of interest in the case. There was no one. Mayor Armstrong asked if the City had received any written or electronic communications. Planning/Community Relations Coordinator Angela Millspaugh advised communications were received from several of the utility companies. Millspaugh further advised the City had a water line in the easement and SBC and Cox Communications had advised they had a line in the easement. Millspaugh said KS Gas Service stated they did not have an objection to the applicant's request. Millspaugh stated she had distributed copies of those comments with the locations of the utilities to Council. Millspaugh said the Planning Commission had recommended Council vacate the north ten feet of the easement based on the utilities located in the easement. Millspaugh advised there was a forty-foot platted easement on the south portion of the lot. Mayor Armstrong asked if the applicants were present.

Chester Pinkston, 1301 Spring Circle, applicant, advised he wanted to build a workshop and he had contacted a contractor. Pinkston said during the permit process the utility easement was discovered. Pinkston said he went through the process of requesting the vacation of the easement with the Planning Commission where it was recommended the north ten feet be vacated. Pinkston stated he was okay with that recommendation as he wanted to keep it away from the home. Pinkston advised he had measured and found the closest line to his home was the SBC line and it was located forty-nine feet from the back of the house. Pinkston said he did not understand where the ten-foot distance was in reference to the SBC line and requested clarification. Millspaugh explained the ten-foot distance would be three feet from the SBC line

REGULAR COUNCIL MEETING

FEBRUARY 27, 2006

PAGE 2

and twenty-seven feet from the fence which the Planning Commission felt would give an additional three feet for the utility company to work on the line if needed. Mayor Armstrong asked Pinkston if the ten feet would be room enough for his workshop. Pinkston stated it would be enough room and was actually further than he had figured. Councilperson Ewert asked if the workshop would take the place of the shed currently in the backyard. Pinkston advised it would not replace the shed. Councilperson Youngers asked if the existing shed was improperly placed based on the easement. Pinkston advised it was. Councilperson Hampton asked if the easement was also a drainage easement. Millspaugh stated it was platted as a utility easement. Mayor Armstrong asked if there was anyone from the public who wished to speak. There was no one. Mayor Armstrong closed the public comments portion of the public hearing.

Motion by Hampton – Second by Pierce

I'll make a motion that we approve the request to vacate the easement located on Lot 16, Block B, Southbrooke Addition to Haysville, Sedgwick County, Kansas.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong asked for a motion to close the public hearing.

Motion by Crum – Second by Hampton

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

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Under Presentation and Approval of Minutes Mayor Armstrong presented for approval the Minutes of February 13, 2006.

Motion by Crum – Second by Ewert

Mr. Mayor, if there's no changes, I'd make the motion that we approve the minutes of February 13, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong asked for Citizens to be Heard.

Owen Gabbert III, 7560 S. Broadway Re: Motor Home Ordinance, advised he operated the business located at 7560 S. Broadway and he had received a letter from the City stating there was to be no motor homes being lived in on the property. Gabbert advised the person residing in the motor home was there for security purposes. Gabbert further advised the individual had a driver's license and was registered to vote at that address. Gabbert requested permission for the individual to continue to live on the premises. Mayor Armstrong explained no one could live on the premises according to the ordinances written. Gabbert asked if the individual was there

REGULAR COUNCIL MEETING

FEBRUARY 27, 2006

PAGE 3

before the ordinance was passed if the issue might fall under a grandfather clause. Mayor Armstrong stated he was not aware of a grandfather clause and advised the City Attorney could research it and get back with him. Mr. Gabbert thanked Council for their time.

There were no Licenses or Bonds.

Under Introduction of Ordinances and Resolutions Mayor Armstrong presented for approval AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FROM “AA” TO “A” ON CERTAIN PROPERTY LOCATED WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF HAYSVILLE, KANSAS. **(Ord. #900)**

Mayor Armstrong advised this was the property where the school district would be building the new schools.

Motion by Youngers – Second by Wilkerson

I would make the motion that we pass an ordinance changing the zoning classification from “AA” to “A” as written in the document and for that area described in the document.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets 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.

Mayor Armstrong presented the Police Department Activity Report for January.

Councilperson Hampton advised the number of street lights reported out seemed high and asked whether the City or Westar replaced those bulbs. Police Chief Mike McElroy advised the City reported the lights out to Westar where they took care of replacing the bulbs. Hampton asked if there was a reason the City had fallen behind on reporting the lights out. McElroy explained staff had done a sweep of the City.

Mayor Armstrong asked for Governing Body Announcements.

Councilperson Crum reminded everyone of the Town Hall meeting at the Activity Center the following evening.

Mayor Armstrong presented a Letter from Cox Communications Public Affairs Director Susan Kauffman Re: Changes in Service Equipment Charges.

Under Other Business Mayor Armstrong presented for approval a Consideration of Memorandum from Haysville Planning Commission Re: Conditional Use Permit to Allow Public Schools.

REGULAR COUNCIL MEETING

FEBRUARY 27, 2006

PAGE 4

Planning/Community Relations Coordinator Angela Millspaugh advised the Planning Commission held a public hearing on January 12, 2006, to consider the conditional use permit on the property that had the zone change previously in the meeting. Millspaugh stated at that public hearing it was decided to table the issue for other reasons to February 9, 2006. Millspaugh stated it was approved at the meeting on the 9th, and it was now before Council for consideration. Councilperson Crum advised he was employed by U.S.D. 261 and Councilperson Ewert said she was also employed by U.S.D. 261. Councilperson Pierce advised he felt the school district was moving forward before some issues were resolved and asked if that was the Planning Commission's feeling as well. Millspaugh stated the Planning Commission felt the issues would be handled through platting. Millspaugh stated the school district's engineering firm was present at the meeting if Council had questions.

Motion by Hampton – Second by Pierce

I'll make a motion that we pass the conditional use permit to allow the operations of two public schools on this particular piece of property.

Hampton yea, Crum abstain, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert abstain, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval a Consideration of Change Order Request Re: South Brooke 2nd Addition – Sanitary Sewer and Waterline Improvements.

Mayor Armstrong explained this was for a valve change to keep the rest of the Addition from being without water while the work was being done. Mayor Armstrong explained it was paid by the contractor and not by the City. Councilperson Crum asked if this was something that had come up. Professional Engineering Consultant Rod Young explained it was discussed and found that two units would be without water during the project and this valve would prevent that. Public Works Director Randy Dorner stated those two units were not there at the design phase of the project.

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion that we accept the change order for South Brooke 2nd Addition, Sanitary Sewer, in the amount of \$700.00.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval a Consideration of Pay Request to Nowak Construction Co., Inc. Re: South Brooke 2nd Addition – Phase 4 Sanitary Sewer and Waterline Improvements (P.E.C. Project No. 35-04493-001 and 002-1263).

Professional Engineering Consultant Rod Young explained this pay request did include the change order. Councilperson Crum asked about the final walk-thru and the 5% retainage. Public Works Director Randy Dorner explained the walk-thru had been completed since the time the pay request was submitted.

REGULAR COUNCIL MEETING

FEBRUARY 27, 2006

PAGE 5

Motion by Hampton – Second by Pierce

I'll make a motion that we approve this bill for \$67,701.75 to Nowak Construction for South Brooke 2nd Addition, Phase 4, Sanitary Sewer and Waterline Improvements, project number 35-04493-001 and 002-1263.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval a Consideration of Memorandum from Recreation Director Georgie Root Re: Contract Agreement with Haysville Swim Club.

Recreation Director Georgie Root stated the only change in the contract from previous years were the dates. Councilperson Hampton asked if \$500,000 insurance coverage seemed normal compared to other cities. City Attorney Alison McKenney Brown advised several cities used \$500,000 and others used a million dollars. McKenney Brown advised the \$500,000 seemed to be the standard amount the City of Haysville had used over the past several years. Hampton asked if the attorney had a recommendation on the amount. McKenney Brown advised she did not have a recommendation since the administrative staff worked more closely on that issue and would have more information than she would. Councilperson Crum asked about the season-end swim party. Root advised they usually get the rental dates to them in May.

Motion by Crum – Second by Pierce

If there is no other discussion I make a motion that we approve the contract agreement with the Haysville Swim Club and the Rec. Department concerning our pool.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval a Memorandum from Recreation Director Georgie Root Re: Pool Manual.

Recreation Director Georgie Root advised this was the proposal for the pool manual for the 2006 year which included the new dates and admission fees that were approved at the last Council Meeting. Councilperson Crum asked if there would be an assistant pool manager hired. Root advised an ad had been run to fill the position. Crum advised the manual stated the pool manager or the recreation director would handle the dismissal of employees and asked if the assistant manager should be included in situations where the manager or the recreation director were unavailable. Root stated they would get in touch with her if the manager was unavailable. Councilperson Pierce asked when the process would begin for hiring the pool staff. Root advised applications were taken in February and staff would usually be hired by the week after spring break.

REGULAR COUNCIL MEETING

FEBRUARY 27, 2006

PAGE 6

Motion by Crum – Second by Pierce

Mr. Mayor, I'd make a motion that we approve the pool manual as presented.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval a Consideration of Memorandum from Recreation Director Georgie Root and Public Works Director Randy Dorner Re: John Deere 425.

Mayor Armstrong explained in the past staff had borrowed a four-wheeler to drag and maintain the fields. Mayor Armstrong stated he did not feel equipment should be borrowed and this equipment would be owned by the City. Councilperson Crum asked if the tractor would come with a warranty. Public Works Director Randy Dorner advised it would not, however, it had extremely low hours. Councilperson Youngers asked if Public Works had looked at their older equipment to see if something already owned could be used instead. Dorner advised they did not have that type of equipment that was not being used. Dorner explained Public Works did have a tractor with a broom attachment that would fit the proposed tractor. Mayor Armstrong asked if the tractor was a budgeted item for the recreation department. Recreation Director Georgie Root advised it was.

Motion by Hampton – Second by Wilkerson

If there's no other questions I'll make a motion that we go ahead and accept this bid for the John Deere 425 for a total cost of \$4,000, to be taken out of the recreation department's budget.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

There was nothing under Old Business.

Mayor Armstrong asked for the Department Head Reports.

City Clerk Carol McBeath advised Council the pay phone in the lobby would be removed since the cost had gone up from \$55.00 a month to \$75.00 a month. McBeath advised a phone would be installed downstairs that would not receive calls or allow long distance calls and would be accessible to the public. McBeath said the new phone would be installed in view of the police dispatcher. McBeath said the speaker in the drive through window was removed and repaired. McBeath advised the speaker was working at that time and it was unknown how long the speaker would last.

Director of Governmental Services Carol Neugent advised the weather station was running at Public Works and the information could be accessed from the website.

Police Chief Mike McElroy introduced the attending officer, M.P.O. Mike Conrady.

REGULAR COUNCIL MEETING

FEBRUARY 27, 2006

PAGE 7

Public Works Director Randy Dorner advised he had several action request forms. Dorner said a street sign had been knocked over at Turkle and 5th Street and would be replaced that week. Dorner advised 434 W. 7th had miscellaneous debris and a tree limb by the driveway. Dorner said a door hanger was left at that address which received no response, the property was reinspected and a violation notice letter was in the mail. Dorner advised 340 Hillcrest had been republished and was in the final steps of the nuisance abatement process. Dorner said 209 Trout had miscellaneous plastic, a mattress and miscellaneous debris in the yard. Dorner further advised a door hanger was left in January, a violation notice was mailed and a return receipt was received. Dorner stated they would receive a notice to appear within the next few days since the violations continued to exist. Dorner said Code Enforcement Officer Cale Topinka had looked at the property located at 133 Baughman that was brought up at the last Council Meeting. Dorner stated a notice was being prepared notifying the resident of the miscellaneous storage debris and the notice was reviewed by the City Attorney and was mailed the previous week. Councilperson Hampton advised he had noticed a dump truck was tearing out the drive on the east side of Helmers Construction and asked what had happened. Dorner said there was an issue with the minimum and maximum slopes. Hampton asked who would be paying for the tear out and replacement. Dorner advised the contractor would be responsible for the costs.

Recreation Director Georgie Root advised the Activity Center would be having their 7th Annual Daddy/Daughter Date Night on March 11, 2006.

Under Appointments Mayor Armstrong presented for approval Clem Dickerson, 8815 S. Hydraulic Re: Senior Advisory Board.

Motion by Pierce – Second by Crum

Mr. Mayor, I make a motion that we allow you to appoint Clem Dickerson, 8815 S. Hydraulic, to the Senior Advisory Board.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong asked for Off Agenda Citizens to be Heard.

There were none.

There was no Executive Session.

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

Councilperson Hampton asked about the \$2,726.00 on page 9. Recreation Director Georgie Root advised it was for the cardio theatre. Hampton asked about the costs for repairs on the weather station as he thought it was a grant from the schools. Public Works Director Randy Dorner explained that one of the reasons it was purchased was due to there not being a local weather information source and it was needed for official temperatures for construction projects. Dorner

REGULAR COUNCIL MEETING

FEBRUARY 27, 2006

PAGE 8

advised it came with 100 feet of cable and more was needed so that cost was part of that bill, but there was no grant.

Motion by Hampton – Second by Pierce

I'll make a motion that we pay the bills for the last half of February, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

There was nothing on the Consent Agenda.

Mayor Armstrong asked for Council Concerns.

Councilperson Youngers advised the four-wheelers and motorcycles were out again in the Pear Tree Addition. Police Chief Mike McElroy advised he would check into the problem.

Councilperson Pierce advised he felt the minutes were being shortened and there was not enough discussion being recorded in the minutes. Mayor Armstrong asked how long the taped meetings were being held. Director of Governmental Services Carol Neugent advised they were on DVDs so it was a minimum of one-year. Mayor Armstrong asked about the audio tape. Neugent advised they were deleted upon completion of the minutes. City Attorney Alison McKenney Brown advised the official minutes were the ones passed at the Council Meeting even if something different appeared to show on the tape. Councilperson Crum advised he had noticed it as well and asked if staff had been making an effort to cut down on paper. Neugent advised part of the problem was due to equipment failure and the minutes had to be typed from notes taken by City Clerk Carol McBeath and Assistant City Clerk/Finance Director Beverly Rodgers. City Clerk Carol McBeath advised the minutes could be done how Council wanted them done, however, she proofed the minutes and in some instances the discussion that was almost verbatim was taken out as it seemed to be too much. McBeath further advised if there were citizens involved in the discussion or public hearings conducted those were recorded extensively for record keeping purposes for future reference. Pierce advised he understood what had been done and felt there had been nothing crucial left out. Mayor Armstrong asked if motions were made long enough. McBeath advised motions were basically verbatim. Pierce stated as long as the diligence stayed as high as it was it would be okay. McBeath advised the main points and the general discussions were included in the minutes with the main points covered.

Councilperson Crum advised he was contacted by a citizen complaining about music that was played on the previous Saturday night and he could hear it as well. Crum stated staff was working on an ordinance to keep that from happening again. Councilperson Hampton advised there was a noise ordinance but the police department did not have the equipment to measure the noise.

Councilperson Hampton advised he agreed with Councilperson Pierce in regard to the minutes and if Council felt something was left out it could be included in the motion prior to approving them.

REGULAR COUNCIL MEETING

FEBRUARY 27, 2006

PAGE 9

Mayor Armstrong asked for a motion to adjourn.

Motion by Pierce – Second by Crum

Mr. Mayor, I move we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea,
Streets yea.

Motion declared carried.

The Regular Council Meeting adjourned at 7:52 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was called by Recording Secretary Pam Robbins: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, and Streets here.

The Invocation was given by Reverend Steven Dezotel, Church of the Nazarene.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Under Presentation and Approval of Minutes Mayor Bruce Armstrong presented for approval the Minutes of February 27, 2006.

Motion by Crum – Second by Wilkerson

Mr. Mayor, if there is no discussion I make a motion that we approve the Minutes for February 27th.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

There were no Citizens to be Heard on the Agenda.

There were no Licenses and Bonds to be approved on the Agenda.

There were no Ordinances and Resolutions to be approved on the Agenda.

Under Notices and Communications Mayor Bruce Armstrong presented the Sedgwick County Fire Department, Station #34 Activity Report for February – Captain Doug Williams.

Mayor Bruce Armstrong advised there was not a representative from the Fire Department present and gave a summary of the Activity Report.

Mayor Bruce Armstrong presented the Public Works Activity Report for February.

Mayor Bruce Armstrong Presented the Recreation Activity Report for February.

Mayor Bruce Armstrong asked for Governing Body Announcements.

Councilperson Steven Crum advised Council the Tree Board would be distributing fliers with tips on how to take care of trees. Crum reminded everyone to water their trees and yards due to the dry weather.

Councilperson Bill Youngers reported the Garden Tour Committee would meet at the Senior Center on Tuesday, March 21, 2006 at 7:00 p.m. to discuss the second annual Garden Tour. Youngers advised if anyone was interested, they could come to the meeting.

REGULAR COUNCIL MEETING

MARCH 13, 2006

PAGE 2

Mayor Bruce Armstrong presented the Memorandum from Recreation Director Georgie Root
Re: Full Time Program Coordinator Jeremiah Davis – New Hire.

Under Other Business Mayor Bruce Armstrong presented the Consideration of Project Bids for Street Signs.

Public Works Director Randal Dorner reported to Council the bids that had been received were for materials needed to complete all the signs in the City. Dorner advised the prices were extremely good considering the volume. Mayor Bruce Armstrong stated the low bid was for \$9,327.90 from Newman Signs. Dorner reported he had requested bids from two other companies but they would not be able to handle the delivery time per the volume of signs. Councilperson Steven Crum asked if the proposed price included the poles also. Dorner stated the poles would be ordered through the City's supplier. There was a discussion about the budget of the signs and poles. Councilperson Ken Hampton asked about the neighborhood watch signs and Dorner explained the neighborhood watch signs would be replaced as needed. Hampton advised the math on the bid was wrong and the price should be \$263.40 higher than what was presented. Crum suggested the Council could approve the bid not to exceed \$9,600.00. Councilperson Joe Holub asked if the bids were up to the national codes. Dorner confirmed that.

Motion by Hampton – Second by Crum

I will go ahead and make a motion, if there is no other discussion, that we accept the bid for the signs from Newman Signs in an amount not to exceed \$9,600.00.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Representatives from the Sedgwick County Fire Department arrived at the Council Meeting. Mayor Bruce Armstrong stated he had given the Fire Department's Activity Report earlier in the meeting and asked if there was anything to add. Lt. Kelby Harrison told Council Captain Doug Williams could not be at the Council Meeting that evening and asked Council if there were any questions they might have that he could answer. There were none. Harrison thanked the Mayor for giving a summary of the report.

Mayor Bruce Armstrong presented for approval the Consideration of Purchase Contract Offer for Lot 2, Block A, Except the South 274.68 Feet of the Haysville Downtown Addition.

Mayor Bruce Armstrong told Council the contract before them was from the Warren Family LLC in the amount of \$72,000.00. Armstrong explained the contract was for the lot north of the Dollar General, which had been referred to as the Pizza Hut Lot. Armstrong advised there had been a previous contract on the lot for \$56,000.00 and those individuals had agreed to relinquish their contract and they would not be doing anything with the land. Armstrong stated the City was free and clear to sign another contract. Armstrong advised there had been an addendum added to the contract to make sure the new buyers built within a certain amount of time, and the City would have approval of the building. Armstrong explained a penalty clause had been added to the contract that stated if the new owner did not build within the 180 days time frame, they

REGULAR COUNCIL MEETING

MARCH 13, 2006

PAGE 3

would lose their \$5,000.00 earnest money. Councilperson Joe Holub asked what would be built on the land. Armstrong advised a 10,000 square foot building would be built that would have multiple users. Councilperson Ken Hampton asked who the agent would be on the contract. Armstrong stated there was no agent. Hampton wanted to know why the developer would be listed in the contract. Armstrong advised that was to insure the building would be completed if it was transferred to another owner. Hampton asked if any restrictions should be put on the time limit to build so extensions could be allowed in certain circumstances. Hampton asked if there should be a time limit put on the length of time for negotiations. Councilperson Steven Crum said the way he understood the contract was that if the Mayor did not think the buyer's reason to ask for an extension was valid, the Mayor did not have to grant them an extension. Armstrong advised an extension could be negotiated if needed.

Motion by Crum – Second by Wilkerson

If there is no other discussion, I would like to make a motion that we go ahead and purchase contract for Lot 2, Block A, except for the south 274.68 feet of the Haysville Downtown Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Pay Request No. 4 to Bryant and Bryant Construction Inc. Re: Nelson & Old Oak Hike/Bike Trails. (PEC Project No. KDOT 87TE-0230-01, PEC 35-04058-1263).

Councilperson Ken Hampton wanted to know if the City would be reimbursed after it paid the 80/20 grant. Mayor Bruce Armstrong explained the State required that the City pay for the invoices first, and then apply for the grant to be reimbursed. Councilperson Steven Crum asked if the contract was for a certain part of town. Public Works Director Randal Dorner explained the City paid for the project by a percentage of what had been done. Dorner said there was a field inspector there eight hours a day, five days a week while the work was being done. Dorner said everything had to be agreed upon and reviewed before it was submitted and the process took about two weeks. Crum asked if the work had been checked every day. Dorner stated it was. Crum reported a citizen had talked to him and Councilperson Patricia Ewert with concerns about how the sidewalk looked in front of Nelson School. Crum stated it was reported there were pits and cracks in the sidewalk and he had not had a chance to look at it. Dorner advised that concern had been investigated. Mayor Bruce Armstrong told Council there had been several places that had been torn up and replaced in the sidewalk.

Motion by Hampton – Second by Crum

If there is no other discussion, I will go ahead and make a motion that we pay the pay request for Bryant and Bryant Construction in the amount of \$114,030.00 for Project No. KDOT 87TE-0230-01, PEC 35-0458-1263.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

MARCH 13, 2006

PAGE 4

Mayor Bruce Armstrong presented for approval the Consideration Of Pay Request to Kansas Paving Re: South Brooke 2nd Addition, Phase 4, Street & Drainage Improvements (PEC Project No. 35-04493-1263).

Motion by Crum – Second by Hampton

Mr. Mayor, if there is no discussion, I make a motion that we go ahead and do the pay request for South Brooke 2nd Addition, Phase 4 Street and Drainage Improvements for \$52,191.96.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Under Old Business Mayor Bruce Armstrong presented the Discussion of Smoking Ban in all Public Buildings (Tabled from 1-23-06).

Mayor Bruce Armstrong advised the item had been tabled so Council could continue to get input from the public on the subject. There was a discussion about the cost of a mail out ballot and the time frame required for that. The cost had been estimated at \$6,000.00 but nothing specific had been received from the Election Commissioner's office yet. A mail out ballot could be done at any time but would have to follow the Election Commissioner's guidelines. There was a discussion about how to determine what the wording would be on a mail out ballot, that an ordinance would need to be drafted and brought before Council, and the difference in cost if the question were put on a general election ballot or if a special election was held, instead of a mail-out. That cost was estimated at around \$2,500.00 but again, that amount would have to be confirmed by the Election Commissioner's office. The general consensus was to put the question on a general election ballot. Councilmembers expressed their opinions about who would be affected by the ban, which businesses should be included, and whether there should be a "grandfather clause" included. There was concern by Council about how a ban would affect existing businesses. A committee to make recommendations was formed and Councilmembers Crum and Youngers were appointed; the committee would also include the City Attorney and City Staff. Reports would be made to Council on progress of the Committee and there would be further discussion before putting the question on a ballot.

Motion by Hampton – Second by Wilkerson

I make a motion that we allow Councilperson Bill Youngers and Councilperson Steven Crum to sit on a committee to present to Council a ban on smoking and let them choose whatever staff they would need to work with them and the City Attorney.

Hampton was concerned about the open meeting act, and wanted to know if it would be a violation if he talked to a Councilmember on the phone about the issue. Mayor Bruce Armstrong advised that situation could end up like a "calling tree" and that would be in violation of the open meeting act. Armstrong said the issue would be on the Agenda once a month to get more comments. Hampton asked if a motion needed to be made to put the ban on the general election. Armstrong advised that could be done as a separate motion once the committee had been set up. Armstrong said the Council would need to decide if they wanted the issue on the August or

REGULAR COUNCIL MEETING

MARCH 13, 2006

PAGE 5

November election or on a mail in ballot. Hampton asked if that could be done at a later time. Armstrong advised it could be done at a later time.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong advised the Council needed to decide on a time frame that evening for the smoking ban so the citizens would know when it would be voted on. Councilperson Steven Crum asked if they could do that on the April 10th Council Meeting so the committee would have time to get together and see when it could possibly be done. Crum advised that would give them time to have an Ordinance ready. Armstrong said that would be fine and then the committee could let Council know their opinions. Councilperson Michael Street advised that most people voted at the general election and not the primary election. Armstrong asked what Council would like to do. Councilperson Keith Pierce recommended not doing anything that evening.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath had nothing to report.

Director of Governmental Services Carol Neugent had nothing to report.

Police Chief Mike McElroy introduced the attending officer, MPO Grady Germany. McElroy told Council it was Kansas Severe Weather Awareness Week and stated there would be a State wide tornado drill the next day. McElroy gave statistics on tornados and weather related deaths in Kansas.

Councilperson Ken Hampton asked City Clerk Carol McBeath if she could give him a monthly budget report for the revenue and balance for February. McBeath told Hampton she would get the reports to Council.

Public Works Director Randal Dorner reported on nuisances at 340 Hillcrest and 209 Trout. Dorner informed Council it was time for the yearly water tower maintenance and the tower would be drained. Dorner explained a hydrant would run for about twelve to fourteen hours to keep the pressure up in the City.

Recreation Director Georgie Root reported the Haysville Activity Center was still taking registrations for Ballet, Tap, Gymnastics, and Jazz Hip Hop. Root stated anyone interested could call the Haysville Activity Center.

Under Appointments Mayor Bruce Armstrong presented for approval Luetta Yoder, 141 Wayne Re: Historic Committee.

Motion by Crum – Second by Wilkerson

REGULAR COUNCIL MEETING

MARCH 13, 2006

PAGE 6

Mr. Mayor, I make a motion that we allow you to appoint Luetta Yoder, 141 Wayne to the Historic Committee.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Off Agenda Citizens to be Heard.

Jack Harris, Overflow Mini Storage addressed Council and said he was there because he was told he had to be at the meeting. Harris asked where the Council was on the Nuisance Abatement Ordinance. Harris wanted to know when the Council wanted him back to speak before them again. Mayor Bruce Armstrong advised Harris that he did not need to be at Council until the City Attorney and staff had come up with a recommendation on Ordinances from the workshops the Council held. Armstrong told Harris that everything had been put on hold until the Ordinances were received. Armstrong informed Harris he would be notified when he needed to come back to Council.

Howard Cook, 323 S. Twin Pines Avenue addressed Council and asked if the committee meeting on the smoking ban would be open to the public. Mayor Bruce Armstrong advised any meeting that would be held would be open to the public. Howard asked if the meeting times could be announced on Channel 7. Armstrong stated the information would be posted on Channel 7 and the City's website.

Mayor Bruce Armstrong presented for approval the Executive Session for Attorney/Client Privilege.

Mayor Bruce Armstrong stated there needed to be a motion made for Executive Session to include the City Attorney and the Director of Governmental Services.

Motion by Hampton – Second by Pierce

I will make a motion that we brake for Executive Session for Attorney/Client Privilege to include the Governing Body, the Mayor, City Attorney and Governmental Services not to exceed twenty minutes.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Council went into Executive Session at 7:43 p.m.

The Council returned from Executive Session at 8:02 p.m.

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

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the First Half of March.

REGULAR COUNCIL MEETING

MARCH 13, 2006

PAGE 7

Motion by Hampton – Second by Pierce

If there are no questions about the bills to be paid, I make a motion that we pay the bills to be paid for the first half of March.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Under Consent Agenda Mayor Bruce Armstrong presented the Thank You Card from Beverly Rodgers.

Mayor Bruce Armstrong asked when Assistant City Clerk/Finance Director Beverly Rodgers would be back to work. City Clerk Carol McBeath reported that Rodgers would be back to work either on Thursday, March 16, 2006 or Monday, March 20, 2006.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Bill Youngers had a concern about the hike/bike trail. Youngers advised some of the construction materials were left behind after the crews were finished with an area. Youngers stated kids were throwing some bricks that had been left behind and the areas needed to be cleaned. Public Works Director Randal Dorner advised he would bring that to the attention of the construction company.

Councilperson Keith Pierce asked if any business would be going in the corner space next to Curves. Mayor Bruce Armstrong stated he had information that there was a lease pending but he did not know what business it was for.

Councilperson Rob Wilkerson asked if the trash would be cleaned up behind the Senior Center Housing project. Public Works Director Randal Dorner reported he had talked to the contractor about two weeks ago on the matter. Dorner informed Council that issue had been discussed more than once with the contractor.

Councilperson Steven Crum asked everyone to keep their trash can lids closed because of high winds blowing the trash around. Crum also reminded everyone that next week was spring break and children would be out of school.

Councilperson Ken Hampton said he had a couple of items to be placed on future Agendas. Hampton asked how the industrial park lots could be made to look more attractive to lure businesses to Haysville. Hampton had a concern about the new sewer line for the new schools. Hampton wanted to know who paid for the project. Mayor Bruce Armstrong advised the issue would be on a future Council Agenda.

Mayor Bruce Armstrong asked for a motion to adjourn.

Motion by Pierce – Second by Hampton

Mr. Mayor, I make a motion that we adjourn tonight's meeting.

REGULAR COUNCIL MEETING

MARCH 13, 2006

PAGE 8

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Regular Council Meeting adjourned at 8:07 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was called by Recording Secretary Carla Mann: Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, Streets here. Councilperson Hampton was absent.

Invocation was given by Pastor Mike Bradshaw, Haysville Christian Church.

Mayor Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Armstrong presented a 2006 Proclamation for Child Abuse Prevention Month.

Mayor Armstrong read the proclamation and advised he would be signing it.

Mayor Armstrong presented 340 Hillcrest Re: Nuisance Abatement Progress Update.

Code Enforcement Officer Cale Topinka advised he was told the property had been sold at auction, however, he did not have evidence for or against the claim. Topinka stated he had attempted to contact the mortgage company and several other individuals in regard to the ownership of the property but has been unable to make contact with anyone. Topinka said if the property had changed hands the process would probably have to start over. City Attorney Alison McKenney Brown advised the code was very strict in regard to publications and public hearings. McKenney Brown said she was concerned about making the thirty-day subsequent public hearing mark before the property could be condemned.

Mayor Armstrong presented for approval the Minutes of March 13, 2006.

Motion by Crum – Second by Wilkerson

Mr. Mayor, if there's no changes I make a motion that we approve the minutes for March 13, 2006.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

There were no Citizens to be Heard on the Agenda.

There were no Licenses or Bonds on the Agenda.

Under Introduction of Ordinances and Resolutions Mayor Armstrong presented AN ORDINANCE CONCERNING AN AMENDMENT OF CHAPTER SEVEN, ARTICLE TWO OF THE HAYSVILLE MUNICIPAL CODE GOVERNING RULES AND REGULATIONS APPLICABLE TO SOLID WASTE STORAGE AND COLLECTION.

Mayor Armstrong explained the ordinance had been requested to discuss the screening of trash dumpsters. Mayor Armstrong advised he felt Council should discuss the ordinance with businesses prior to passing it since they would be affected more than anyone else. Councilperson Crum advised he had requested something like that ordinance nearly two years prior and stated he felt it was something the City needed. Crum advised according to the ordinance the changes would take effect upon publication and said he felt the ordinance should include a time frame for

REGULAR COUNCIL MEETING

MARCH 27, 2006

PAGE 2

compliance. Crum suggested the time frame be 30-60 days to comply with the screening requirements. Councilperson Streets advised he had contacted a contractor in regard to the screening of residential trash dumpsters who advised the cost for screening would be approximately \$150 to \$500, depending on the location. Streets stated he felt that requirement was too much to impose on residents. Councilperson Youngers stated the ordinance allowed residents to move the cart to the back of the house in order to be in compliance. Councilperson Ewert advised she would be unable to get her trash cart through her gate and felt it would be a problem for many people. Mayor Armstrong advised he felt the ordinance should be tabled in order to discuss the requirements with businesses. Councilperson Pierce asked how the ordinance defined "reasonably hide." Pierce stated the property behind Faye's Diner had a commercial dumpster against a residential fence and asked what would be considered "reasonably hide" in relation to the height in that situation. Mayor Armstrong advised it could be open to interpretation. Streets asked if the schools would be affected by the ordinance since the dumpsters on those properties were normally located in a parking lot. Mayor Armstrong stated the schools would also fall under commercial. Crum stated the difficulty the schools may have would be deciding on the location of the back of the building and said he felt as long as they were screened the school's dumpsters could be left in their current locations. Crum asked about the allowance of berms and plantings as screening. Mayor Armstrong advised he would interpret that to mean the trees and plantings to cover it. Crum stated he would rather see the ordinance be more specific on the trees and plantings since they could die and in the fall they would lose their leaves and the dumpster would be seen. Youngers advised it would be less expensive to build a fence rather than using planting materials.

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion we table the ordinance to amend Chapter 7, on Solid Waste Storage and Collection, until the next Council Meeting.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval A RESOLUTION RELATING TO THE KANSAS PRIDE PROGRAM ENTRY GOVERNMENT RESOLUTION FOR THE YEAR OF 2006.
(Res. No. 06-08)

Mayor Armstrong advised the local PRIDE Committee presented the resolution each year in support of the local PRIDE program. Mayor Armstrong said Chairman Tom Gibson was present to address Council.

PRIDE Chairperson, Tom Gibson, 247 Ranger, thanked the Mayor, Council, staff and the citizens of Haysville for their support. Gibson advised the Committee had been in existence for approximately four years and had been successful in many of their programs. Gibson stated the regulations from the Department of Commerce included a resolution signed by the City showing support for the program. Gibson stated the annual trash days would be Saturday, June 6th, on the west side of the railroad tracks and Saturday, June 10th, on the east side. Gibson advised the certificates would cost \$10.00 and would be available at the Library after the first of May and available at the Expo on April 21, 2006. Gibson requested volunteers for the trash clean up day. Gibson advised the PRIDE Committee had purchased Christmas decorations with the help of the City two years prior and the decorations purchased in 2005 were purchased directly from PRIDE funds. Gibson advised the monies raised during the sale of the certificates for the trash cleanup

REGULAR COUNCIL MEETING

MARCH 27, 2006

PAGE 3

day would go mainly toward those decorations for 2006. Gibson said the PRIDE Committee had held a logo contest and a motto contest was being held at that time and would be open until June 30, 2006, with the winner possibly being announced at the 4th of July Celebration. Gibson stated the PRIDE Committee was also working on entrance signs into the City.

(The actual date for the Expo is April 22, 2006.)

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we allow you to sign THE RESOLUTION RELATING TO THE KANSAS PRIDE PROGRAM ENTRY GOVERNMENT RESOLUTION FOR THE YEAR 2006.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

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

Mayor Armstrong advised Director of Governmental Services Carol Neugent was absent and the Governmental Services Activity Report for February would be distributed in April.

Mayor Armstrong presented the Police Department Activity Report for February.

Mayor Armstrong asked for Governing Body Announcements.

Councilperson Pierce apologized for his lack of attendance at the Historic District Committee Meetings and advised he would work on better attendance.

Councilperson Crum advised the Smoking Committee had a meeting that past Friday, where one citizen had joined, smoking ban ordinances already in effect were looked at and they would come back with more information at the next Council Meeting. Crum advised another meeting would be held on April 5, 2006, from 5:00 to 6:00 p.m. in the Council Room.

Mayor Armstrong advised it had been awhile since the last joint meeting with the School Board and advised the Board had been contacted to set up a time and date for the meeting. Mayor Armstrong said there were issues that needed to be discussed including the upcoming sewer extensions. Mayor Armstrong asked for a motion to set April 4, 2005, at 5:30 p.m. for the joint meeting.

Motion by Crum – Second by Ewert

Mr. Mayor, I make a motion that we set a workshop with the School Board for April 4th, from 5:30 to 6:30 at the Administration Building.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented a Letter from Cox Communications Public Affairs Director Sarah Kauffman Re: Changes in Service and Equipment Charges.

REGULAR COUNCIL MEETING

MARCH 27, 2006

PAGE 4

Mayor Armstrong presented a Letter from City Attorney Alison McKenney Brown to Owen Gabbert Re: Statutory Questions.

Under Other Business Mayor Armstrong presented for approval a Consideration of Memorandum from Haysville Planning Commission Re: Final Plat of Haysville School Addition to Haysville, Sedgwick County, Kansas.

Planning/Community Relations Coordinator Angela Millspaugh advised the plat was considered at the March 9th, Planning Commission Meeting and a motion was made to accept the final plat contingent upon the easement being added and the issues worked out with staff approval. Millspaugh advised the drainage plan was one of those discussions, easements had been added, however, the drainage plan had not been revised at that time. Millspaugh advised a letter was made available at the Council bench from Professional Engineering Consultant Rod Young in regards to issues he had. Millspaugh advised a representative for the schools from MKEC was present to address those issues and answer questions.

Jeff Cartright, MKEC Engineering Consultants, Agent for the School, advised the plat had been revised but they had yet to revise the drainage report. Cartright advised a report was put together based on drainage around the perimeter of the school property and was done with a drainage scale that carried flows at a flat grade. Cartright stated in order to save money it was felt that would be the best route to take. Cartright said there were arguments with the grade as there was a tendency to hold water and it was discussed and a letter was drafted where the school would accept responsibilities for those issues. Cartright advised the schools were on vacation and they were unable to get the letter signed but that would be taken care of.

Councilperson Youngers asked if the area would have the recommended grade normally required by the City and asked how much the school would save financially if the drainage plan were approved. Jeff Cartright advised the City had adopted county standards that required a one-percent grade or greater in order to carry water through. Cartright said the savings was not looked at in depth, however, it was estimated to be \$150,000. Cartright stated there was a combination of directions that could be taken such as carrying the water underground by using the storm water retention facility available on the property. Cartright said there was fall on the property but not enough to get the required one-percent. Cartright advised there was a drainage retention holding facility in the southwest corner of the site and the school would be located to the east and northeast. Cartright stated there would be substantial costs involved in the underground drainage. Cartright said there was a need to bring each of the building facilities up to a certain grade and the dirt work involved would be costly. Youngers asked what he meant when the school would take responsibility for the drainage since standing water long-term might be more expensive than doing it right in the beginning. Cartright stated the old school would argue that the ditch at that grade was better suited to carry flows and there would be a tendency for less erosion, sediment deposits and velocity would be kept down. Cartright advised if there were maintenance issues with the standing water the schools were prepared to handle it. Youngers asked if the county standards were overkill and if what was being required of them was reasonable. Cartright stated the county standards were to address issues in regard to standing water between properties or a development with multiple property owners where the City would have to contend with the issues after the developer had moved on. Cartright said this would be one property owner and would always be that way and if there were issues with standing water it would be the school's responsibility. Cartright said there would be some

REGULAR COUNCIL MEETING

MARCH 27, 2006

PAGE 5

separation between adjacent properties and they would be contained on site. Councilperson Crum asked Professional Engineering Consultant Rod Young what difference a quarter of a percent would make. Young stated the City had been battling these issues for quite some time, such as pellets to kill mosquitoes and the Suncrest Addition where those grades were steeper than the 0.025% seen with the school's proposed plan. Young advised it could be done but would be very difficult as there would be bird-baths and sediment deposits. Crum asked about the property adjacent to the school district if it were developed into residential. Young advised in those cases they would be digging a hole to get to 1%. Councilperson Wilkerson asked who would take care of the sediment problems, standing water and debris. Public Works Director Randy Dorner explained it would be the school's maintenance responsibility on their property, however, the first place citizens call when they saw standing water was the City. Dorner advised upon a complaint of standing water it would be investigated by the City and it would not take much to cause ponding and debris problems with slope that low. Mayor Armstrong asked what could be done. Dorner advised it could be handled as a nuisance if it were classified as such, however, if it did not meet minimum grade it could be handled through codes and ordinances with the possibility of having attorneys involved to resolve the issues. Councilperson Holub asked if the City was being saddled with a situation the City could do nothing about. Mayor Armstrong explained Council had the option of not approving the plat unless a drainage plan was done and approved. Crum advised he did not feel comfortable passing the plat and asked if it was denied if the school district would be required to return to the Planning Commission. Mayor Armstrong explained the Planning Commission voted to allow it and work out the particulars with the Council therefore the Council would end up being the final say. Crum asked if it could be denied or tabled. Planning/Community Relations Coordinator Angela Millspaugh advised it could be tabled or approved contingent upon an approved drainage plan being submitted. Mayor Armstrong suggested it be approved contingent upon the drainage plan since denying it would cause more problems.

Motion by Crum – Second by Wilkerson

If there is no other discussion then I make a motion that we table the final plat of the Haysville School Addition until the first meeting in April.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented a Consideration of Approval for Proposal for Supplemental Agreement No. 1 Re: South Main Improvements (P.E.C. Project No. 32-05438-1263).

Professional Engineering Consultant Rod Young advised that was for the KDOT Project for the South Main Improvements. Young stated the scope was based on a preliminary meeting where it was found what was available to be included in the project at an 80/20 construction cost. Young stated the project limits were from where the railroad project stopped on South Main to the City limits by the Cowskin Creek. Young said staff had looked at putting in sidewalks from Grand along one side and then half of the other side. Young said they then discussed putting in a crosswalk with brick pavers, manhole adjustments and a signalized pedestrian crossing in the Historic Park. Young stated as a result of the project P.E.C. had requested a supplemental agreement to complete the additional work.

REGULAR COUNCIL MEETING

MARCH 27, 2006

PAGE 6

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we approve the proposal for supplemental agreement no. 1, regarding South Main Improvements (P.E.C. Project No. 32-05438-1263).

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval a Consideration of Pay Request No. 2 from Kansas Paving Re: South Brooke Addition Street and Drainage Improvements – Phase 2 (P.E.C. Project No. 35-04493-1263).

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion that we do pay request #2 to Kansas Paving regarding South Brooke Addition, Street and Drainage Improvements for a total of \$108,639.26.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Under Old Business Mayor Armstrong presented for approval a Consideration of Purchase Contract Amendment for Lot 2, Block A, Except the South 274.68 Feet of the Haysville Downtown Addition (03-13-06).

Mayor Armstrong advised Council had received a memo from Community Development Director Larry Powell requesting the extension of the contract giving the buyer more time to take care of tax preparations before closing.

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I make a motion that we approve this contract amendment between Warren Family, LLC and the City of Haysville.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong asked for Department Head Reports.

City Clerk Carol McBeath had nothing to report.

Director of Governmental Services Carol Neugent was absent and left no report.

Police Chief Mike McElroy introduced the attending officer, Lieutenant Jeff Whitfield. McElroy advised he had received an action form involving a vehicle on the roadway where it had since been tagged and removed from the street.

Public Works Director Randy Dorner advised 209 Trout had been ongoing since January where they had refused the complaint form and was in the court system at that time. Dorner said the long form complaint was signed one week prior and a court date had not been set.

Recreation Director Georgie Root had nothing to report.

There were no Appointments on the Agenda.

REGULAR COUNCIL MEETING

MARCH 27, 2006

PAGE 7

Mayor Armstrong asked for Off Agenda Citizens to be Heard.

Howard Cook, 323 S. Twin Pines, asked if the proposed trash screening ordinance could be placed on the City's website so he could read it. Mayor Armstrong advised that could be done. Cook asked if the citizens were going to be required to also hide their trash carts. Mayor Armstrong explained that was what the ordinance said and the ordinance addressed the lawful placement of residential trash carts. Cook advised he had a problem as his trash can was not seen from the roadway. Cook further advised he wanted his trash can on a hard surface and if it were stored in the lawn beside the house his knees could not stand pulling the cart and the same was true for his 80-year old neighbor woman. Cook stated he did not feel it was right for Council to force citizens to place their trash cans where Council wanted them.

Councilperson Wilkerson advised he agreed in some respects, however, he had seen three to four homes where the garbage can had been at the street for a week that also included other debris that was not in the dumpster. Cook advised he did not do that with his dumpster and his was emptied each week, brought back to the house and stored. Wilkerson advised he understood but Council had to look at the big picture as well since a majority placed their trash at the curbs 2-3 days in advance. Cook said he understood Council's problem with trash being placed at the pick up site 2-3 days in advance but his dumpster was in his driveway.

There was no Executive Session.

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

Motion by Crum – Second by Wilkerson

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

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Under Consent Agenda Mayor Armstrong presented Investment Information.

Mayor Armstrong advised the 120-days would be moved back to the 90-days as it did not make sense on the rates. Mayor Armstrong advised it would be a 4.78 and a 4.91.

Motion by Pierce – Second by Wilkerson

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

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

Mayor Armstrong asked for Council Concerns.

Councilperson Crum reminded citizens to keep their trash dumpsters closed due to the high winds.

Councilperson Wilkerson asked how often his area was graded. Public Works Director Randy Dorner staff was in the process of blading again.

REGULAR COUNCIL MEETING

MARCH 27, 2006

PAGE 8

Councilperson Pierce asked if Community Development Director Larry Powell could update Council. Mayor Armstrong explained that had already been discussed and a presentation would be made quarterly at Council Meetings. Mayor Armstrong further explained it would be done the first Council Meeting of each quarter.

Councilperson Holub asked when the new animal control vehicle would be put on the streets. Police Chief Mike McElroy advised they were in the process of getting prices on switching the bed over and possibly paint it. McElroy advised they were also waiting on other equipment for the vehicle that had not arrived. McElroy said they had hoped it would be complete within the next thirty days.

Mayor Armstrong asked for a motion to adjourn.

Motion by Pierce – Second by Crum

Mr. Mayor, I make a motion that we adjourn tonight's meeting.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Streets yea.

Motion declared carried.

The Regular Council Meeting adjourned at 7:56 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Armstrong at 7:02 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was called by Recording Secretary Carla Mann: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Streets here. Councilperson Ewert was absent.

Invocation was given by Reverend R. Laney Kuhn, United Methodist Church.

Mayor Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Armstrong presented the Election of Council President.

City Clerk Carol McBeath asked for nominations from Council for Council President. Councilperson Crum, Councilperson Ewert and Councilperson Hampton were nominated. Hampton asked that his name be removed. There were three votes for Councilperson Ewert and four votes for Councilperson Crum. McBeath announced Councilperson Crum would be the new Council President.

Mayor Armstrong presented Madrigal & Welch Re: Insurance Renewal – Tony Madrigal.

Tony Madrigal, Madrigal & Welch, advised Council they had received documentation from his office and would answer any questions from Council. Mayor Armstrong asked if there was an escalated clause in the policy. Madrigal advised there was an escalated clause on the properties where they were evaluated each year and stated it was usually a 2-3% increase in values. Madrigal advised more property had been added in the last year. Madrigal said his firm normally went by the values of the property that Employer's Mutual had done based on the square footage of every building. Madrigal advised the buildings were based on replacement costs. Madrigal stated the premium included \$1,000 for the skate park that was not in place that previous year. Councilperson Youngers asked about the Pear Tree Park Shelter where it was listed three times with two different values. Madrigal advised he would check the list as it appeared to be a repeat. Youngers asked if an increase in deductibles would affect the premiums. Madrigal advised it would not affect the premiums very much, possibly 1-2%. Councilperson Hampton asked about the value listed on the Ward Parkway and Riley Shelter and playground as \$7,350,000. Madrigal advised it may be a misprint and he would check on it. There was a discussion regarding other properties listed with exceptionally high values and Director of Governmental Services Carol Neugent explained how to read the policy. Hampton asked if the policy would be approved at the meeting. Mayor Armstrong advised it could be approved subject to the review of the building prices.

Motion by Hampton – Second by Pierce

I'll make a motion that we approve the renewal of the insurance with Madrigal & Welch with being subject to corrections on the amounts of the buildings.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

APRIL 10, 2006

PAGE 2

Under Presentation and Approval of Minutes Mayor Armstrong presented the Minutes of March 27, 2006.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I'd make a motion, if there's no corrections, to accept the minutes from the meeting on March 27, 2006.

Hampton abstain, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

There were no Citizens to be Heard on the Agenda.

There were no Licenses or Bonds on the Agenda.

Under Introduction of Ordinances and Resolutions Mayor Armstrong presented AN ORDINANCE CONCERNING AN AMENDMENT OF CHAPTER SEVEN, ARTICLE TWO OF THE HAYSVILLE MUNICIPAL CODE GOVERNING RULES AND REGULATIONS APPLICABLE TO SOLID WASTE STORAGE AND COLLECTION. (Tabled from 03-27-06)

Mayor Armstrong advised he had staff include in their packets copies of the current code regarding the solid waste disposal and collection. Mayor Armstrong advised the landscaping ordinance was also included in the information from staff. Councilperson Crum advised he had heard from several people in regard to the residential portion of the ordinance and advised he mostly agreed that the residential portion of the ordinance was not fair or needed. Crum advised he liked the fact that the ordinance differentiated between residential and commercial where the current code did not. Crum advised he felt the requirement for the location of residential dumpster storage was too restrictive and as long as they were kept within 3-4 feet of the house it would be sufficient. Crum stated he felt as long as the other requirements were followed such as the dumpster being watertight and not easily accessible by dogs then it would be enough. Crum advised he had spoken with several commercial businesses and said he felt the ordinance should include a time frame for businesses to comply with the new requirements. Crum stated he had spoken with some commercial businesses who advised they did not have room in the back of their businesses and the ordinance should include something for situations such as that. Councilperson Youngers advised he had driven through neighborhoods and found very few trash carts setting behind the houses and found the majority of the comments were in regard to the elderly and disabled where it would be difficult for them to move the dumpsters from the front of the house to the back of the house each week. Youngers advised he felt the residential portion of the proposed ordinance was unenforceable when the City had the largest majority of the trash cans stored by the front of the houses. Youngers stated the businesses would be forced to incur an expense but that was the cost of doing business and agreed the fee could be waived for the permits. Councilperson Wilkerson advised he too had been contacted by several elderly citizens who said they were unable to build a fence for screening or it would be too far to walk to the rear of the house with a dumpster. Wilkerson said he also drove through neighborhoods and found a couple of residents not conforming to the current code. Wilkerson stated he felt the fee should be waived for businesses but the inspection should continue to be done. Councilperson Pierce stated the current ordinance did not allow trash receptacles be placed in the front of the house.

REGULAR COUNCIL MEETING

APRIL 10, 2006

PAGE 3

Crum advised that was currently in the ordinance but the requirement was not being enforced and the new ordinance should allow the dumpsters to be in front of the house but within a reasonable limit of five to six feet. Crum stated staff would need to enforce the code in regard to dumpsters left at the curb after trash pick up day. Pierce advised there was nothing in the current code to screen the location behind Pam's Diner from the yard directly behind the restaurant. Pierce said he was content with the code the way it was. Councilperson Streets advised he agreed the current ordinance should be loosened up in regard to the placement of residential dumpsters. Councilperson Holub asked who would be enforcing the ordinance. Public Works Director Randy Dorner explained it would be the Code Enforcement Officer. Mayor Armstrong advised there was nothing in the current code governing commercial dumpsters. There was a discussion in regard to the wording for the placement of commercial dumpsters. Mayor Armstrong stated he believed the problem with the current code was the lack of commercial requirements rather than residential. Mayor Armstrong suggested the ordinance be tabled and the attorneys be asked to come back with an ordinance based on the discussions of Council.

Motion by Crum – Second by Wilkerson

If there is no other discussion Mr. Mayor, I make a motion that we table this until the next meeting in April.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented A RESOLUTION FIXING THE TIME AND PLACE AND PROVIDING NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF HAYSVILLE, KANSAS, AT WHICH TIME OWNERS, THEIR AGENTS, ANY LIENHOLDERS OF RECORD AND ANY OCCUPANTS OF THE BUILDINGS LOCATED ON BLOCK G, LOT 41, OF THE HILLCREST ADDITION TO THE CITY OF HAYSVILLE, ALSO KNOWN AS 340 N. HILLCREST, IN SAID CITY, MAY APPEAR AND SHOW CAUSE WHY SUCH BUILDINGS SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS DANGEROUS OR UNSAFE STRUCTURES.

Mayor Armstrong stated the resolution would set the public hearing for 7:00 p.m. on June 12, 2006.

Motion by Hampton – Second by Pierce

If there's no discussion on this I'll go ahead and make a motion to approve A RESOLUTION FIXING THE TIME AND PLACE AND PROVIDING NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF HAYSVILLE, KANSAS, AT WHICH TIME OWNERS, THEIR AGENTS, ANY LIENHOLDERS OF RECORD AND ANY OCCUPANTS OF THE BUILDINGS LOCATED ON BLOCK G, LOT 41, OF THE HILLCREST ADDITION TO THE CITY OF HAYSVILLE, ALSO KNOWN AS 340 N. HILLCREST, IN SAID CITY, MAY APPEAR AND SHOW CAUSE WHY SUCH BUILDINGS SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS DANGEROUS OR UNSAFE STRUCTURES, and I would like to also say that the time we are putting on it is 7:00 p.m. and the date is the 12th day of June, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

REGULAR COUNCIL MEETING

APRIL 10, 2006

PAGE 4

Motion declared carried.

Under Notices and Communications Mayor Armstrong presented the Sedgwick County Fire Department, Station #34 Activity Report for March – Lt. Richard Janne (To be distributed).

There was no one present from the fire department. Councilperson Holub asked if the City was keeping track of the homes that had recently burned in order to prevent a nuisance abatement issue such as 340 Hillcrest. Public Works Director Randy Dorner explained two of the three homes already had building permits and the other was in the insurance process.

Mayor Armstrong presented the Public Works Activity Report for March.

Councilperson Crum asked where the concrete came from at Public Works. Public Works Director Randy Dorner explained the majority of it came from the Hike and Bike Trail and it had been a year-and-a-half since the recycler was out. Councilperson Hampton asked about the thirty meter pit leaks. Dorner explained they were actually in the meter pit, being the valve or the setter was leaking. Hampton asked if the repairs or replacements were recorded. Dorner advised the supervisor kept a daily log.

Mayor Armstrong presented the Recreation Activity Report for March.

Mayor Armstrong asked for Governing Body Announcements.

Councilperson Crum advised on May 3, 2006, the Tree Board would be doing a tree planting at Plagens Carpenter Park at 4:30 p.m. near the entrance of the park.

Councilperson Youngers advised the Garden Tour Group would be meeting April 18, 2006, at the Senior Center at 7:00 p.m.

Mayor Armstrong presented the Resignation of Bookkeeping Assistant Teri Thomas.

Mayor Armstrong presented the Resignation of Police Officer Eric Hunt.

Mayor Armstrong presented a Memorandum from Public Works Director Randy Dorner Re: Waste Water Operator Trainee Jason Woodruff – Full Time Employee Hire.

Mayor Armstrong presented a Letter from Kansas Department of Health and Environment Mark E. Gerard, P.E. Re: 503 Sludge Report for 2005.

Councilperson Hampton advised Lawrence, Kansas dried their sludge and sold it to bio-solids for farming. Public Works Director Randy Dorner explained the City had looked into a centrifuge that would dry the sludge at a cost of approximately 1.5 million dollars, which was too costly at that time. Dorner stated unless there would be significant future growth it would be too cost prohibitive.

REGULAR COUNCIL MEETING

APRIL 10, 2006

PAGE 5

Under Other Business Mayor Armstrong presented for approval a Consideration of Pay Request No. 2 (Final) for Nowak Construction Co., Inc. Re: South Brooke 2nd Addition – Phase 4 Sanitary Sewer and Waterline Improvements (P.E.C. Project No. 35-04493-001 and 002-1263).

Professional Engineering Consultant Rod Young explained the final inspection was complete and everything was fine with the project.

Motion by Hampton – Second by Pierce

I'll make a motion that we pay the \$3,563.25 to Nowak Construction Company for Project #35-004493-001 and 002-1263, for the South Brooke 2nd Addition, Phase 4, Sanitary Sewer and Waterline Improvements.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval a Consideration of Pay Request No. 5 for Bryant and Bryant Construction Inc. Re: Nelson and Old Oak Hike and Bike Trails (KDOT 87TE-0230-01 P.E.C. 35-04058-1263).

Councilperson Crum asked if the tear-out and replace had been completed on the project. Public Works Director Randy Dorner explained all of the concrete was in place at that time and the electrical was being worked on. Dorner stated the final walk through had not been done.

Motion by Crum – Second by Hampton

Mr. Mayor, if there's no other discussion, I make a motion that we pay Bryant and Bryant Construction for Old Oak Hike and Bike Trails for KDOT 87TE-0230-1, P.E.C. 35-04058-1263, for \$63,436.23.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval a Consideration of Mutual Assistance Agreement.

Police Chief Mike McElroy explained cities and departments across Sedgwick County were in the process of putting together the Mutual Assistance Agreement. McElroy stated the agreement would set up parameters that would be worked with in a time where outside assistance was needed in an emergency situation from one department or agency to another. McElroy explained how the City would handle emergency situations in other departments in regard to sending officers to assist.

Motion by Pierce – Second by Holub

I make the motion that we permit the Chief to enter into this Mutual Assistance Agreement if that is what he is wanting to do.

Hampton nay, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

APRIL 10, 2006

PAGE 6

Mayor Armstrong presented for approval a Consideration of Request for Special Permit to Allow Outside Display of Merchandise – True Value Hardware.

Mark Campbell, True Value Hardware, 325 N. Main, Re: Outside Merchandise Displays, advised his business had received a violation notice in regard to mulch, topsoil, etc. for sale in front of the store. Campbell stated he did not realize that was a violation and requested permission from Council to display for sale in front of the store topsoil, mulch, and other bagged items. Mayor Armstrong advised the ordinance required a permit for specific items and if Council wanted to allow it the motion would have to include the specific items. There was a discussion about changing the ordinance to allow outside sales to prevent business owners from having to come to Council for permission. City Attorney Lee Parker advised the motion could include the wording “similar bagged merchandise” in order to allow that type of merchandise. Councilperson Youngers asked if this particular ordinance applied to the convenience stores with soda pop and such on the front walks. Mayor Armstrong stated there might be more business owners coming to Council more often. Youngers asked if the permits would be allowed for only the 2006 year. Mayor Armstrong stated ordinances were not enforced for awhile, and more businesses would be required to obtain permits unless Council would like to request the Planning Commission change the zoning ordinances. Youngers stated he felt that would seem reasonable since it was a common practice for businesses to place large items in front of their stores for sale. Councilperson Wilkerson stated he was not aware that such an ordinance existed and felt it should be sent back to the Planning Commission. Councilperson Pierce advised he also agreed the ordinance should be changed. Crum asked what should be done with the request of Mr. Campbell. Mayor Armstrong advised he was present and Council should allow it in order for him to be legal according to the current code. Mayor Armstrong stated he would suggest a motion to return the matter to the Planning Commission and to come back to Council as soon as possible. Councilperson Hampton asked if the Council could make a motion to remove section 16-415. Mayor Armstrong stated he understood the matter would have to go back to the Planning Commission and changes would be made by way of a public hearing process.

Motion by Crum – Second by Hampton

I'd like to make a motion that we allow True Value Hardware, 350 N. Main, to go ahead and be allowed to go ahead and display some items for sale outside of his business. These items can include topsoil, mulch, sand, potting soil or similar bagged merchandise.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

Motion by Crum – Second by Hampton

Mr. Mayor, I would like to make a motion that we send section 16-415, of the commercial/light commercial district regulations back to Planning Commission and have them look at some of the businesses in town and what they may store outside to see if we can come up with some reasonable rules and guidelines on that.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented the Community Development Quarterly Report – Larry Powell.

REGULAR COUNCIL MEETING

APRIL 10, 2006

PAGE 7

Community Development Director Larry Powell advised the Community Expo will be April 22, 2006, at the Haysville Activity Center. Powell advised Tom Gibson was the chairman of the booth rentals and could be contacted for rentals. Powell advised 222 survey flyers were mailed to all businesses registered with the City and the survey could be accessed on the City's website. The survey was a multi-county project but the City's survey results would be geared toward the City of Haysville only. Councilperson Hampton advised he was pleased with Powell's performance and felt he was doing a good job for the City.

Mayor Armstrong presented a Report of Smoking Committee.

Councilperson Wilkerson advised he had already stated he did not care one way or the other whether smoking was allowed or not. Wilkerson stated it was said in the meeting that citizens wanted a ban on smoking in restaurants and asked Councilperson Crum why the committee had gone to such lengths in the question regarding the smoking ban. Councilperson Crum advised the committee had looked at different smoking bans in the state and none of them had dealt with just restaurants. Crum stated some dealt with every business and some dealt with only a few businesses and the committee had decided to blend the two sides. Councilperson Youngers advised the committee chose to blend Salina's, Lawrence's and Bel Aire's smoking ban ordinances. Youngers further explained the committee had to put together a question that could be read in the time allotted in a voting booth. There was a discussion regarding whether Council wanted to get involved in the issue of a smoking ban or let the restaurants determine for themselves if they would allow smoking. Youngers advised the question was a first draft and the committee had tried to make the most concise and compressed version of what the ordinance would include. Councilperson Pierce advised he felt Council had moved too fast on the issue and stated he felt businesses should be allowed to choose their market and citizens should be free to choose where they go. Pierce said he felt an ordinance should be the last thing Council tried but rather request the Chamber of Commerce work with businesses on the issue on a one-on-one basis. Councilperson Crum advised there were many feelings involved in the issue and there were good arguments for both sides, however, Council represented the public from each Ward and the people of the City wanted the issue looked at. Crum said he felt it was important to try to come up with something quickly in order to get it on the ballot for citizens to vote on. Councilperson Hampton advised he felt Council had already come to the conclusion they were leaving the matter up to the citizens by allowing them to vote on it. Hampton stated he felt the ordinance was well put together and asked if the full ordinance would be made available in the voting booths or if it would only include the wording that was before Council that night. City Attorney Lee Parker advised if the issue was placed on the ballot as a binding vote he would have to change the language or in a non-binding vote the ballot could include a caption that ask if an ordinance should be passed. Parker said Council could also place the entire ordinance on the ballot with the question of whether the following ordinance should be passed. Parker explained it would be difficult for people to read an entire ordinance in the time allowed and that was one of the reasons the committee came up with the wording they had. Councilperson Holub advised he felt the issue was something Council should not be considering and it should be left up to each individual business. Holub stated he felt businesses should have the right to conduct their business how they see fit and Council should not be involved. Youngers stated several citizens had come before Council concerned about a community health issue and at the request of those

REGULAR COUNCIL MEETING

APRIL 10, 2006

PAGE 8

citizens the committee and Council was asked to take on the responsibility. Youngers advised the proposed ordinance did not completely ban smoking and did not feel they would be moving too fast since the vote would be non-binding. Holub said a smoking ban should not be inflicted on businesses since the City was not large enough for Council to concern themselves with such an issue. Wilkerson advised it was important for the City to have the businesses and if people did not want to go in one because smoking was allowed then that business would seal its own fate. Mayor Armstrong stated there had been no decisions on the matter and nothing had been placed on a ballot and the committee was making a report to Council to get feedback in regard to the proposed question.

Motion by Hampton – Second by Crum

I'll make a motion that we accept this draft for the November question and make it binding.

Hampton yea, Crum yea, Wilkerson nay, Pierce nay, Holub nay, Youngers yea, Streets nay.

Motion denied.

Mayor Armstrong asked the committee members how they wanted to get input from the businesses in regard to the ballot question. Councilperson Hampton stated it could be done by a non-binding vote.

Motion by Hampton – Second by Crum

I'd like to make another motion Mr. Mayor, that we adopt this ordinance to be put on the November ballot as a non-binding vote to get more information about what the public wants.

Councilperson Holub asked what would be accomplished by the City spending the money to do a non-binding vote. Councilperson Hampton advised he felt Council had heard many things from several people and stated he felt they were issues that needed addressed. There was a discussion in regard to the cost of the various ways the question could be placed on a ballot. Councilperson Pierce advised he did see merit in the non-binding vote in order to get the most amount of input from the citizens and businesses.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub nay, Youngers yea, Streets yea.

Motion declared carried.

Mayor Armstrong advised that it would go on the November ballot as a non-binding question. Mayor Armstrong stated staff would make sure the question was made available to the public as quickly as possible. Councilperson Youngers asked if Council had just approved the question and not the ordinance. Administrative Secretary Carla Mann advised the motion was to adopt the ordinance. Councilperson Crum asked if Council could go back and fix that. City Attorney Lee Parker advised it could be done by amending the motion or clarify that it was the intention to place the question on the ballot.

Motion by Hampton – Second by Pierce

I'll just make a motion to amend the motion that we just passed to have the question on the ballot as presented before us.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub nay, Youngers yea, Streets yea.

REGULAR COUNCIL MEETING

APRIL 10, 2006

PAGE 9

Motion declared carried.

Under Old Business Mayor Armstrong presented a Consideration of Memorandum from Haysville Planning Commission Re: Final Plat of Haysville School Addition to Haysville, Sedgwick County, Kansas (Tabled from 03-27-06).

Jeff Cartright, MKEC, Representative of the Schools, advised revisions had been made to the preliminary drainage plan and the majority of the storm water would be carried through underground pipe. Mayor Armstrong advised the plan had not been final approved and was only a preliminary drawing for the platting process. Professional Engineering Consultant Rod Young advised he understood there was an article in the local newspaper that stated he agreed with the school district engineer on the previous drainage plan and further advised that was not true. Mayor Armstrong requested the paper get that correct in the next issue. Councilperson Crum asked if Young had reviewed this. Young advised he had and it followed a standard drainage policy. Councilperson Hampton asked about the boundaries of the City limits on the map and other mistakes. Mayor Armstrong stated it was a preliminary plat and should be approved contingent upon final approval. Councilperson Pierce asked what the potential was for standing water. Young explained it was a concept drainage plan and it would taken care of with the final drainage plan and would be addressed during actual design.

Motion by Crum – Second by Wilkerson

If there's no other discussion, I'd like to make a motion that we accept the final plat of the Haysville School Addition to Haysville, Sedgwick County, as presented to us tonight and that would be subject to a final drainage plan.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval a Consideration of Memorandum from Haysville Planning Commission Re: Sign Regulation Revisions (Returned to Planning Commission 02-13-06).

Mayor Armstrong advised the Planning Commission had made the changes and had sent it back to Council for consideration. Planning/Community Relations Coordinator Angela Millspaugh explained the site triangle was added back into the ordinance. Millspaugh explained the other changes made to the ordinance. Councilperson Wilkerson asked if there was anything in the ordinance that addressed racing and beer signs. Millspaugh stated she would have to read back through the changes and the retail promotional would not apply but in the district regulations there were regulations what types of signs that could be placed. Councilperson Crum asked if there was any new input from businesses. Millspaugh advised some of the Planning Commission members spoke with some business owners and they were comfortable with what was being presented. Councilperson Youngers advised he would recommend Council pass the ordinance. Mayor Armstrong asked if that was a motion.

Motion by Youngers – Second by Hampton

I'll make that a motion that we pass the sign ordinance, this final draft that was presented to us.

REGULAR COUNCIL MEETING

APRIL 10, 2006

PAGE 10

Councilperson Holub advised he was concerned about the penalty for violating the sign ordinance. Mayor Armstrong advised the penalties were not to exceed the amounts. Councilperson Crum asked Planning/Community Relations Coordinator Angela Millspaugh to relate to the Planning Commission that Council recognizes they had worked hard on the ordinance and they appreciated the work they had done.

Hampton yea, Crum yea, Wilkerson yea, Pierce nay, Holub nay, Youngers yea, Streets yea.
Motion declared carried.

Mayor Armstrong asked for Department Head Reports.

City Clerk Carol McBeath had nothing to report.

Director of Governmental Services Carol Neugent had nothing to report.

Police Chief Mike McElroy introduced the attending officer, Animal Control Officer Brady Simmons.

Public Works Director Randy Dorner updated Council on 209 Trout where there was trash and debris throughout the yard and a letter had been sent where a court date would be set. Dorner advised they had done some of the cleanup in the front yard. Councilperson Crum asked about the business on Baughman. Dorner advised the Code Enforcement Officer Cale Topinka had met with the business owner and they had gone over the violations and they were taken care of.

Recreation Director Georgie Root advised pool rental reservations, swim lesson registrations and pool ticket books were on sale at the Activity Center. Root advised a membership drive would begin April 15, 2006 and a Red Cross babysitting clinic would be held May 4th and 5th.

Under Appointments Mayor Armstrong presented for approval the Appointment of Ms. Zoe Burgess, 230 Hemphill Re: Community Library Board of Trustees.

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion that we allow you to appoint Zoe Burgess, 230 Hemphill, to the Community Library Board of Trustees.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

Mayor Armstrong presented for approval the Appointment of Mr. Don R. Everett, 319 N. James, Re: Community Library Board of Trustees.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we allow you to appoint Mr. Don Everett, 319 N. James, to the Community Library Board of Trustees.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

APRIL 10, 2006

PAGE 11

Mayor Armstrong presented for approval the Appointment of City Clerk Carol McBeath.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we allow you to appoint our City Clerk, Carol McBeath. Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea. Motion declared carried.

Mayor Armstrong presented for approval the Appointment of Director of Governmental Services Carol Neugent.

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion that we allow you to appoint the Director of Governmental Services Carol Neugent. Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea. Motion declared carried.

Mayor Armstrong presented for approval the Appointment of Police Chief Mike McElroy.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we allow you to appoint Police Chief Mike McElroy. Hampton nay, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea. Motion declared carried.

Mayor Armstrong presented for approval the Appointment of Public Works Director Randy Dorner.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we allow you to appoint Public Works Director Randy Dorner. Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea. Motion declared carried.

Mayor Armstrong asked for Off Agenda Citizens to be Heard.

There were none.

Mayor Armstrong asked for a motion to go into Executive Session for twenty minutes for Attorney/Client Privilege to include Director of Governmental Services Carol Neugent, Public Works Director Randy Dorner, City Attorney Lee Parker and Professional Engineering Consultant Rod Young.

Motion by Hampton – Second by Pierce

I'll make a motion that we have an Executive Session not to exceed twenty minutes for Attorney/Client Privilege to include Governmental Services, Public Works Director, City Attorney and City Engineer. Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

REGULAR COUNCIL MEETING

APRIL 10, 2006

PAGE 12

Motion declared carried.

Council went into Executive Session at 8:37 p.m.

Council returned from Executive Session at 8:57 p.m.

Mayor Armstrong called the meeting back to order and advised there was no binding action taken in Executive Session.

Mayor Armstrong presented for approval the Bills to be Paid for the First Half of April.

Councilperson Hampton asked if the company that performed the ergonomic survey had come up with suggestions. Director of Governmental Services Carol Neugent advised they had come up with suggestions for each work station employee which ranged from chairs, keyboards, adjusting heights, etc. and staff was in the process of implementing the recommendations.

Motion by Hampton – Second by Pierce

I'll go ahead and make a motion that we go ahead and pay the bills for the first half April 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

Mayor Armstrong asked for Council Concerns.

Councilperson Hampton advised he wanted the School Board to know the combined meeting had gone well.

Councilperson Wilkerson asked about the hours for the recycling center at Public Works. Public Works Director Randy Dorner explained the hours. Wilkerson advised three people had contacted him in regard to the re-broadcast of the Council Meeting appearing fuzzy on Channel 7. Multimedia Specialist Sean Conley advised the televisions at City Hall did not show those types of problems but he would check further as the meeting was being taped at home by another employee.

Councilperson Youngers advised his neighborhood was still having problems with motorcycles and four wheelers in the Pear Tree Addition. Police Chief Mike McElroy advised they would continue to check into it. Youngers advised there was a group putting together a petition in regard to the undeveloped property in the area of Kay Street. Police Chief Mike McElroy advised a letter had been sent concerning the high grass and weeds.

Councilperson Streets advised the Haysville Street Rod Association and the Campus Car Show would be having a car show at Campus at the same time as the Expo on Saturday, April 22, 2006.

Mayor Armstrong asked for a motion to adjourn.

REGULAR COUNCIL MEETING

APRIL 10, 2006

PAGE 13

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I move we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Streets yea.

Motion declared carried.

The Regular Council Meeting adjourned at 9:07 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:00 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was called by Recording Secretary Pam Robbins: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, and Youngers here. Councilperson Patricia Ewert and Councilperson Michael Streets were absent.

Invocation was given by Reverend Tim Leaf, Resurrection Lutheran Church.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Bruce Armstrong presented Recognition of Award for Waste Water Supervisor Dave Harper.

Mayor Bruce Armstrong gave a brief summary of Dave Harper's progress as an employee for the City of Haysville. Armstrong advised that on April 12, 2006 the Kansas Water and Environmental Association awarded Harper the William D. Hatfield award, which recognized outstanding sewer treatment plant operators throughout the world. Armstrong explained that Haysville's new Waste Water Treatment Plant had never been out of compliance with the State's regulations. Armstrong congratulated Harper.

Mayor Bruce Armstrong presented County Commissioner Tim Norton Re: Sedgwick County Update and Beautification Project.

County Commissioner Tim Norton addressed Council and stated he tried to give the Council an update about every 6 months on what was happening in the County that included Haysville and the south side area. Norton told Council the County planned on cold mixing two miles of 87th Street this year. Norton advised the cold mix cost about \$60,000.00 per mile compared to \$600,000.00 for hot mix. Norton said the project would only last up to seven years but as the City took over streets, they could tear out the mix and put in hot asphalt. Norton advised the County needed to do some right-of-way acquisitions and change out some culvert piping for the project. Norton told Council the County was working on the Cowskin Creek clean up. Norton explained the County had encumbered about \$2,000,000.00 to pull water out of south Haysville and part of the south County and push it towards the Cowskin Creek to another area. Norton advised some property owners did not want their farm land disturbed and did not want the project done and he did not want to spend that kind of money and have people upset with him. Norton stated the County elected to put the money into cleaning up the Cowskin Creek another way. Norton said the County had sent crews in to work on right-of-way issues starting at the Sumner County Line and presently they were at 95th Street working towards Haysville. Norton said there will be a time when the County would offer to come into Haysville to help clean up the Cowskin in that area and stated the County had no jurisdiction in Haysville. Norton advised the Council they could be thinking about the offer. Norton said the County had cleaned out the area without destroying property or trees and had unobstructed the Cowskin Creek and solved drainage problems and other problems. Norton advised the County had found over twelve hundred tires on one property, which was an environmental issue because the oil had leaked into the water. Norton advised the County cleaned out the area at their expense and made it look

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 2

better. Norton said the County was moving up to 95th Street, which was not that far from Haysville and urged the City to have conversations about what they would like the County to do. Norton reported the railroad project had been done under the budget and had been recognized as one of the best Public Works projects in the State of Kansas and because of that award, they would be nominated for the National Award. Norton told Council that Haysville should be very proud because they had a big part in making that happen. Norton reported the County would continue to work on the drainage at 71st Street and Hydraulic and they were waiting to see what would happen when the spring rains came. Norton asked if any of the homeowners complained about the issue to let him know so the problem could be taken care of. Norton advised that K.D.O.T. would be changing out the bridge on Highway 81 north of Waco between 87th Street and 95th Street and stated the traffic would have to be re-routed to Hydraulic around the construction. Norton reported on the widening of Meridian, which would probably not be constructed until 2008 due to federal funding from the State. Norton talked about the need to build another jail due to the overcrowding of the current jail facility. Norton explained the current jail had been built to hold one thousand forty-eight prisoners and there were approximately one thousand five-hundred housed now. Norton said the County was also looking into mental health and drug programs that would keep citizens out of the system but that was a three to four year process and would be expensive. Norton talked about the Technical Training Facility for maintaining quality employees for the aviation industry in Wichita. Norton informed everyone that in order to do the project, they may have to raise taxes and he wanted to be up front about it. Norton invited everyone to come and volunteer to work Saturday, April 29, 2006 from 8:00 a.m. to 1:00 p.m. on the Haysville Center Core Beautification Project at the corner of Main Street and Grand Avenue. Norton stated they were taking donations from individuals or businesses to help complete the project. Norton said he was interested in the Senior Center project and was willing to participate in that project.

Mayor Bruce Armstrong presented the National Volunteer Week Proclamation.

Mayor Bruce Armstrong read the Proclamation and told everyone that April 23rd to April 29th would be the national volunteer week. Armstrong introduced Senior Center Director Cindy Taylor. Taylor thanked the Council for giving her the opportunity to recognize publicly the volunteers and reported the theme for this year's National Volunteer Week was "Inspire by Example." Taylor reported there would be a Senior Volunteer Appreciation Reception on Tuesday, April 25, 2006 at 6:30 p.m. at the Senior Center to honor all the Seniors and thank them for their service to the Senior Center and the community. Taylor said the volunteers were very instrumental in the success of the many programs, such as the Red Cross Good Neighbor Nutrition Program, the Commodities Program, the Haysville Senior Center Food Bank, the holiday food baskets, and the free bread program. Taylor stated the volunteers assist in many duties and read a list of some of the things they do. Taylor recognized fifty-six Seniors for all their help and also thanked City Clerk Carol McBeath for her support and advice. Elmer Coates thanked Taylor for all her hard work at the Senior Center.

Mayor Bruce Armstrong presented the National Preservation Month Proclamation.

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 3

Mayor Bruce Armstrong read the Proclamation and declared May 2006 as National Historic Preservation Month.

Mayor Bruce Armstrong presented 402 N. Marlen Ct., Jonas Brock Re: Nuisance Abatement Violation.

Code Enforcement Officer Cale Topinka addressed the Council and stated he had spoken to Jonas Brock earlier that day. Topinka advised that Brock had made some improvements to the property and said that Brock was present to speak to the Council.

Jonas Brock, 402 N. Marlen Ct. addressed Council and requested thirty days to clean up the nuisance violations. Brock explained that he was in the process of taking care of the problem. Brock advised that he was moving things to storage and would get the vehicles insured and tagged. Brock informed Council he had purchased the house from his brother, who is in the military and stationed in Germany, and all the things were left behind. Brock told Council he would not ask for an extension and just needed thirty days to take care of the issue.

Mayor Bruce Armstrong asked if anyone in the audience would like to speak to Council about the issue since it was a public hearing.

Gary White, 6410 S. Osage addressed Council and explained he had nuisance abatement violations and had been to the Haysville Court over the matter. White stated Jonas Brock's violations were enclosed behind a fence. White said he would like to get the definition of "enclosure" and what it pertained to. White asked if personal opinion was a Haysville law on a nuisance abatement. Mayor Bruce Armstrong advised White that was not what was being discussed at that time at the Council meeting. White told Council that Brock was behind a privacy fence and under the law dictionary a privacy fence was an enclosure and if he had the abatements behind a privacy fence, there should not be a problem. White said he had a problem because of a garage. Armstrong stated again that was not what was being discussed and White could be given a definition of enclosure at a later date. White stated according to the nuisance law, a privacy fence was "good to go." Brock told Council again that he was requesting thirty days to take care of the problem.

Motion by Crum – Second by Wilkerson

I would like to make a motion that we go ahead and table this until the second meeting in May so that he can have a chance to clean it up.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Minutes of April 10, 2006.

Motion by Crum – Second by Wilkerson

Mr. Mayor, if there are no corrections, I move that we approve the Minutes of April 10, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

Motion declared carried.

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 4

There were no Citizens to be Heard on the Agenda.

There were no Licenses and Bonds to be approved on the Agenda.

Under Introduction of Ordinances and Resolutions Mayor Bruce Armstrong presented for approval AN ORDINANCE CONCERNING THE AMENDMENT OF CHAPTER 5, ARTICLE 7, OF THE CITY CODE OF HAYSVILLE, KANSAS, IN CONNECTION WITH MODIFYING THE ADULT ENTERTAINMENT ESTABLISHMENT AND ADULT HOTELS REGULATIONS TO INCLUDE ESCORT SERVICES, ALL WITHIN THE CITY OF HAYSVILLE SEDGWICK COUNTY, KANSAS.

Mayor Bruce Armstrong explained this was an Ordinance to go along with a lot of the problems other cities were having, and to make sure we had control within our City. Armstrong stated that type of language had not been in the City's Ordinance and it was something needed to make sure they did not end up with that type of establishment. Councilperson Keith Pierce asked if there had been any active action or if anyone had been interested in doing that. Armstrong stated nobody had inquired about an establishment but they wanted to make sure it did not happen.

Motion by Crum – Second by Hampton

I make a motion that we approve AN ORDINANCE CONCERNING THE AMENDMENT OF CHAPTER 5, ARTICLE 7, OF THE CITY OF HAYSVILLE, KANSAS, IN CONNECTION WITH MODIFYING THE ADULT ENTERTAINMENT ESTABLISHMENT AND ADULT HOTELS REGULATIONS TO INCLUDE ESCORT SERVICES, ALL WITHIN THE CITY OF HAYSVILLE SEDGWICK, COUNTY, KANSAS.

Councilperson Keith Pierce said he had noticed where the distance in the Ordinance had been changed from five hundred feet to one thousand feet. Pierce wanted to know if there were any areas in the City that would pertain to. City Attorney Alison McKenny Brown responded that the distance had come from the Haysville Planning Commission and she wrote that in the Ordinance in compliance to their request. Pierce asked how much the Planning Commission had been involved with the Ordinance. Brown advised the request she had made had been directly from the Planning Commission but apparently the request had been made before she had been appointed as the City's Attorney. Director of Governmental Services Carol Neugent told Council the request had originated with the Board of Zoning Appeals that had had some questions come before them. Neugent said the Board of Zoning Appeals had sent the matter on to the Planning Commission for their consideration.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval AN ORDINANCE CONCERNING THE AMENDMENT OF CHAPTER 17, ARTICLE 3, OF THE CITY OF HAYSVILLE, KANSAS, MODIFYING THE SIGN PERMIT FEES AND OF THE CITY OF HAYSVILLE, SEDGWICK COUNTY, KANSAS.

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 5

Mayor Bruce Armstrong informed Council this Ordinance came after the approval of the Sign Ordinance at the last Council meeting. Armstrong advised the Ordinance would set the fees for the Sign Ordinance.

Motion by Hampton – Second by Crum

I will make a motion that we pass AN ORDINANCE CONCERNING THE AMENDMENT OF CHAPTER 17, ARTICLE 3, OF THE CITY OF HAYSVILLE, KANSAS, MODIFYING THE SIGN PERMIT FEES AND OF THE CITY OF HAYSVILLE, SEDGWICK COUNTY, KANSAS.

Hampton yea, Crum yea, Wilkerson yea, Pierce nay, Holub nay, and Youngers yea.

Motion declared carried.

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

Mayor Bruce Armstrong presented the Governmental Services Activity Report for February and March.

Councilperson Joe Holub asked about the quality of the re-broadcast of the Council meetings. Director of Governmental Services Carol Neugent advised there would be a report given by Sean Conley during the Department Head Reports section of the Agenda. Councilperson Steven Crum asked if the weather site from Public Works could be hooked into the Channel 7 Broadcast. Crum said it would be a good idea to have an update of the weather on the screen every few minutes.

Mayor Bruce Armstrong presented the Police Department Activity Report for March.

Councilperson Ken Hampton asked how the new “dog truck” was coming along. Police Chief Mike McElroy reported the animal control vehicle had the bed placed on it and it was currently at the paint shop.

Mayor Bruce Armstrong asked for Governing Body Announcements.

Councilperson Steven Crum reported the Tree City Award had been presented to the City of Haysville and informed everyone that it was the sixth year in a row they had received the award. Crum stated the Tree Board would be planting another tree on May 3rd at 4:30 p.m. at Plagens-Carpenter baseball field by the ticket booth. Crum asked about letting the County know the City would like them to come into Haysville and do the clean up on the Cowskin Creek. Mayor Bruce Armstrong advised he had told County Commissioner Tim Norton the City did want the clean up but they needed to refine it more.

Councilperson Keith Pierce reported the Optimist Club would be doing a car seat check on May 6th from 9:00 a.m. to 1:00 p.m. in Homeland’s parking lot. Pierce informed everyone the City Wide Clean Up would be held on Saturday, June 3rd for the West side of the City and Saturday, June 10th for the East side of the City.

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 6

Councilperson Bill Youngers reported the Historic District Committee would be sponsoring the first Village Spring Festival on Saturday, May 20th from 10:00 a.m. to 2:00 p.m. and invited everyone to come out and participate. Youngers stated the event would be similar to a carnival with churches and businesses operating booths with activities for children.

Community Development Director Larry Powell reported on the Community Expo that had been held the past weekend. Powell thanked all the volunteers that came out to work. Powell informed Council the event raised money for the Haysville Forward, Inc. Committee for funds to be used in the community. Powell reported there were approximately four hundred and fifty to five hundred people who attended the Expo. Powell said there were lots of great prizes that were given away and the people who won something would be notified. Powell said the motorcycle show was a first for the area and there were about fifteen entries to which eleven plaques were awarded. Powell stated it had been reported to him that about one hundred-fifty people attended the motorcycle show. Powell said he would be sending out information to the newspaper to print.

Mayor Bruce Armstrong reported to everyone the sale of the property to the Warren Family had closed and they would be building just north of the Dollar General Store.

Mayor Bruce Armstrong presented the Resignation of Administrative Secretary Carla Mann.

Mayor Bruce Armstrong told the Council that Carla Mann had worked for the City for nearly eight years and the City did not like to see long term employees leave. Armstrong stated they would have to accept her resignation but she would be missed. Councilperson Joe Holub commented that Mann's resignation had been very well written and was complimentary to City Clerk Carol McBeath, Assistant City Clerk/Finance Director Beverly Rodgers, and Mayor Bruce Armstrong. Holub said he had known Mann since she was in school with his daughter in Junior High School and said he wished her the best.

Under Other Business Mayor Bruce Armstrong presented the Consideration of Approval of Memorandum from Planning and Community Relations Coordinator Angela Millspaugh Re: Request to Place Portable Sign on Public Property – Haysville Masonic Lodge.

Planning and Community Relations Coordinator Angela Millspaugh reported the Masonic Lodge had requested to put up a portable sign for their annual breakfast. Millspaugh advised it had been monitored and they took the sign down as soon as their breakfast was over. Millspaugh stated the Masonic Lodge helped promote the Historic District events and let them use their sign in the past.

Motion by Crum – Second by Hampton

Mr. Mayor, I would like to make a motion that we approve the Memorandum from Planning and Community Relations Coordinator Angela Millspaugh for a request to place portable signs on public property for the Haysville Masonic Lodge as long as they follow the agreement that they went over with Angie for 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 7

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Pay Request No. 3 to Kansas Paving Re: South Brooke Addition Phase 4 – Street and Drainage Improvements (PEC Project No. 35-04493-1263).

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we pay the request for Kansas Paving for South Brooke Addition Phase 4 Street and Drainage Improvements, PEC Project No. 35-04493-1263 in the amount of \$100,438.70.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consideration of Refund for Certain License Fees.

Mayor Bruce Armstrong advised Council there was nothing in their packets pertaining to the item. Armstrong stated the issue had previously been discussed at Council and it pertained to the bingo fees in the City. Councilperson Ken Hampton asked if the City Attorney could tell him for clarification what the statute of limitations would be for the return. City Attorney Alison McKenney Brown advised the statute of limitations would be three years, which had been set by the Kansas Supreme Court. Hampton wanted to know if that meant three years from last January. Brown said that meant three years total, which would be the last three payment periods. Councilperson Rob Wilkerson asked how much the refund would be. Armstrong told Council he did not have the dollar amount but it would be what ever the fee had been. Councilperson Steven Crum stated that a few months ago somebody from the bingo parlor had mentioned the City's license fees were not fair and he did some checking and it had been determined it was an Ordinance they had some problems with and they did away with that Ordinance. Crum stated they decided to refund some money due to the statute of limitations of three years.

Motion by Crum – Second by Hampton

I make a motion that we would refund any bingo parlor license fees over the past three years and anybody who had owned a bingo parlor here in town would need to come to the City Building and contact us and we would be happy to refund their money going back three years.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of City of Haysville, Kansas request for Proposals for Solid Waste and Recyclable Curbside Collection.

Mayor Bruce Armstrong reminded Council that several months ago they had a workshop to put together a R.F.P. Armstrong advised the committee had changed since then and it was back on the Agenda to determine if they want to continue with the issue. Armstrong informed everyone that Councilperson Steven Crum was the only remaining member on the committee so if anyone had questions; they would need to ask him or the City Attorney. Crum advised the matter had been brought about by a non binding vote two years ago. Crum said the citizens were interested

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 8

to see how much it would cost them and if there would not be a substantial savings, the Council would drop the issue. City Attorney Alison McKenney Brown advised the Mayor she found a typographical error in the document. Brown said the date should be corrected to August 2006 pertaining to the final selection date of an applicant by the City of Haysville. Councilperson Ken Hampton asked about the requirement to purchase new ninety-six gallon sealable containers in the proposal for bids. Hampton asked if the trash company would have to purchase new containers if they already had containers. Councilperson Steven Crum advised they could take out the word "new" in the proposal as long as they had sealable, water tight and wheeled containers. Hampton asked about section D pertaining to the time of 7:00 a.m. to 4:00 p.m. that the trash could be picked up. Hampton said he thought the times were 6:00 a.m. to 8:00 p.m. and also on Saturdays. Hampton did not feel that Saturday should be eliminated due to putting a bind on smaller trash companies. Crum stated they did not want trash trucks running late at night, especially during the winter. Crum and Hampton agreed to a time of 6:00 a.m. to 6:00 p.m. and on Saturdays. Councilperson Bill Youngers advised that Saturday trash pick up was due to holidays and he would like to have that stay the same. Councilperson Joe Holub asked if section E would be voluntary to recycle. Crum reported it would be voluntary. Holub also wanted to know what plastics 1 and 2 were. Crum advised that had to do with the thickness or colors of the plastics. Brown informed Council that the numbers went from 1 to 8 and were listed on the bottom of a plastic container. Brown reported the numbers were put on there by the manufacturers pertaining to the thickness or weight of the plastic used. Councilperson Keith Pierce stated he agreed with Hampton about the hours. Pierce advised they needed to pick a final date for a time frame for bids. Crum asked if all the applicants could be denied if the City did not want to use that company for some reason. Armstrong advised the word "may" needed to be added to the proposal and the word "will" needed to be taken out of the proposal to give it a different definition.

Motion by Pierce – Second by Crum

I move that we take the next step with this and approve this as corrected to be sent out for response.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consideration of Approval for Latchkey Fees.

Councilperson Bill Youngers asked Recreation Director Georgie Root asked if the price would be an increase from last year. Root informed Council there had not been an increase since 2003. Councilperson Keith Pierce said he wanted to know why there was an increase. Root reported the cost of snacks and the price of gas kept rising so they were trying to adjust the fees for that.

Motion by Pierce – Second by Holub

I will go ahead and make the motion that we approve the increase in Latchkey fees as suggested here by Georgie.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

Motion declared carried.

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 9

Mayor Bruce Armstrong presented the Presentation of Information Re: Haysville Junior Baseball League.

Mayor Bruce Armstrong told Council they had a contract before them that was the same one used in the past with the addition of bylaws, having someone to attend their meetings, and a plan to take care of the complaints. Armstrong advised the Council had approved the contract last year and went ahead and allowed them to play without ever having any of the requirements asked for. Armstrong advised Kevin Groom had responded and wanted the Council to be aware of the issue and asked what the Council wanted to do about the matter. Councilperson Steven Crum said by his understanding, the league did not agree to what the City had asked for when it was in the contract that had been signed for several years. Armstrong advised the City had received calls asking where the money had gone and wanted to know who was running the organization. Armstrong said the City had tried to work with the organization and the City was being blamed for letting things happen. Armstrong advised that was why the City was trying to strengthen the contract and he did not think they were asking for something out of line. Armstrong told Council that if there was nothing to hide, he did not know why the league would not show the City their figures and a copy of their bylaws. Armstrong said he would like to see the league play in Haysville if they would provide what was asked for in the contract. Councilperson Bill Youngers said it was unfortunate when Haysville children could not use their own ball fields but there had been a lot of comments and problems or suspected problems with HJBL. Youngers said he could recall the damage that had been done to the ball fields and it cost the City a considerable amount of money in order to get them repaired. Youngers stated he would not want to approve the contract without the league complying with it. Youngers said the HJBL had slipped through the contract before and the City should not allow them to continue doing that. Councilperson Joe Holub asked how long Groom had been the speaker for the group. Armstrong said it had been twenty or twenty-one years. Holub asked if Groom was aware of the past contract. Armstrong stated Groom had been aware of the contracts. Director of Governmental Services Carol Neugent advised Groom had been in charge of the HJBL since the City had done the contracts. Councilperson Ken Hampton said he agreed with Youngers that if the City did approve the contract between the City and the HJBL, it would have to be the contract they set forth with the HJBL showing the City their financial papers. Hampton asked if they needed a motion to approve the contract. Armstrong advised the league started playing in May and the Council could wait until then to put the item back on the Council Agenda but he did not see anything changing by then. Armstrong told Council they could approve the contract so they could go ahead and move forward with the process. Councilperson Keith Pierce asked if the HJBL was a one person board or if there was a treasurer, secretary, or if there was any structure to the organization. Armstrong said the City had asked that question and had been told there was a board but he did not know who the board members were. Crum asked if the HJBL would need to follow through on last year's contract before the Council approved the new one. Armstrong said the new contract stated the HJBL would have to provide last year's and this year's financial papers. Holub asked if Groom should be given an opportunity to appear before Council and state his issues. Armstrong advised Groom stated clearly in his email what his intentions were. Holub told the Mayor he had answered Groom's email and told him to respond to the Mayor if he had any problems. Youngers asked for clarification that if the Council approved the contract that evening, the HJBL could accept it or not. Armstrong told Council

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 10

they could approve the contract that evening or they did not have to do anything with it. Armstrong said the HJBL chose not to accept the contract. Crum said he thought it would be a positive move for the Council to approve the contract because they did not know if Groom was speaking for himself or the board, if there was a board. Crum stated if the HBJL had a board, they might want to approve the contract even though Groom did not want to. Crum advised if the HJBL had been run like it should be, there should be a board that could vote. Crum stated Groom could be on that board but he would only be one vote on it. Crum said one person should not be able to hold up a board from approving a contract and they should let the board have the opportunity to pass the contract. Armstrong advised there was a time frame so people could reserve the ball fields to play on. Armstrong asked Recreation Director Georgie Root what the deadline would be to sign up for the ball fields. Root advised the deadline would be Friday, April 28, 2006. Councilperson Rob Wilkerson commented that Groom had been signing the contract for twenty years and he thought the Council should go ahead and make him abide by the contract and not hold up the Haysville Activity Center. Wilkerson stated in his opinion that if Groom had a board, they would have come forward by then.

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion that we approve the contract with Haysville Junior Baseball League, contingent on them meeting all the requests and all the things they need to keep up their end of the contract by this Friday, which is April 28th.

Councilperson Keith Pierce advised that would not be changing the Council's position but giving the HJBL a deadline. Hampton asked if the financial papers had to be given to the City by Friday or if they just had to be turned in soon. Armstrong advised the City had tried that the last time and it did not work. Hampton commented the City needed the paperwork by that Friday.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consideration of Approval of Interlocal Agreement by and Between Sedgwick County, Kansas, City of Haysville, Kansas and USD #261.

Community Development Director Larry Powell told Council there was a typo in the agreement. Powell advised that City should replace the word County when the agreement talked about who shall administer the neighborhood revitalization. Powell stated he had documents with the correction added if the Council would like one.

Motion by Wilkerson – Second by Crum

Mr. Mayor, I make a motion that we that we accept the Consideration of Approval of Interlocal Agreement and Between Sedgwick County, Kansas , City of Haysville, Kansas and USD #261.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

Motion declared carried.

There was nothing under Old Business on the Agenda.

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 11

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath had nothing to report.

Director of Governmental Services Carol Neugent asked Media Specialist Sean Conley to address Council about the Channel 7 Broadcast. Neugent advised Council an employee had recorded the broadcast so Conley would know exactly what the public saw when they watched any of the meetings so he could come up with some solutions. Conley addressed the Council and explained the equipment the City had been using was on special surge protectors in case the power might go out. Conley advised the system had a battery back up and that part of the equipment would shut off or flicker when nobody had been present. Conley said he had replaced the surge protector and battery back up that week with a different model. Conley explained the equipment was out dated and inconsistent and caused numerous problems. Councilperson Steven Crum asked the citizens at home that were having problems with the broadcast to please call Conley and let him know what was wrong so he would be able to fix the problem. Councilperson Joe Holub asked if the equipment needed to be replaced. Conley advised the equipment was very out dated and advised it needed to be replaced. Councilperson Rob Wilkerson asked how much the new equipment would cost. Conley reported the new equipment would start at \$5,000.00 and go up from there.

Police Chief Mike McElroy introduced Police Officer Mark Mullin.

Public Works Director Randal Dorner reported on nuisance problems and explained the progress of the properties on Trout, 700 Alexander, and 340 Hillcrest. Dorner also announced that on Saturday, May 20, 2006 the City would be holding a hazardous waste collection site at the Haysville Activity Center from 9:00 a.m. to 1:00 p.m.

Recreation Director Georgie Root reported the Summer Brochures for activities were available and there were several new Middle School programs that would be starting. Root said if anyone was interested they could call the Haysville Activity Center and someone could mail out a schedule to them. Root told everyone that the Summer Elements enrollment would begin on May 1, 2006. Root said the summer camp program would run for eleven weeks beginning Tuesday, May 30, 2006.

There were no Appointments on the Agenda.

Mayor Bruce Armstrong reported there were still openings for the Planning Commission and the Park Board if anyone would like to volunteer for those vacant seats.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

Mayor Bruce Armstrong told Council he had a speaker's card from **Gary White, 6410 S. Osage** to address Council about Nuisance Abatement laws but White was not present at that time. Armstrong advised that if White returned to the meeting before it adjourned he would be allowed

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 12

to speak before the Council. Armstrong asked if there were any other citizens that would like to speak to the Council that evening. There were none.

Mayor Bruce Armstrong advised there was no Executive Session scheduled on the Agenda.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the Last Half of April.

Councilperson Keith Pierce asked if the furniture on page 5 was for the Vickers Building. Mayor Bruce Armstrong said that was correct.

Motion by Hampton – Second by Pierce

I make a motion that we pay the bills for the last half of April 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

Motion declared carried.

Mayor Bruce Armstrong presented all the items on the Consent Agenda.

Motion by Pierce – Second by Hampton

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

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

Motion declared carried.

Mayor Bruce Armstrong asked for any Council Concerns.

Councilperson Bill Youngers told Public Works Director Randal Dorner that one of the volunteers at the Senior Center had requested a new rope for the flag pole. Youngers reported the Senior Center would be getting a new flag from the Optimist Club. Youngers stated he had noticed a lot of Ordinances had not been enforced and it was causing problems. Youngers said he drove around the neighborhoods and saw storage sheds that were sitting within the easements. Youngers said he did not see anything wrong with that if the citizens were aware they might have to move the storage sheds. Youngers suggested the Ordinance be re-written to allow portable sheds and buildings of limited size to be placed in the easements so that the ones that existed could be brought into compliance. Youngers suggested the City look into the matter.

Councilperson Joe Holub addressed Public Works Director Randal Dorner and advised something needed to be done about the waste the geese and ducks have left in Riggs Park. Holub said the population of the fowl needed to be controlled. Mayor Bruce Armstrong asked Dorner to check with Kansas Game and Wild Life to see what they recommended doing about the problem. Dorner said he would do that.

Councilperson Keith Pierce asked about the progress of the Capital Improvements Plan. Pierce asked if it was scheduled to come back to Council. Mayor Bruce Armstrong told Pierce the paperwork was on his desk and would come back before Council. Pierce asked about the reconsideration and adjustments to the Nuisance Ordinances. Armstrong stated that paperwork was also on his desk and would come back to Council. Pierce asked about the zoning change the

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 13

Council had approved in the past for a car remodeling business on Broadway by Orchard Acres. Pierce wanted to know if it still was the intent of the property owner to build his business there. Armstrong advised the building had not been built and he had not had any contact with the owner of the property. Public Works Director Randal Dorner told Council a contractor had contacted him to check on the codes for the building design. Pierce asked when it would be scheduled to see the re-write of the Ordinance for trash containers. Mayor Bruce Armstrong advised that Ordinance would probably be discussed at the next Council meeting.

Councilperson Steven Crum asked Recreation Director Georgie Root about the family season passes for the pool being available only to the citizens who had a current annual membership at the Haysville Activity Center. Crum wanted to know what the cost of a family pool pass was last year. Root reported last year it cost \$110.00. Crum wanted to know what a family membership to the Haysville Activity Center was. Root advised a family membership to the Haysville Activity Center would be \$185.00 this year and it was an incentive to the citizens to become a member and receive a family pool pass. Root explained all other citizens could purchase coupon books or pay daily passes. Crum wanted to know about citizens who continually violated the City codes and asked what could be done about it to keep our Code Enforcement Officer from having to keep contacting them to correct the same problems. Crum said there was a citizen who parked in his yard and when the Code Enforcement Officer drove by, the vehicle was moved immediately. Crum asked if tickets and fines could be given out in order to stop the citizen from doing that. City Attorney Alison McKenney Brown reported the City did not have to give citizens any chances to correct violations. Brown advised citizens could be cited on their first offense of a violation, but that typically was not done. Brown advised the court policy was the City usually did not cite someone for their first offense as they felt it was from the lack of knowledge. Brown explained the second offense for the same violation would be for the City to go ahead with prosecution.

Councilperson Ken Hampton talked about Commissioner Norton obtaining donations for the Main Street Park that had not been finished yet. Hampton asked Community Development Director Larry Powell if the 501C3 foundation for tax exempt status could be implemented for people to donate for projects such as that. Powell explained the plans to separate those types of donated funds from the Haysville Forward, Inc. funds so they could be controlled and the money would be used for what it was designated. Powell advised citizens could donate to the City and receive an exemption. Hampton asked who citizens could contact for that information. Mayor Bruce Armstrong advised citizens could contact City Clerk Carol McBeath. Hampton asked Public Works Director Randal Dorner about shared equipment with different cities as circumstances arose. Hampton asked if the City needed to have something in writing for approval to do that. Hampton wanted to know if the City was staying within the law by sharing equipment. Dorner explained the City called Derby for a backup if a major problem occurred and vice versa. City Attorney Alison McKenney Brown explained the reason the City had an interlocal agreement was to assure there was equipment available when needed. Brown advised the informal agreement the City had was perfectly legal. Brown stated there were state mandated requirements for jurisdiction issues and interlocal agreements allowed the City to comply with that.

REGULAR COUNCIL MEETING

APRIL 24, 2006

PAGE 14

Mayor Bruce Armstrong stated **Kevin Groom** was in attendance at the Council meeting at that time and asked if he wanted to speak to Council concerning the Haysville Junior Baseball League Contract. Groom addressed Council and said he did not think the terms in the contract were good and he thought it was a way for the City to micro manage the HJBL. Groom said he did not know what the interest was of the City for the HJBL organization. Groom wanted to know if the City wanted to take over the league or start their own league to collect votes. Groom said he did not see that as a good interest and said the HJBL had nothing going on that year that they would need the complex for. Groom said the HJBL had thought they would need to use the City's complex but with the terms of the contract Groom advised they would seek other places to play their games. Armstrong told Groom he had answered what the Council needed to know.

Mayor Bruce Armstrong asked for adjournment.

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I would like to make a motion that we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, and Youngers yea.

Motion declared carried.

The Regular Council meeting adjourned at 8:55 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:00 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was called by Recording Secretary Pam Robbins: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, and Streets here.

Invocation was given by Reverend Paul Greene, First Assembly of God.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Mayor Bruce Armstrong presented for approval the Minutes of April 24, 2006.

Motion by Crum – Second by Hampton

Mr. Mayor, if there is no discussion, I make a motion that we approve the Minutes of April 24, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert abstain, and Streets abstain.

Motion declared carried.

There were no Citizens to be Heard on the Agenda.

There were no Licenses and Bonds to be approved on the Agenda.

Mayor Bruce Armstrong presented for approval AN ORDINANCE CONCERNING AN AMENDMENT OF CHAPTER SEVEN, ARTICLE TWO OF THE HAYSVILLE MUNICIPAL CODE GOVERNING RULES AND REGULATIONS APPLICABLE TO SOLID WASTE STORAGE AND COLLECTION. (Tabled from 03-27-06 and 04-10-06)

Mayor Bruce Armstrong reminded the Council they had looked at this Ordinance several times and it had been revised considerably from Council's suggestions. Armstrong stated the Ordinance was now before the Council for discussion to see what they would like to do with it. Councilperson Keith Pierce had a concern there was a conflict with the Ordinance. Pierce told everyone that the old Ordinance Section 7-202 stated "the owner or occupant of such dwelling shall not place or store any style of waste container on any location in front of the building." Pierce said he understood that 7-202 A was an addition and therefore 7-202 would not be changed. Pierce advised that 7-202 A stated that containers shall be stored in a front yard at a distance of more than 6 feet from the front of the house. Pierce recalled that when Councilperson Steven Crum had talked about that issue, the 6 feet would be an area that could extend beyond the front of the house and he felt that would be in conflict. City Attorney Lee Parker advised he did not do the original Ordinance but he did work on the Amendment. Parker told Council he could go back and look at 7-202 and take out the language talking about the front of the house that would make it a conflict. Crum advised he had older citizens that had contacted him about the matter and they had kept their carts by their garages, which would be in front of their house. Crum advised the City needed an Ordinance that could be enforced that would make the town look nice but would enable people to move their trash around. Pierce advised the requirements prohibited citizens from keeping their trash containers left at the curb.

REGULAR COUNCIL MEETING

MAY 8, 2006

PAGE 2

Councilperson Ken Hampton asked about the commercial containers needing to be on a hard surface pad. Hampton wanted to know if that meant concrete or rocks. Parker said he drafted the Ordinance and the hard surface pad would mean all weather. Hampton wanted to know about the site plan having to be submitted to the City for review prior to the construction installation of any screening or surface pad. Hampton asked if those requirements were new. Parker advised that part was new in the Ordinance pertaining to the surface pad and explained that in the original draft he had worked off of, it noted a site plan would have to be submitted prior to any screening. Parker said if he remembered the conversation correctly, the idea was if there would be a situation to do an inspection on, there would be no inspection fee. Parker said the reason he put that in the draft was so there would be a permit site plan issued so the City would know what was being done to do an inspection on. Mayor Bruce Armstrong advised that was to make sure there was nothing in any easements. Crum said that most of the Council had felt comfortable about waiving the fence fees for businesses and wanted to know if that would need to be put in the Ordinance. Crum stated he did not expect the businesses to come into compliance immediately when the Ordinance was published. Crum said he thought that maybe somewhere around August 1, 2006 would be a deadline date and wanted to know if that needed to be made into a motion. Mayor Bruce Armstrong advised a starting date could be added to the Ordinance. Parker said he could put that start date in the Ordinance when he changed the language for section 7-202. Crum asked about the waiving of the fence fee. Director of Governmental Services Carol Neugent told Council that Public Works Director Randal Dorner could clarify how things were done now. Dorner explained they received a site plan to make sure something was on the person's property and not in a right-of-way, over an easement, or a utility going to a citizen's house. Dorner said there typically was not a fence permit fee since the area was so small but the City liked to see the site plan to make sure things were in the right location. Crum asked if the Ordinance should be tabled until the next Council Meeting since there would be changes made to it and the Council could approve the revised one with the extension date of August 1, 2006 added. Armstrong told Council that people would need time to go over the changes and get comments from any of the businesses. Armstrong commented the Ordinance had been a work in progress all along. Crum said he thought a lot of the things citizens were having problems with had been addressed.

Motion by Crum – Second by Pierce

I will go ahead and make a motion that we table this until the next meeting and give the Attorney a chance to make the changes and to make the start date on it be August 1st.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Sedgwick County Fire Department, Station #34 Activity Report for April – Lt. Steve McDaniel.

Lt. Steve McDaniel addressed the Council and asked if anyone had any questions. Mayor Bruce Armstrong commented that the numbers were up in April. McDaniel agreed the numbers were up from the last month's figures. Councilperson Steven Crum asked about the fire danger now. McDaniel reported the fire danger was down substantially until another dry spell would occur.

REGULAR COUNCIL MEETING

MAY 8, 2006

PAGE 3

McDaniel brought the fire department's annual report and said he would leave them in the City's office if anyone wanted to take one.

Mayor Bruce Armstrong presented the Public Works Activity Report for April.

Councilperson Ken Hampton asked about five loads of dirt and asphalt that was hauled from the Vickers Building, and wanted to know if the dirt was being treated as contaminated. Public Works Director Randal Dorner explained what had been taken out was at the base of the landscaping so it was not in the contaminated area. Dorner advised that some of the parking lot had to be removed because the platting took in more of the right-of-way. Crum asked about the blockage on manholes and wanted to know how many manhole inspections were done in a month. Dorner reported that Public Works had tried to go around and check any "troubled" areas. Dorner advised that once in a while they would find a blockage when they did visual inspections. Dorner said the report showed the maintenance of doing the visual inspections was keeping the blockages down.

Mayor Bruce Armstrong presented the Recreation Activity Report for April.

Mayor Bruce Armstrong asked for Governing Body Announcements.

Councilperson Steven Crum reported the Tree Board had planted a tree at Plagens-Carpenter. Crum mentioned that Commissioner Tim Norton would try to work on the park project at Grand and Seneca again this weekend because it had been rained out the last two Saturdays. Crum asked for volunteers to come out and help with the park.

Councilperson Bill Youngers announced the Park Board had put together a list of Eagle Scout projects. Youngers reported that if anyone was an Eagle Scout and needed to fulfill their requirements they could contact the Park Board. Youngers announced that May was the National Historic Preservation Month and the Historic Committee was sponsoring several events during the month. Youngers reported the Heritage of Haysville video series had been developed and would be aired on Channel 7 on Mondays at 5:30 p.m., Wednesdays at 4:00 p.m., Thursdays at 1:30 p.m., and Fridays at 9:00 p.m. Youngers stated there would be a pictorial display of the original town of Haysville. Youngers said the display would be at the City Building from May 15, 2006 to May 19, 2006 and at the Community Library from May 22, 2006 to May 31, 2006. Youngers reported the Historic Committee would be sponsoring a Village Spring Festival on May 20th from 10:00 a.m. till 2:00 p.m. Youngers stated businesses, civic groups, and churches would host the games and activities for children.

Under Other Business Mayor Bruce Armstrong presented the Consideration of Memorandum from Recreation Director Georgie Root Re: Proposed Pool Restroom Remodel.

Mayor Bruce Armstrong stated that over the years there have been many people besides children use the City's pool. Armstrong advised the pictures that Recreation Director Georgie Root would be showing of the pool did not present a good image of the City. Root presented pictures of the damage at the pool and explained what needed to be done for the remodeling, painting,

REGULAR COUNCIL MEETING

MAY 8, 2006

PAGE 4

and repairing the safety issues. Councilperson Joe Holub wanted to know when the work would be done. Root stated the remodeling would start the next day if the Council approved it because the pool opened on the 27th of May. Holub asked if Root thought the work would be done in time for the pool to be opened. Root advised if the work could be started the next day, it would be done in time for the opening of the pool. Root told Council that all the companies that put in bids for the work knew the deadline date. Holub asked how old the City's pool was. It was stated the pool opened in 1994. There was a discussion on the work to be done and locker rentals. Councilperson Rob Wilkerson asked where the new guard stand would go. Root reported the guard stand would go over by the baby pool because there was no stand in that area. Councilperson Ken Hampton asked if taking the money out of Capital Improvements would hurt the City's other projects they had going on. Mayor Bruce Armstrong said it would not.

Motion by Hampton - Second by Wilkerson

I will go ahead and make a motion that we accept this pool restroom remodel with the following contractors; American Direct, Hartwood Painting, Three R. Mechanical, Inc., Rardin's Maintenance Service, A & B Welding, and Arlan Company Inc. for a total of \$33,318.00.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Farm Lease Agreement Re: Albert W. Vanderhoff.

Mayor Bruce Armstrong advised this was the same person that had been leasing the land from the City for several years. Armstrong asked Public Works Director Randal Dorner to report on the research he had done on the acreage that citizens were leasing. Dorner reported that with the cost of fuel being so high, farmers were not leasing a lot of land. Dorner advised that with fuel going up and the yield going down, a lease like this one was staying in the ball park. Councilperson Ken Hampton asked if the City owned the eighty acres that Albert Vanderhoff had been leasing. Hampton wanted to know if sludge had ever been applied without a crop on the land. Dorner stated that for about a year they had applied the sludge without a crop on the land. Dorner said there needed to be an uptake of what had been put on the field but without a crop on the land, they could load up the field and it could not be used. Hampton also wanted to know about part B on the agreement where there could be a deduction of \$35.00 per acre if the land was unable to be farmed. Hampton wanted to know if that was how it had been done in the past. Assistant City Clerk/Finance Director Beverly Rodgers told Council that was how the contract had always been and she could recall only one time where a refund of just over \$300.00 was given to Vanderhoff. Hampton wanted to know if the thousand dollars was not refundable. Rodgers stated that was correct. Councilperson Joe Holub asked Dorner to point out on the map where the property was. Dorner showed everyone where the land was on the map and stated it was just south of Country Lakes, ¼ mile west of Meridian on 79th Street. Holub wanted to know if the contract on the land included water well rights. Dorner reported there were no wells on that property.

Motion by Hampton – Second by Crum

REGULAR COUNCIL MEETING

MAY 8, 2006

PAGE 5

If there is no other discussion, I will make a motion that we allow the Mayor to go into an agreement with Albert Vanderhoff on the leasing of the Northeast Quarter of Section 12, Township 29 South, Range 1 West, Sedgwick County, Kansas, containing 80 acres, more or less for the year 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Petition of Storm Water Drain Improvements Re: Timber Creek Estates Addition.

Councilperson Ken Hampton had some concerns about the petitions and City Attorney Lee Parker answered his questions.

Motion by Crum – Second by Hampton

If there is no other discussion, I will make a motion that we allow the Storm Water Drain Petition for Timber Creek Estates Addition as presented to us tonight.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Petition of Sanitary Sewer Improvements Re: Phase I Timber Creek Estates Addition.

Motion by Hampton – Second by Wilkerson

If there is no discussion, I make a motion that we allow the Petition for Sanitary Sewer Improvements Phase I of the Timber Creek Estates Addition as presented tonight.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Petition of Sanitary Sewer Improvements Re: Phase II Timber Creek Estates Addition.

Motion by Hampton – Second by Wilkerson

I will make the motion, if there is no discussion, to allow the Sanitary Sewer Petition for Phase II of the Timber Creek Estates Addition as presented tonight.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Petition of Water Supply Line Improvements Re: Timber Creek Estates Addition.

Motion by Hampton – Second by Crum

REGULAR COUNCIL MEETING

MAY 8, 2006

PAGE 6

If there is no discussion, I make a motion that we allow the Water Supply Line Petition for Timber Creek Estates Addition as presented before us tonight.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Petition of Water Improvements Re: Phase I Timber Creek Estates Addition.

Motion by Hampton – Second by Crum

If there is no discussion, I will make a motion that we allow the Water Petition for Phase I of Timber Creek Estates Addition as presented before us.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Petition of Water Improvements Re: Phase II Timber Creek Estates Addition.

Motion by Hampton – Second by Crum

Mr. Mayor, I make a motion that we allow the Water Petition for Phase II of Timber Creek Estates Addition as presented tonight.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Petition of Paving Improvements Re: Phase I Timber Creek Estates Addition.

Motion by Hampton – Second by Wilkerson

Mr. Mayor, if there is no discussion, I will make the motion that we approve the Paving Petition for Phase I of Timber Creek Estates Addition as presented tonight.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Petition of Paving Improvements Re: Phase II Timber Creek Estates Addition.

Motion by Hampton – Second by Crum

Mr. Mayor, if there is no discussion, I will make a motion that we approve, or allow the Paving Petition for Phase II Timber Creek Estates Addition as presented tonight.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

MAY 8, 2006

PAGE 7

Mayor Bruce Armstrong presented for approval the Consideration of Pay Request No. 2 (Final) to APAC Kansas, Inc. Re: Pear Tree Addition Paving Improvements (PEC Project No. 35-02699-3-1263).

Councilperson Bill Youngers asked why there was a delay for the final payment since it was dated 2003. Professional Engineering Consultant Rod Young explained that at the time there were some issues for closing out the project. Young stated it was his decision not to pay the contractor the full amount in case some additional work needed to be done. Young advised that if a contract had been paid in the full amount, the contract would be considered closed and the City could not bring that contractor back to do additional work if needed. Young reported all the issues had been resolved with the contractor on the Pear Tree Addition project.

Motion by Hampton – Second by Crum

If there is no other discussion, I make a motion that we pay the \$391.90 to APAC for the Pear Tree Addition project.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Bids Re: John Deere Gator HPX 4x4 Diesel.

Councilperson Joe Holub asked Public Works Director Randal Dorner what the John Deere Gator would be used for. Dorner reported the Gator would be used for various events the City had throughout the year, and that currently the City had to borrow one when needed. Dorner said the Gator would help out with the mulching distribution, hauling equipment in the parks, hike/bike trail maintenance, 4th of July, Fall Festival, hauling supplies to the pool, and various other functions in the City. Holub asked if some of the excess machinery would be disposed of if the Council approved the purchase of the Gator. Dorner explained there was not a lot of excess machinery at Public Works. Holub said there were a couple of lawn tractors that did not need to be there. Dorner advised those tractors had been used last year at the ball fields but now that the Haysville Activity Center had their own tractor, the old equipment would be used for parts. Holub wanted to know if the Gator would have a full cab. Dorner said it would. Dorner explained the Utility Committee had discussed at length which options to get on the Gator for year around use. Dorner told Council the Gator could be used in the winter time for sand and salt that was put on the sidewalks and in the summertime a spray tank could be put to spray weeds. Holub asked if the tractor would have a heater. Dorner said it would have a heater and the cab would keep it protected from the weather. Holub asked if a tag was required to operate the Gator. Dorner advised the Gator would have lights on it and required a tag to drive on the streets. Dorner said the Utility Committee had looked at several different models and brands of tractors but the Gator met all the requirements needed for the work load of the City. Councilperson Steven Crum asked if the Gator was more tractor than what was needed. Dorner told Council there were bigger tractors available to purchase with other features but this particular one, would meet the needs of the City. Crum asked if the Gator would be used on the hike/bike path or beside it. Dorner reported the Gator would have turf tires on it and would be

REGULAR COUNCIL MEETING

MAY 8, 2006

PAGE 8

used on the path as well as off. Crum wanted to know if there was money in the Public Works budget for the tractor. Dorner advised Council it was a budgeted item and came in \$300 under what he had budgeted. Councilperson Bill Youngers reported he had the opportunity to work with a tractor similar to what they were discussing. Youngers stated somebody could accomplish a lot with one because it made you work "smarter and not harder." Youngers told Council the price was very good considering the accessories that would come with it.

Motion by Youngers – Second by Wilkerson

If there is no other discussion I would made a motion that we approve the purchase of the John Deere HPX 4x4 Diesel Gator.

Councilperson Ken Hampton advised he had discussions with Public Works Director Randal Dorner about the tractor and with all the work the Gator could be used for, it would be a time saver. Hampton said he did not think it would eliminate any work but it might keep the City from hiring extra people to do extra work. Hampton said when he had first discussed purchasing the tractor with Dorner, the price had been around \$17,000.00 and the bid came back better than he thought it would. Councilperson Steven Crum asked if Councilperson Bill Youngers stated a price in his motion.

Councilperson Bill Youngers amended his motion to accept the bid of Conrady Western.

Councilperson Rob Wilkerson amended his second.

Councilperson Keith Pierce advised the equipment would be used for more than just to clean the hike/bike path and would take workers a lot of different places that pickup trucks could not get to. Councilperson Steven Crum asked about a warranty on the Gator. Public Works Director Randal Dorner reported there would be a one year manufacturer's warranty on the tractor.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Bids Re: Sidewalks, Approaches, Curbs, Gutters, & Parking Lot Improvements.

Mayor Bruce Armstrong explained to the Council the bids were for several places throughout the City. There was a discussion on where the areas were that needed to be repaired. There was a discussion on how the Council should vote on all of the improvements. It was explained there would need to be three separate motions made because the projects were bid as a package. Public Works Director Randal Dorner told Council there would need to be one motion for sidewalks, approaches, curbs and guttering; a second motion on the red stamp concrete; and a third motion on asphalt for the parking lot at the Vickers Building. Councilperson Ken Hampton asked why Haysville did not receive a grant for the projects. Dorner reported he had received a letter that day stating the City of Haysville did not receive a grant due to the cost of inflation and the State's projects were going over budget. Dorner advised he would get a complete list of who

REGULAR COUNCIL MEETING

MAY 8, 2006

PAGE 9

received grants. Councilperson Ken Hampton asked if the money for the projects would come out of Capital Improvements. Armstrong explained the money would come out of Capital Improvements and had been budgeted for last year.

Motion by Hampton – Second by Pierce

If there is no other discussion, I make a motion that we approve the bid for \$34,135.00 to Helmers for the sidewalk projects.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Councilperson Ken Hampton asked if Commissioner Tim Norton would be helping with the concrete project. Public Works Director Randal Dorner advised Norton had indicated that the County would participate in paying for some of the concrete.

Motion by Hampton – Second by Pierce

If there is no other discussion, I will go ahead and make a motion that we accept the bid for \$5,055.00 for the red stamp concrete with Helmers Construction.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we approve the bid of \$8,806.16 from Ferguson Paving for the asphalt parking lot at Vickers.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

There was nothing under Old Business on the Agenda.

Mayor Bruce Armstrong asked for Department Head Reports.

City Clerk Carol McBeath had nothing to report.

Director of Governmental Services Carol Neugent had nothing to report.

Police Chief Mike McElroy introduced the visiting Officer Sgt. Bud Anthis. McElroy reported he had received an Action Request Form from Council for 200 Trout. McElroy advised that Public Works had been working on the issue and passed it on to the Police and they were in the process of serving the complaint. Councilperson Joe Holub said he had some complaints about the skate park. Holub asked that the park be monitored more. McElroy said that would be done.

Public Works Director Randal Dorner announced the Household Hazardous Waste pickup would be May 20, 2006 from 9:00 a.m. to 1:00 p.m. Dorner reported on Nuisance Abatements at 340

REGULAR COUNCIL MEETING

MAY 8, 2006

PAGE 10

Hillcrest, 440 Turkle, 700 Alexander, and 140 Trout. Dorner gave the Council pictures to look at for 700 Alexander and explained there had been complaints weekly from the neighbors. Dorner advised the matter was an immediate hazard because of the battery acid, oil, and tires left out. Dorner presented the Nuisance Abatement to Council and told them since this was an immediate hazard, they could start the work on it without notification.

Motion by Crum – Second by Wilkerson

I make a motion that we go ahead and declare 700 Alexander an immediate health hazard and go in and get that stuff cleaned up.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked Public Works Director Randal Dorner if the City had a bid to clean up the materials or if the City would do the clean up. Dorner advised that since the problem needed immediate attention, the City would clean it up and keep track of all the dump fees. Armstrong advised the fees needed to be filed against the land in the foreclosure so the mortgage holder or new owner would have to pay that bill. Dorner reported he had an Action Request form for a pothole at 231 Anita and that would be taken care of the next day.

Recreation Director Georgie Root reported the Summer Elements program was almost full and if anyone wanted to get enrolled they would need to contact the Haysville Activity Center soon. Root said there would be dance classes starting soon and the information would be on Channel 7 or citizens could contact the Haysville Activity Center.

There were no Appointments on the Agenda.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

Howard Cook, 323 S. Twin Pines, addressed Council and complained about the service to date on his water bill. Cook said the City was three months behind on the billing. Mayor Bruce Armstrong explained the City read the meters and then the billing went out after that. Cook said the actual date should be the date the meter was read. Armstrong advised the City would look into the matter.

Mayor Bruce Armstrong advised there was no Executive Session scheduled on the Agenda.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the First Half of April.

Motion by Hampton – Second by Pierce

If there is no discussion, I make a motion that we pay the bills for the first half of May, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

MAY 8, 2006

PAGE 11

Mayor Bruce Armstrong presented all the items on the Consent Agenda.

Motion by Pierce – Second by Crum

Mr. Mayor, I move that we approve the Consent Agenda.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked for any Council Concerns.

Councilperson Ken Hampton asked Mayor Bruce Armstrong about the Nuisance Abatement that was on his desk. Hampton wanted to know if the abatement would come back to Council soon. Armstrong advised the abatement should be ready to put back on the Agenda at the next Council Meeting.

Councilperson Steven Crum announced the PRIDE City Wide Clean Up would be the first two Saturdays in June. Crum reported the West side clean up would be Saturday, June 3, 2006, and the East side clean up would be Saturday, June 10, 2006. Crum told everyone they could pick up their permits at the Haysville Community Library. Crum reported the ribbon cutting for the Senior Housing had been held Saturday and citizens had already moved in. Crum commented the Senior Housing was very impressive and invited everyone to go take a look at the project. Crum asked Public Works Director Randal Dorner if dirt washing into the storm sewer system was a problem. Dorner reported it was a big problem and told Council that Public Works cleaned the storm sewer basins throughout the City all year round. Crum asked if an Ordinance could be adopted to make sure residents have ground cover to keep things under control. Crum advised new housing construction should have a certain amount of time to get some foliage started. Crum said he was concerned that could cause problems for the neighborhood because of what could happen to the storm sewer. Dorner said he would look into the matter. There was a discussion about the storm sewer concern of regulations that addressed new construction versus established areas. Crum explained the reasoning behind only allowing family passes for people who belonged to the Haysville Activity Center. Crum stated that was meant to be a special benefit to people who already belonged to the Haysville Activity Center and it was the intent to phase out the family passes. There was a discussion on having Recreation Director Georgie Root look into different options for pool passes.

Motion by Crum – Second by Hampton

I make a motion that we go ahead and let Georgie look at different options so we could extend out just the 50 one (ticket book) and make one a little larger, as long as there is a way for us to monitor who is actually using it, the pool passes, by the next meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Councilperson Rob Wilkerson complimented the Mayor and staff for a great job in getting the Senior Housing project completed. Wilkerson asked when the landscaping in front of the Senior

REGULAR COUNCIL MEETING

MAY 8, 2006

PAGE 12

Center and Dollar Store would be completed. Public Works Director Randal Dorner reported some of the project had been approved that evening by Council for sidewalk improvements. Dorner stated the sprinkler plans would be coming before the Council soon for approval and then the project could be completed.

Councilperson Keith Pierce reminded Council that 2006 was slipping away and he wanted to know if projects in the CIP had been missed. Mayor Bruce Armstrong advised that was not an issue. Pierce reported the Utility Committee did some research on the geese problem in Riggs Park. Pierce advised there was little anyone could do because the geese are protected, and until the City could prove they were a hazard or they were in some fashion destroying the environment, there was nothing they could do about it. Pierce said the City would have to petition the State for permission to do something about the geese and then they would have to hire a certified "goose chaser" to take care of the geese. Pierce told everyone if they needed more information to contact Public Works and speak with Dorner. Pierce gave Councilperson Joe Holub the information.

Councilperson Bill Youngers said the high weeds were a continuing problem for the same people every year and asked if there was a way to move that process along faster. Youngers reported the new streets lights along Grand Avenue looked good but the telephone poles looked bad. Public Works Director Randal Dorner reported some of the poles would be removed. Mayor Bruce Armstrong advised that once all the street lights were in, Westar would need to be called to remove the utility poles. Youngers advised that if there were regulations that required lawns for new homes, the owners could roll the cost into their mortgage and the expense would be easier to handle. Youngers said the owners would be forced to put in lawns when the home was built so dirt would not wash into the storm drain system. Youngers advised the Planning Commission might want to look into the matter.

Councilperson Patricia Ewert asked when the new lights would be lit. Public Works Director Randal Dorner reported that was on Westar's schedule to install the meters within two weeks. Ewert advised there was still a pile of bricks on N. Delos that needed taken care of. Dorner reported the bricks had been removed that afternoon.

Councilperson Keith Pierce stated Councilperson Joe Holub had concerns about excess equipment at the Public Works Department, and he would be more than happy to stand down and let Holub attend the next Utility Committee Meeting so he could take a tour of the facilities and see what equipment there was and what it was being used for. Public Works Director Randal Dorner reported the Utility Committee Meetings were held the first Wednesday of each month at 4:00 p.m. at the Public Works Department. Holub thanked Pierce and said he would be there.

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I would like to make the motion that we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

MAY 8, 2006

PAGE 13

The Regular Council Meeting adjourned at 8:34 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was called by Recording Secretary Pam Robbins: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, and Streets here.

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

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Mayor Bruce Armstrong asked for a motion to add an Executive Session to the Agenda for the discussion of non-elected personnel for ten minutes.

Motion by Hampton – Second by Pierce

Mr. Mayor, I will make the motion that we have an Executive Session for non-elected personnel to include the Council Governing Body, City Attorney, and Governmental Services not to exceed ten minutes.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Under Special Order of Business Mayor Bruce Armstrong presented the Status Report for 402 N. Marlen Ct., Jonas Brock Re: Nuisance Abatement Violation (Tabled From 04-24-06).

Code Enforcement Officer Cale Topinka addressed Council and explained he had taken pictures that day about 4:45 p.m. Topinka advised Jonas Brock was present at the Council meeting and said Brock had stated he moved the car frames in the picture since the photos had been taken.

Jonas Brock 402 N. Marlen Ct. addressed Council and explained he had everything taken care of and apologized for making Code Enforcement Officer Cale Topinka come back again to look at his property. Mayor Bruce Armstrong advised he would need a motion to have the Code Enforcement Officer check the property one last time and have everything dismissed instead of tabling the issue again. Councilperson Steven Crum asked if the Council could actually vote on the nuisance, pass it, and make it contingent on the completion of the clean up so it would not have to be tabled. Armstrong advised the issue would come back to Council again if the property does not get cleaned up. Councilperson Keith Pierce told Council that Brock had worked hard cleaning the property and he was not opposed to a good faith motion for a final re-inspection and dismissal if Topinka found everything to be satisfactory.

Motion by Pierce – Second by Wilkerson

I will make a motion that we instruct Cale to go ahead and make a final inspect on this based on the owner's claims and if everything is fine, we will just dismiss it as it is.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

**COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 2**

Mayor Bruce Armstrong presented 182 Moy, Clarence Rau Re; Nuisance Abatement Violation.

Code Enforcement Officer Cale Topinka told Council they had pictures before them of the vehicles in violation on the property. Topinka advised that Mr. Rau was present at the Council Meeting that evening. Topinka told Council they had the Resolution before them for their consideration.

Clarence Rau, 182 Moy addressed Council and explained since the paperwork had been sent to him on the violation; he had another vehicle that was involved in a wreck. Rau asked for more time to get the vehicles off the property because his insurance adjuster had to look at them before he could dispose of them. Councilperson Steven Crum advised the next Council Meeting would be on June 12th, which would be three weeks and asked Rau if that would give him enough time for the insurance adjuster to come to his house. Rau said he thought that would be plenty of time.

Motion by Crum – Second by Wilkerson

If there is no other discussion on that, I will make a motion that we go ahead and table this until the first meeting in June and give him a chance to have the insurance get out there and get it taken care of; and he would ask that if they do come out and something else comes up and they would not release the car or whatever in that amount of time, bring something or fax something to the City so he could show in good faith that he was working on it in case something would happen and he could not do it in three weeks.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Clarence Rau asked Council if he would need to come back to Council. Mayor Bruce Armstrong advised Rau that if the matter was taken care of, then he would not have to come back to Council. Rau asked if he would need to call someone and let them know. Armstrong told Rau he would need to contact Code Enforcement Officer Cale Topinka.

Mayor Bruce Armstrong presented for approval the Minutes of May 8, 2006.

Motion by Hampton – Second by Pierce

If there is no discussion, I will make a motion that we approve the Minutes of May 8, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Citizens to be Heard.

Mayor Bruce Armstrong presented Tom Gibson Re: PRIDE – City Wide Clean Up.

Tom Gibson, 247 Ranger addressed Council and reported the City Wide Clean Up days would be Saturday, June 3, 2006 for the west side of the City, and Saturday, June 10, 2006 for the east

COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 3

side of the City. Gibson said he was still looking for volunteers to help with the cleanup. Gibson announced the permits could be purchased at the Library for \$10. Gibson advised there were some things that could not be picked up and said there were names of people and phone numbers citizens could call to have hazardous waste picked up. Gibson stated any volunteers could meet at Pam's Diner at 6:30 a.m. on June 3rd. Gibson reported the PRIDE Committee would purchase breakfast at 6:30 a.m. and the PRIDE Committee would provide breakfast and lunch for that day also, along with water. Gibson announced the money was used as a fund raiser for Christmas decorations. Gibson reported there were new light poles along the hike/bike trail and the PRIDE Committee was in the process of purchasing Christmas lights that would fit on the new poles. Gibson told Council he had put at the bench the list of the PRIDE Motto contest suggestions and asked that they circle two or three mottos they would like to see win. The PRIDE Committee will pick a winner.

Mayor Bruce Armstrong advised there needed to be a motion made to approve the dump fees for the PRIDE clean up day.

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion that the City pick up the dump fees for the trash trucks that will work on the PRIDE trash days.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Councilperson Steven Crum wanted to let the volunteers know the City Wide Clean Up would be held rain or shine and told them to bring gloves, hat, and old clothes. Tom Gibson thanked Lies Trash Service for the use of their trucks free of charge for the clean up. Gibson added the only fee that had to be paid was for the dump fees.

There were no Licenses and Bonds to be approved on the Agenda.

Mayor Bruce Armstrong presented for approval the Introduction of Ordinances and Resolutions.

Mayor Bruce Armstrong presented for approval AN ORDINANCE CONCERNING AN AMENDMENT OF CHAPTER SEVEN, ARTICLE TWO OF THE HAYSVILLE MUNICIPAL CODE GOVERNING RULES AND REGULATIONS APPLICABLE TO SOLID WASTE STORAGE AND COLLECTION. (Tabled from 3-27-06, 4-10-06, and 5-8-06)

Councilperson Keith Pierce commented the conflict he had mentioned at an earlier date had been taken care of. Councilperson Steven Crum asked if there could be a motion made to have the Ordinance take effect at a certain date and not as soon as it was published. Mayor Bruce Armstrong stated that could be done.

Motion by Crum – Second by Hampton

**COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 4**

Mr. Mayor, if there is no other discussion, I make a motion that we pass the Ordinance before us on the trash, except under Section 3, I would like the Ordinance to take effect on August 1, 2006 and that would allow the businesses in town to get the supplies they need and find the best place to get these and also help Cale or whoever needs to go out to check the sites on them to make sure everything is okay so nobody has to rush to get things done and that will give them to August 1st.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval CERTIFICATION BY THE CITY TO THE KANSAS DEPARTMENT OF TRANSPORTATION OF REAL PROPERTY ACQUISITION PROCEDURES AND UTILITY ARRANGEMENTS (Required for the Main Street Project).

Motion by Crum – Second by Wilkerson

I make a motion that we allow the Mayor to certify the Kansas Department of Transportation of real property acquisition procedures and utility arrangements.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

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

Mayor Bruce Armstrong presented the Governmental Services Activity Report for April.

Councilperson Ken Hampton asked if the Channel 7 problems had been taken care of. Director of Governmental Services Carol Neugent told Council she would give an update on that issue under Department Reports.

Mayor Bruce Armstrong presented the Police Department Activity Report for April.

Mayor Bruce Armstrong asked for Governing Body Announcements.

Councilperson Steven Crum reminded everyone there was a summer Library program that citizens could sign up for starting that day.

Councilperson Steven Crum discussed a flyer that had been mailed out to the citizens of Haysville concerning trash collection. Crum advised the Council had done what they had been directed to do from the public by a non-binding election. Crum stated the flyer was misleading and he reviewed the RFP. Crum asked that the RFP be put on Channel 7 for the citizens to read.

**COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 5**

Delbert Riley wanted to speak before the Council and Mayor Bruce Armstrong told Riley he would have an opportunity to speak later during the Council Meeting under Off Agenda Citizens to be Heard.

Councilperson Rob Wilkerson agreed with Councilperson Steven Crum's statements. Wilkerson stated he had received several e-mails and phone calls concerning the issue and said he had not received one of the flyers.

Councilperson Bill Youngers reported the 2nd Annual Garden Tour would be held on the 16th and 17th of June. Youngers stated there would be drawings for prizes at the event.

Mayor Bruce Armstrong presented a Letter from Senior Center Director Cindy Taylor Re: Resignation.

Mayor Bruce Armstrong presented a Letter from Public Works Mechanic Gary Rust Re: Resignation.

Mayor Bruce Armstrong presented a Letter from Curtis Hampton Re: Resignation from Haysville Forward, Inc.

Mayor Bruce Armstrong presented a Letter from Marsha Hampton Re: Resignation from Haysville Library Board.

Mayor Bruce Armstrong presented a Letter from Kansas Department of Transportation Chief of Bureau Program & Project Management Rosemary M. Ingram Re: Transportation Enhancement Project.

Under Other Business Mayor Bruce Armstrong presented the Distribution of Information Re: Zoning Changes Relating to Nuisance Abatements.

Mayor Bruce Armstrong advised the Council did not need to take action on the issue. Armstrong asked Council to read the information

Mayor Bruce Armstrong presented the Consideration of Memorandum from Police Chief Mike McElroy Re: Polycom VSX 3000 for Video Arraignment Project.

Police Chief Mike McElroy explained the new equipment would allow video and audio transmissions between the City's court room and the detention facility in Sedgwick County. Councilperson Bill Youngers asked if the prisoners had to be transported to court in Haysville. McElroy stated that was correct but with the new equipment, it would eliminate overtime costs, fuel costs, and increase officer safety and court room safety and security. Youngers asked if the equipment would be available for immediate delivery. McElroy advised there would be a thirty day delivery time but as soon as the equipment arrived, they could use it right away. Crum asked if it was correct that the equipment would be bought with Federal money and not cost the City

COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 6

anything. McElroy stated that was correct. Councilperson Joe Holub asked if that would be the only cost for the equipment. McElroy advised there was another piece of equipment that had already been purchased for \$700.00 and there would be some wire that needed to be purchased within the Police budget.

Motion by Hampton – Second by Pierce

If there is no other discussion or questions, I will go ahead and make the motion that we accept the bid for the Polycom VSX 3000 from RoData for the amount of \$3,899.22.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Georgie Root Re: Pool Passes.

Councilperson Ken Hampton said there was confusion and wanted to know if citizens were required to be a member of the Haysville Activity Center in order to get a pool pass. Recreation Director Georgie Root advised that people did not have to be a member of the Haysville Activity Center. Councilperson Steven Crum asked how much the pool passes were last year. Root reported the passes are the same price this year as last year, but there was a limit of four people to a pass now. Mayor Bruce Armstrong reported this year someone could buy an individual pass that the City had not offered before. Councilperson Bill Youngers asked about the early bird prices. Root said she extended the passes until June 11, 2006.

Motion by Crum – Second by Hampton

I make a motion that we go ahead and approve the pool pass for the pool year of 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Pay Request No. 6 to Bryant & Bryant Construction Re: Nelson Old Oak Hike & Bike Trails (PEC Project No. KDOT 87TE-0230-01 PEC 35-04058-1263).

Motion by Hampton – Second by Pierce

With Rod's recommendation, I will go ahead and make a motion that we pay the \$129,020.25 to Bryant and Bryant Construction, Inc. for the Nelson and Old Oaks Hike and Bike Trails as presented before us.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 7

Mayor Bruce Armstrong presented for approval the Consideration of Pay Request No. 4 to Kansas Paving Re: South Brooke 2nd Phase 4, Paving & Grading (PEC Project No 35-04493-1-1263).

Motion by Hampton – Second by Pierce

I will make a motion that we pay the bill of \$60,072.30 to Kansas Paving for the South Brooke project.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Pay Request No. 5 (Final) to Kansas Paving Re: South Brooke 2nd Phase 4, Paving & Grading (PEC Project No. 35-04493-1-1263).

Motion by Hampton – Second by Wilkerson

I will go ahead and make a motion if there is no other discussion that we go ahead and pay the \$35,704.69 to Kansas Paving for the South Brooke project final payment.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of RV Dump Station.

Councilperson Ken Hampton stated he had talked with Public Works Director Randal Dorner about putting in a new dump station because the one the City already had was not very good. Hampton advised the information the Council had before them concerned the water hook up but did not include the concrete pad. Hampton stated it had been discussed to put the new station by the old water building or another location. Mayor Bruce Armstrong advised he was concerned about vandalism. Hampton stated this would be a good sanitary way to dispose of RV waste and water would be provided. Hampton advised he would try to answer questions that anyone might have. Councilperson Joe Holub suggested contacting someone with a truck and camper to make sure they could conveniently pull up to the station. Hampton said he did not think that would be a problem because the design had been used in many other places, but he could understand the location being a problem. Hampton advised he would not be making a motion to pass the location but rather to pass the project and equipment. Councilperson Bill Youngers said the RV facility would be used by a handful of citizens and he thought it would be unfair to have everyone else pay for it. Youngers suggested having a permit fee or usage fee for the RV owners to help offset the operation and cost of the dump station. Hampton said that had been discussed but some locations offered the same service for free. Hampton stated there were several RV owners that would use that service and a fee could be discussed at a later time. Hampton advised he did not think a total cost of the project would be over \$4,500.00 as it was presented to Council that evening. Councilperson Rob Wilkerson asked if that cost included everything.

COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 8

Motion by Youngers – Second by Crum

If there is no other discussion on that, I will make a motion to approve the purchase of the equipment not to exceed \$4,500.00 because it is a needed facility over there.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Approval of Bids for North Main Irrigation.

Traffic Technician Jeremy Cheney addressed Council and explained there were 2 parts of an irrigation project along north Main Street. Cheney advised he had sent a notice to six different contractors for the project and only three had returned a bid. Councilperson Steven Crum asked if the bids included the cost of 100% of the work. Cheney stated the price did not include any landscaping but would pay for all of the irrigation work. Councilperson Ken Hampton asked Cheney if the project would have a one year warranty. Cheney stated that it was standard for the company to warranty the work for a year. Hampton asked if the money to pay for the project would come out of Capital Improvements. Mayor Bruce Armstrong stated the money for the project had been budgeted out of Capital Improvements. Councilperson Bill Youngers asked if the project would include the Vickers Building. Cheney said the Vickers Building would be included.

Motion by Youngers – Second by Ewert

If there is no other discussion, I make a motion that we go ahead and accept the All City Sprinkler bid for \$18,651.70.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

There was nothing under Old Business on the Agenda.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath had nothing to report.

Director of Governmental Services Carol Neugent reported on the previous concerns of Channel 7. Neugent explained Cox Communications had upgraded their system and the City had problems since then. Neugent told Council the problems the City had been having were not being able to update the City's website and the e-mail system was down. Neugent reported the Haysville Alternative High School Class had been completed for the school year and showed Council a clip of the mock Council Meeting they had as a class project. Neugent told Council the spotlight on the City's Government was the Police Department and a short video was shown on the different tasks and programs the department covered for the City.

COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 9

Police Chief Mike McElroy introduced Police Officer William Dailey as the attending officer. McElroy reported on the Click It or Ticket Campaign and showed the public service announcements that were being aired on Channel 7. McElroy reported the fine for not wearing a seatbelt was \$10.00. Councilperson Steven Crum asked if McElroy could report on the curfew times since school would be letting out for the summer next week. McElroy told the Council the curfew times were 11:00 p.m. Sunday through Thursday and 12:00 midnight for Friday and Saturday nights. McElroy advised he would have the information put on Channel 7.

Public Works Director Randal Dorner was not present and there was no report given.

Recreation Director Georgie Root reported on the Junior Tennis Program, the Junior Golf Program, the Middle School Dance, and the pool opening.

There were no Appointments on the Agenda.

Mayor Bruce Armstrong asked for an Off Agenda Citizens to be heard.

Delbert Riley, 335 N. Jane addressed Council and gave them an outline of what he would be discussing with them that evening concerning solid waste and recyclable curbside services. Riley explained he lived in Haysville and owned and operated Lies Trash Service, LLC, along with his family. Riley told Council the company had been started in 1961 by his father with just one trash truck. Riley said he was married and had three children, two of which attended Haysville Schools and the third one would be in school the following year. Riley said he was there to speak to the Council regarding the Requests for Proposal (RFP). Riley advised that what the City wanted to do would be considered franchising. Riley said franchising would be a Government run waste collection system that would award one contract to one trash company to all the residents of the City of Haysville. Riley said Councilperson Steven Crum had mentioned a non binding majority vote the citizens participated in stating they would like for the City to look into contracting a trash hauler. Riley advised that if the citizens truly understood what franchising meant, there would be a totally different result. Riley said he was at the Council Meeting that evening to inform citizens exactly what franchising would mean to them. Riley advised that if there were franchising, the City would choose the trash company, the pick up day, level of service and the competition among the current three waste hauling trash companies would be eliminated. Riley informed the Council that would put local family trash haulers like him out of business. Riley stated that in the RFP the City wanted to mandate recycling for all residents and charge them whether they used the service or not. Riley advised he lived in Haysville and worked in Haysville and had done a lot for the community. Riley informed Council his trash company had donated the trash trucks and equipment to the Haysville Fall Festival and the PRIDE City Wide Clean Up for the last three years and would be doing it again this year. Riley said Lies contributed to the clubs and organizations in Haysville including Campus High School and tried to keep as much of his money as possible in the community. Riley said that one of the reasons given for the City wanting to set up a franchise was because of the wear on the City's roads. Riley said he felt he was being singled out for that issue when the truth was that semi trucks delivered food to the grocery stores, buses delivered the children to

**COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 10**

school, and vehicles used by UPS and FED-EX all contributed to the problem. Riley advised that taking two trucks off the road each week would not make a difference and the winning bidder for the franchise would most likely use his biggest truck and that would actually cause more damage to the roads. Riley stated the RFP would be a bad idea. Riley informed Council he had an investment of over \$250,000 in trucks and equipment in the City of Haysville and any proposal for a future franchise would affect him. Riley advised that bankers want to go with a sure thing and if franchising was discussed with them, loaning money to people was not a safe bet. Riley said he provided jobs and all of his personnel were hired locally. Riley welcomed anyone to come in to his office or give him a call if they had any questions. Riley told Council that franchising was a bad idea and he needed to get out and let the people know and if he had to get involved with the local government, he would. Councilperson Steven Crum said he wanted to make something clear. Crum told Riley he was not necessarily for a contract or against one. Crum told Riley the Council had been asked to look into the matter and see what options were out there and that was what they were doing. Crum told Riley that personally, he used Lies trash service and he knew they had done a great deal in the past for the City. Crum said the City did not have to take the lowest bid for the RFP and there would be other things taken into consideration. Crum advised Riley he had not been upset that he had received phone calls or emails concerning the franchise in general. Crum said what he was upset about was the flyer in general that had been sent to the citizens that was not fair to the Council. Riley said if the people in the City knew how a franchise would affect the small business owner, they would not want it and they would agree with him. Crum told Riley he was not for or against the franchise and he felt the City had done what they had been asked to do. Crum said he did not like mis-information being sent out. Riley said he would be sending out another flyer requesting the citizens of Haysville to mail a card back to him if they were opposed to the franchise and he would let the Council know the results. Councilperson Keith Pierce asked Riley to put his phone number on the flyers and he wanted to point out an issue on the content of the flyers. Pierce said his concern was the residential streets and stated semis and buses did not go down his street. Councilperson Ken Hampton said he had never been for franchising and advised the question on the ballot was "should the City of Haysville look into having one trash hauler" which was very vague and there were no facts. Hampton asked if the RFPs were due back by June 2nd. Crum stated that was correct. Hampton asked if any had been returned. Director of Governmental Services Carol Neugent told Council she had received three calls on the subject but had not received any RFPs.

Mayor Bruce Armstrong asked if there were any other Citizens to be Heard.

Johnny McPherson, Corey Street, Haysville, KS addressed Council and said approximately one month ago Mayor Bruce Armstrong came down to the Senior Center and presented appreciation awards to the volunteers. McPherson advised that all of the awards put together would not "hold a candle" to the award Cindy Taylor should have received as the Director of the Senior Center. McPherson said he would like to ask the Mayor and Council to look into the reason why the City could lose such a good employee as Cindy Taylor. McPherson asked the Council to visit with Taylor to see if they could get her to reconsider her resignation.

COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 11

Connie McPherson, Corey Street, Haysville, KS addressed Council and stated she had retired that year and became a member of the Senior Center. McPherson said she had been very pleased to have worked with Cindy Taylor because she was a wonderful person. McPherson stated that evidently, not everyone felt that way about Taylor. McPherson advised the City should look at re-arranging the “pecking” order and maybe that would help to keep somebody worth while working at the Senior Center for all to enjoy. McPherson said Taylor had done a wonderful job, had increased the membership of the Senior Center, and she was a very willing person to do whatever the seniors needed done. McPherson said she realized most of the people present at the Council Meeting were not seniors but the Council needed to visit the center to see exactly what Taylor did do. McPherson suggested the Council talk to the City employees to discuss what Taylor did wrong and give her a chance to have her say so she would not have to just up and quit her job because of some problems.

Jerry Olsthoorn, resident of Haysville since 1974 addressed Council and told them the problem at the Senior Center was the management over the Director. Olsthoorn advised the City could not hire a Director and then not let her direct. Olsthoorn said if the City kept that micro-management under thumb continuously, and if it was not changed, the City would keep hiring Directors. Olsthoorn said people would not put up with that and Cindy Taylor was the type of person that could get along with anybody but she was not taking that kind of pressure. Olsthoorn stated if someone was under pressure for a long time, they would eventually break and that was exactly what happened to Taylor because she could not take that pressure she had been under. Olsthoorn told Council Taylor had to make a report where every paper clip had gone and that was how she had been micro-managed and people would not put up with that. Olsthoorn advised Head Librarian Betty Cattrell answered to the City Council and wanted to know why the Senior Center could not be run that way. Mayor Bruce Armstrong advised the Library by Statute was a whole different legal set up and Cattrell did not answer to him or the Council. Armstrong stated Cattrell had been hired by the Library Board by State Law. Olsthoorn told Council if they kept the management they had now over the Senior Center, they could forget building the new Senior Center because the seniors would drop off and the attendance would slow down to nothing. Olsthoorn advised the City would not find anyone who put their heart and soul into their job like Taylor did because she was one of a kind. Olsthoorn told Council that Taylor had brought the Senior Center membership up to well over four hundred in less than a year and a half. Olsthoorn told Council that should tell them something and if they did not change the management, they would be hiring Directors until they were blue in the face.

Mayor Bruce Armstrong asked if there were any other Citizens to be Heard. There were none.

Mayor Bruce Armstrong asked for a motion for Council to go into executive session to include the Council, City Attorney, and Director of Governmental Services for non-elected personnel not to exceed ten minutes.

Motion by Hampton – Second by Pierce

I will make the motion that we go into Executive Session with the Governing Body, the City Attorney and Governmental Services for non-elected personnel not to exceed ten minutes.

**COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 12**

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Council went into Executive Session at 8:17 p.m.

Council returned from Executive Session at 8:28 p.m.

Mayor Bruce Armstrong brought the Council Meeting back to order and stated there was no binding action taken in the Executive Session according to State Statutes.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the Last Half of May.

Motion by Hampton – Second by Pierce

If there is no discussion, I will make a motion that we pay the bills for the last half of May 2006.
Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consent Agenda

Motion by Pierce – Second by Crum

Mr. Mayor, I move that we approve the Consent Agenda.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Michael Streets advised he was the Council Representative for the Senior Center and he had a concern that Cindy Taylor decided to resign her position and he hoped she would reconsider and stay. Streets said a lot of people appreciated her and would hate to see her leave.

Councilperson Patricia Ewert said she would agree with Councilperson Michael Streets on the issue of Cindy Taylor. Ewert said she would like to remind everyone that students would be out of school Wednesday and please watch out for them on the streets.

Councilperson Bill Youngers addressed Public Works about a Cox cable on top of the ground on the east side of Karla Street and it extended over to the west side on the Hike/Bike Trail project. Youngers advised the cable needed to be cleaned up right away.

Councilperson Joe Holub said he would very much like to see Cindy Taylor stay as the Senior Center Director.

COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 13

Councilperson Keith Pierce asked about a past action for the sale of park land. Councilperson Bill Youngers advised he had not heard anything back on the appraisal or value of the land. Director of Governmental Services Carol Neugent reported the City had received title information for Sunflower that the City Attorney would need to look at. Youngers stated it had been suggested to use Paradise Valley as overflow parking to help with the problem at the Nelson ball field.

Councilperson Rob Wilkerson said he would like to join the rest of his colleagues and ask Cindy Taylor to reconsider her resignation as the Senior Center Director. Wilkerson advised Taylor had done a great job and said he would like for her to continue.

Councilperson Steven Crum commented he noticed how crowded the Police Department was when the segment was shown on Channel 7 that evening. Crum said people needed to realize how crowded the City Building was. Crum asked about the new lights that had been installed along the hike/bike trail. Crum said the lights were staying on and wanted to know if the lights would be on all the time. Director of Governmental Services Carol Neugent told Crum Police Chief Mike McElroy could address that for him because he just recently had to talk to the Haysville Alternative High School about that issue. McElroy told Council the lights were at the "burn-in" phase where they were burning in the bulbs and the transformers but eventually the lights would be on from dusk to dawn because of the electric eye they had. Crum asked if Code Enforcement Officer Cale Topinka could look at the pallet business on south Broadway to see if action needed to be taken again on the matter. Crum reported that at 822 Peach there had been a problem with somebody parking vehicles and trailers on the front yard. Crum advised the property owner parked the vehicles and trailer there only on the weekends and wanted to know if the Police Department could issue tickets on the matter or if that was a concern for the Code Enforcement Officer. McElroy reported he would speak to the City Attorneys the next day about the matter. Crum said the property owner had been asked several times to move the vehicles and after he did, he would move them back over and over again. Crum said he would also like for Cindy Taylor to reconsider her resignation.

Councilperson Ken Hampton stated he would like for Cindy Taylor to reconsider her resignation. Hampton said he had a concern with the R.A.M. property on Main Street. Hampton advised the closing on the property was back in August to build a new Kwik Shop and the time frame to start building was 120 days to start building. Hampton asked if that needed to be looked into. Mayor Bruce Armstrong said he thought it was 180 days for construction to begin and that would be checked into.

Mayor Bruce Armstrong asked Council to fill out Action Request Forms because the emails were unreliable and messages were not getting to the City.

Mayor Bruce Armstrong asked for adjournment.

Motion by Pierce – Second by Ewert

Mr. Mayor, I make a motion that we adjourn tonight's meeting.

**COUNCIL MEETING
REGULAR
MAY 22, 2006
PAGE 14**

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.
Motion declared carried.

The Regular Council Meeting adjourned at 8:37 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Pam Robbins: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, and Ewert here. Councilperson Michael Streets was absent.

Invocation was given by Father Andrew Kuykendall, St. Cecilia's Catholic Church.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Mayor Bruce Armstrong presented the Public Hearing for 340 Hillcrest, Oscar R. Thomasson II. Re: Nuisance Abatement Violation.

Code Enforcement Officer Cale Topinka addressed the Council and reminded them the Nuisance Abatement had come before Council almost a year ago and he had inspected the property again that day. Topinka reported the property was in worse shape than when he had last inspected it. Topinka advised the ceiling had a hole in it, there was poison ivy growing on the back of the house, and cats were in the house. Mayor Bruce Armstrong asked if Oscar R. Thomasson II. was present at the Council Meeting. He was not. Armstrong asked if there was anyone present that would like to speak for or against the Nuisance Abatement.

Ava Majors, 341 Hillcrest addressed the Council and told them she lived directly across the street from the property. Majors said she was before the Council that evening to ask that they do something about the Nuisance Abatement. Majors advised the house had been empty for about a year and that was what she had looked at everyday out her front door. Majors told Council there were sickly stray animals on the property all the time and she asked them to please do something about the run down property. Majors advised the yard had been mowed once and she thought the City had done that work. Majors reminded Council she came before them in October and had asked them not to drag their feet about getting the mess cleaned up. Majors told Council it had been very frustrating because she had pride for her house and her block and it was embarrassing to have visitors and look at that house across the street. Majors said the windows had been boarded, the guttering had fallen, there were stray animals and nobody had mowed the grass. Majors advised that was not the reputation that anyone would like to have for their neighborhood or for their City and she asked the Council to take action on the property. Mayor Bruce Armstrong advised someone had started and stopped the clean up on the property several times and hopefully all the legalities had been taken care of so the Council could move forward on the Resolution that was before them.

Motion by Crum – Second by Wilkerson

I would like to go ahead and make a motion that we pass this Nuisance Abatement Resolution on 340 Hillcrest.

Councilperson Keith Pierce asked City Attorney Lee Parker about the time frame on the Resolution. Mayor Bruce Armstrong asked if ten days would be too quick or if they would need thirty days for the clean up on the property. Parker advised the Council would need to specify

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 2

thirty days for the time frame on the Nuisance Abatement. Councilperson Patricia Ewert told Council the owner of the property had long enough to clean it up. Councilperson Joe Holub asked why the Council needed thirty days for the Resolution. Parker advised the building had to be removed and it was not as simple as just cleaning up the property. Parker reported there had to be plenty of time for the owner to be notified in case he would want to take some action. Parker said it was his belief that a District Court Judge would look at the time and would say the property owner had not been given adequate time of notification if the City had only given them ten days. Crum asked if he should amend his motion or just add a date to the Resolution. Parker advised Crum he needed to amend his motion and note thirty days for the time frame. Armstrong told Council they needed to make sure everything had been done right so the matter would not be before them again. Parker asked if there was an estimated cost for the demolition. Armstrong stated there was not. Councilperson Patricia Ewert asked if the City would have to pay for the demolition. Armstrong advised the City would ask for bids, would pay for the demolition, then it would be charged back to the tax rolls. Parker advised the Council would need to state in the motion the estimated cost of the demolition would be upon bid.

Crum amended his motion to say thirty days throughout when the Resolution gave the length of time and on the back where it talked about the estimated cost of the demolition it would be as to bids.

Councilperson Rob Wilkerson seconded Crum's amended motion.

Councilperson Ken Hampton asked if the Council needed to make a motion to close the Public Hearing before motion was voted on. Mayor Bruce Armstrong advised the hearing was one that did not need to be opened and closed.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong advised there was someone in the audience that had stated they would like to speak with the Council.

Steve Spalding, 415 Hillcrest addressed the Council and asked if the Nuisance Abatement process would have to start all over on the 340 Hillcrest property if the owner decided to sell the property to another individual. Spalding wanted to know if the buyer would be affected or if they would have to go through the steps all over again. Mayor Bruce Armstrong stated he would let City Attorney Lee Parker answer Spalding's questions. Parker advised the City was in a situation where the time constraints had started and the City was not aware of any sale of the property so the clock has clicked on. Spalding asked if the situation was automatically binding to the buyer. Parker advised the owner of the property would be notified by certified mail. Parker stated it had not been filed with the Register of Deeds yet but that could be picked up upon a sale transfer. Parker advised he had watched a situation in other cities where someone bought a house and rather than tear down the house, they wanted to repair it. Parker advised that the State Statute reads that once the notice is given, the time frame had started. Armstrong stated that any new buyer would be under the same time frame unless the Council would change that.

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 3

Mayor Bruce Armstrong presented the Status Report for 182 Moy, Clarence Rau Re: Nuisance Abatement Violation (Tabled from 05-22-06).

Code Enforcement Officer Cale Topinka addressed the Council and stated the Nuisance Abatement had been tabled three weeks ago. Topinka reported there had been no change and he did not know if the home owners were present at the Council Meeting. Topinka reminded Council Clarence Rau had been waiting on the insurance adjuster. Mayor Bruce Armstrong asked if Rau was present at the Council Meeting. He was not. Councilperson Steven Crum asked Topinka if Rau had talked with the City since he had come before the Council. Topinka advised he had been on vacation and was not aware of Rau talking to the City about the matter. Councilperson Keith Pierce said that even though Topinka had been on vacation, someone would have picked up on the information and given it to him and he would have had some inkling on the situation. Topinka said that was correct.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I would like to go ahead and make a motion that we accept the Resolution on the Nuisance Abatement for 182 Moy.

City Attorney Lee Parker advised there needed to be a date added in the motion. Councilperson Steven Crum asked that since it was a car issue, if he could go less than thirty days. Parker told Crum he could.

Councilperson Steven Crum said he would like to amend his motion to include ten days all the way through the Resolution.

Councilperson Rob Wilkerson amended his second.

Hampton yea, Crum yea, Wilkerson yea, Pierce nay, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong presented for approval the Minutes of May 22, 2006.

Councilperson Steven Crum advised at the bottom of the first page there needed to be a correction on a motion. Crum said the minutes stated motion by motion and should read motion by Pierce.

Motion by Crum – Second by Pierce

With that correction, I make the motion that we approve the minutes from May 22, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

There were no Citizens to be Heard on the Agenda.

There were no Licenses and Bonds to be approved on the Agenda.

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 4

Mayor Bruce Armstrong presented the Introduction of Ordinances and Resolutions.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS-PHASE I/TIMBER CREEK ESTATES ADDITION).

Motion by Pierce – Second by Holub

Mr. Mayor, if there is no question, I move that we approve this Resolution with regards to the Sanitary Sewer Improvements Phase I/Timber Creek Estates Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER SUPPLY LINE IMPROVEMENTS/TIMBER CREEK ESTATES ADDITION).

Motion by Pierce – Second by Holub

Mr. Mayor, I make a motion that we approve this Resolution regarding the Water Supply Line Improvements for Timber Creek Estates Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER IMPROVEMENTS-PHASE I/TIMBER CREEK ESTATES ADDITION).

Motion by Pierce – Second by Holub

Mr. Mayor, I make a motion that we approve this Resolution regarding Water Improvements – Phase I/Timber Creek Estates Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 5

IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STREET IMPROVEMENTS-PHASE I/TIMBER CREEK ESTATES ADDITION).

Motion by Pierce – Second by Holub

Mr. Mayor, I move that we approve this Resolution regarding Street Improvements – Phase I Timber Creek Estates Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STORM WATER DRAIN IMPROVEMENTS/TIMBER CREEK ESTATES ADDITION).

Motion by Pierce – Second by Holub

Mr. Mayor, I move that we approve this Resolution regarding Storm Water Drain Improvements/Timber Creek Estates Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS-PHASE II/TIMBER CREEK ESTATES ADDITION).

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I move that Council approves this Resolution for the Sanitary Sewer Improvements for Phase II, Timber Creek Estates Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS – PHASE II/TIMBER CREEK ESTATES ADDITION).

Motion by Pierce – Second by Wilkerson

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 6

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER IMPROVEMENTS – PHASE II/TIMBER CREEK ESTATES ADDITION).

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I move we approve this Resolution for Water Improvements for Phase II of Timber Creek Estates Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STREET IMPROVEMENTS-PHASE II/TIMBER CREEK ESTATES ADDITION).

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I move that Council approve the Resolution regarding Street Improvements for Phase II of Timber Creek Estates Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Under Notices and Communications Mayor Bruce Armstrong presented the Sedgwick County Fire Department, Station #34 Activity Report for May – Captain Disney.

There was nobody present from the Sedgwick County Fire Department Station #34 and Mayor Bruce Armstrong gave a summary of the Report.

Mayor Bruce Armstrong presented the Public Works Activity Report for May.

Councilperson Keith Pierce asked if the City's park shelters had been repaired from the vandalism. Public Works Director Randal Dorner reported that everything had been repaired except some of the trash cans needed to be worked over.

Mayor Bruce Armstrong presented the Recreation Activity Report for May.

Mayor Bruce Armstrong asked for Governing Body Announcements.

Councilperson Bill Youngers reported the Haysville Garden Tour would start on Friday, June 16, 2006 at 7:00 p.m. through 10:00 p.m. and Saturday, June 17, 2006 from 9:00 a.m. to 1:00 p.m. Youngers invited everyone to attend and stated there would be refreshments and prizes.

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 7

Councilperson Keith Pierce reported they had over three hundred pick-ups for each weekend for the City Wide Clean Up. Pierce announced there were still some openings for the Planning Commission and the Park Board and asked that if anyone was interested in serving on those boards to contact the Mayor.

Councilperson Steven Crum reported that at the last Tree Board Meeting, Tim McDonnell from the Kansas State Forestry at 95th and Hydraulic gave a presentation at the Community Building on planting trees and how to take care of them after the trees had been planted. Crum also announced the Library would have activities every week and citizens could go to the Library to pick up a schedule for their summer activities or get the information off of their website. Crum asked that everyone start thinking about the 4th of July activities and reported that schedule information was on the City's website. Crum said everyone should stay in town that weekend and enjoy all the fun planned for the event.

Mayor Bruce Armstrong presented the Memorandum from City Clerk Carol McBeath Re: Bookkeeping Assistant Kimberly Landers – New Hire.

Mayor Bruce Armstrong presented the Memorandum from Police Chief Mike McElroy Re: Full Time Police Officer Amos Becker – New Hire.

Mayor Bruce Armstrong presented a Letter from Senior Center Assistant Barb Walters Re: Resignation.

Mayor Bruce Armstrong presented a Letter from Team Haysville Wrestling Club.

Under Other Business Mayor Bruce Armstrong presented for approval the Consideration of Requests for Proposals for Trash Hauling.

Mayor Bruce Armstrong reminded everyone that Requests for Proposals (RFPs) had been sent out to the trash companies and the City had received four requests back. Armstrong reported those requests had been from Lies Trash Service, Stutzman Refuse Disposal Inc., Waste Connections of Kansas, Inc., and Waste Management. Armstrong asked Council for discussion on the RFPs. Councilperson Steven Crum asked if there was a way to get the information out to the citizens as to what kind of prices had been offered from the companies. Crum suggested putting the information on the City's website and in the newspaper so the Council could get some input from the citizens about the issue. Crum advised he did not want the Council to take action on the matter that evening because he wanted to find out what the citizens thought about it. Armstrong asked what kind of input Crum wanted from the citizens. Crum advised the lower prices quoted were not lower because of the added fees put on the price. Crum stated that if the Council were to do something about the fees, he felt that Lies Trash Service would be the best buy. Councilperson Rob Wilkerson stated he agreed with some of what Crum had said but he did not want to wait two more years like they did on the last issue and "get hammered" on that deal again. Wilkerson said there were prices they needed to go through but if Council decided not to do that, he would go along with that. Councilperson Bill Youngers said he had looked through all the proposals and he was concerned about the lack of information from Lies Trash

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 8

Service. Youngers said he was all for the little guy having an even playing field, but he was not sure on the prices and sur-charges. Youngers advised he would have liked to have seen a common format with information for the trash companies to look at. Youngers said it was hard to determine what would be the best deal when each of the returned proposals had been different. Youngers asked if it was possible to ask for more information from the companies in order to give them an equal chance. Armstrong wanted to know what Council's plans would be if they had received more information. Youngers advised that the trash companies needed to know if the City was serious about a franchise or why waste their time and effort. Councilperson Ken Hampton said he agreed with the Mayor that Council had received enough information from the trash companies and he was not in favor of a franchise. Hampton advised there was only a \$2.00 spread on the prices received from the trash companies and he did not think that had been enough to award someone business that they did not earn. Hampton said he was for a person getting out and earning their own opportunities and he would like to go ahead and vote that evening as to whether they want to accept a proposal or not. Councilperson Joe Holub advised he was not for a franchise. Holub said he had received several e-mails and phone calls that were negative and he would like to resolve the matter that evening. Councilperson Keith Pierce agreed that a decision needed to be made that evening. Crum advised Council that Lies Trash Service had given the Council what they had asked for and the other trash services just added things. Youngers said he was concerned for the elderly citizens that had called him saying their son took care of their trash because they only had one bag of trash. Youngers wanted to know how a person opted out if they did not need the service. Youngers told Council, for example, he needed to have two carts for trash but some other citizens did not. Youngers wanted to know how much he would have to pay for trash pick up. Crum advised the Council did not ask that question in the RFP. Youngers wanted to know how a decision could be made and thought the Council needed to have those types of questions answered. Armstrong advised the Council had received the RFPs and heard from the citizens concerning the matter. Armstrong told Council that if they wanted to go further on the issue and get additional information from the trash services they needed to make a motion or decide not to pursue the issue. Hampton said he agreed that Council needed to make a decision on the subject and the majority of the response to him had been negative.

Motion by Hampton – Second by Ewert

I will go ahead and make a motion that we do not franchise the trash service for the City of Haysville.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers nay, and Ewert yea.

Motion declared carried.

David Lies, owner of Lies Trash Service addressed Council and told Council his brother who worked for him lived in Haysville. Lies advised he had always done work for the City and told Council his trash service had picked up 200,000 pounds of trash free of charge for the City Wide Clean Up. Lies said he appreciated everyone voting no for the trash franchise and explained he had built his business from free enterprise and working hard for the people so they would appreciate his service and sign up for it. Lies reported his company had signed up one hundred seventy-two new customers since the issue of a franchise had come up. Lies said he had received a lot of feed back from his customers in support of not having a franchise in the City of

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 9

Haysville. Lies said he was glad the Council did not franchise the trash service and put his company out of business. Lies said he appreciated the Council's decision and said he would continue to support Haysville and do the City Wide Clean Up, Fall Festival, and donate to the wrestling club and where needed. Mayor Bruce Armstrong advised there were other trash service representatives present and wanted to give them an opportunity to speak to the Council. Nobody wanted to come before the Council to discuss the issue. Armstrong told the trash company representatives present that he appreciated their services and providing a choice for the citizens. Armstrong thanked the companies for taking time to fill out the RFPs and for taking time to come to the Council Meeting that evening. Crum encouraged the citizens to check into recycling. Pierce thanked Crum and staff for wrapping up the matter and said it was good information to know. Pierce stated there were savings there as advertised with the trash companies and that would give them something to think about. Councilperson Bill Youngers stated he wanted to let the citizens know the proposals were considerably less than what the people were paying presently. Youngers advised the flyers that were received let the citizens know they could negotiate a lower price with their hauler if the City of Haysville did not franchise the trash pickup. Youngers suggested the citizens call their hauler to see if they would back up their words.

Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Haysville Planning Commission Re: Haysville Hometown Market.

Planning and Community Relations Coordinator Angela Millspaugh addressed Council and told them the plans for charging a \$10 per day per booth fee that would be non-refundable was to insure the people that did sign up, would show up. Millspaugh advised the same guidelines would be used with the Historic Committee as with the Haysville Activity Center. Millspaugh explained the Historic District Committee did intend to oversee the Market. Millspaugh explained that Rolla Crum had volunteered to be the Market Manager and would approve the items for sale and make sure someone would be scheduled from the Historic Committee to open up the restrooms and tell the vendors where to locate. Millspaugh told Council the Historic Committee would primarily be the ones in care of the market. Councilperson Joe Holub asked Millspaugh if there was a say so as to what the Market would be named. Holub advised that since the local grocery store was named Homeland Foods, he thought there would be a conflict with the name. Millspaugh told Council the name Hometown Market was chosen because the Farm and Art Market or Art Market would limit it more to specific items for sale and if it was Hometown, it could be a broader base of things offered for sale. Millspaugh reported that once a month, there would be a flea market type of sale also. Councilperson Bill Youngers advised the Historic District had chosen that name to distinguish from the Wichita Farm and Art and the Old Town Farm and Art. Youngers reported they wanted to make the name stand out when they advertised in the paper or had it announced. Holub said he did not want to see any confusion with the local supermarket. Councilperson Ken Hampton asked which restrooms would be opened to be used during the market. Millspaugh reported the restrooms in the Historic District that looked like out houses would be opened for public use. Hampton also wanted to know if the City would be covering the liability insurance if someone were to be injured during the market hours. Millspaugh said it was her understanding that would be covered but City Clerk Carol McBeath would be able to answer that better. McBeath advised that if the event was City

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 10

sponsored, it would be covered by the City's liability insurance. Hampton asked if there was anything in place to solve problems that may arise from the different vendors. Millspaugh said that nothing had been discussed about that matter but there were still things that needed to be worked out. Councilperson Keith Pierce said if it were necessary, he would get in touch with Homeland to see if they would have an issue with the use of Hometown. Mayor Bruce Armstrong advised there needed to be approval because of the fees that would be charged and stated the Historic District had the ability to name the market with out Council's approval.

Motion by Youngers – Second by Wilkerson

I would make a motion that we go ahead and approve the proposal with the Historic Committee to open a weekly Hometown Market.

Councilperson Joe Holub asked if the motion was as presented. Mayor Bruce Armstrong advised that Councilperson Keith Pierce would check to see if there would be a problem with the Hometown Market name.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Haysville Planning Commission Re: General Revision to the Zoning Ordinance (16-404 & 16-415).

Planning and Community Relations Coordinator Angela Millspaugh explained the Planning Commission wanted to go ahead and change the definitions as discussed. Councilperson Keith Pierce asked about D, Light Commercial District Regulations, and paragraph 3. Pierce read the paragraph and there was a discussion about A and C being the same thing. Millspaugh explained the difference in the two sections and said the intent was to have it limited.

Motion by Pierce – Second by Hampton

This was a real busy weekend and our packets were kind of thick and I would still like to read this and think about it a little bit more and I would like to table this until the next meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Proposed Zoning Changes Relating to Nuisance Abatements (Information Distributed May 22, 2006).

Mayor Bruce Armstrong explained the information was distributed at the last Council Meeting so Council would have time to discuss it and the next step would be to send it to the Planning Commission to add into the Zoning Ordinances if the Council desired to do so. Planning and Community Relations Coordinator Angela Millspaugh told Council the Planning Commission would have to have a Public Hearing on the matter.

Motion by Crum – Second by Hampton

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 11

Mr. Mayor, I make a motion that we go on and pass the Proposed Zoning Changes Relating to Nuisance Abatements to Planning Commission.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong presented the Distribution of Information Re: Proposed Changes to the Nuisance Abatement Codes.

Mayor Bruce Armstrong explained the information did not require any action taken from the Council.

Mayor Bruce Armstrong presented for approval the Consideration of Contract Agreement with Professional Engineering Consultants (PEC) Re: Sanitary Extension to Grand Avenue.

Professional Engineering Consultant Rod Young addressed Council and told them the contract was for the Middle School. Young explained the agreement was the same PEC had been doing with the City in the past. Councilperson Ken Hampton asked if the pipe cost would be shared with the City and School. Mayor Bruce Armstrong advised the School District would pay their portion for the pipes and engineering project cost.

Motion by Pierce – Second by Holub

Mr. Mayor, I make the motion that Council approves the Contract Agreement with PEC regarding Sanitary Sewer Extension to Grand Avenue.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Sanitary Sewer Petition Re: A Portion of Country Lakes Addition.

Mayor Bruce Armstrong advised the maps that Public Works Director Randal Dorner handed them was for the new phase in the Country Lakes Addition.

Motion by Hampton – Second by Pierce

I make the motion, if there is no other discussion to accept the petition for sanitary sewer petition for a portion of the Country Lakes Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Water Petition Re: A Portion of Country Lakes Addition.

Motion by Hampton – Second by Pierce

I make the motion that we accept the Petition for Consideration of Water for a portion of Country Lakes Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 12

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Paving Petition Re: A Portion of Country Lakes Addition.

Motion by Hampton – Second by Pierce

If there are no other questions, I will make a motion that we accept the Petition for the Consideration of Paving for a Portion of Country Lakes Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Recreation Director Georgie Root Re: Contract Agreement with Coyotes (Baseball Team).

Mayor Bruce Armstrong advised this was for practice purposes only and the Coyotes were actually the Campus High School's Varsity Baseball Team. Armstrong explained the baseball team wanted to practice during the summer while they were not in school.

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I move that we allow the City of Haysville Recreation Department to enter into a contract with the Coyote Baseball Team.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Pay Request No. 7 to Bryant and Bryant Re: Nelson and Old Oak Hike/Bike Trails (Project No. KDOT 87TE-0230-01 PEC 35-04058-1263).

Professional Engineering Consultant Rod Young reported the payment was for the retainage fee to make sure the project was completed. Mayor Bruce Armstrong asked that someone explain about the lights. Young advised the electric eye in the lights had to be adjusted for the times the lights came on because they came on at different times. Councilperson Joe Holub asked about a light that had been knocked over. Dorner reported the contractor had knocked it over and that had been replaced. Councilperson Keith Pierce asked if the Change Order needed to be considered first before the Pay Request.

Motion by Hampton – Second by Pierce

I will make a motion that we pay Bryant and Bryant Construction Inc. the amount of \$72,846.46 for the Nelson and Old Oak Hike/Bike Trail Project No. KDOT 87TE-0230-01 PEC 35-04058-1263.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consideration of Change Order Re: Nelson and Old Oak Hike/Bike Trail (PEC Project No. 35-04058-1263).

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 13

There was a discussion on the design for the slope of the drive and sidewalk for the ADA standards. It was also discussed about the expense for mistakes made by the contractors.

Motion by Crum – Second by Hampton

Mr. Mayor, I would like to go ahead and approve the Change Order for \$9,190.38 for the Nelson and Old Oak Hike/Bike Trails for Bryant and Bryant Construction.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Authorization for Planting of 95th Street South Property.

Public Works Director Randal Dorner explained the City had been applying sludge for many years on the 95th Street property and in the late 90s a soybean crop had been planted. Dorner reported the nitrogen had been depleted from the soybean crop but right now the City was up to the agronomical limits and a crop needed to be planted to get the nitrogen out. Dorner said corn was one of the better crops to do that and it was time to plant corn now. Dorner asked for authorization for Mr. Hay to plant the thirty-eight acres in corn. Councilperson Ken Hampton asked about the cost and Dorner explained the City was just paying to have the crop planted. Dorner said the City would pay \$2,500.00 to have the corn planted but would re-coop some of the money depending on corn prices and weather. Dorner advised the crop needed to be planted now so the City would stay in compliance with the 503 Sludge regulations. Councilperson Joe Holub asked who owned the field. Dorner told Holub the City owned the field and the Cowskin Creek went thru the property. Holub asked if Hay Farms would harvest the corn. Dorner explained that had been discussed with Hay Farms but right now the concern was to get the corn planted on time.

Motion by Hampton – Second by Crum

I will go ahead and make a motion that we allow the Public Works Director to get into an agreement authorizing to let Hay Farms plant thirty-eight acres of corn on 95th Street South to meet our 503 Sludge regulations.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

There was nothing under Old Business on the Agenda.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath had nothing to report.

Director of Governmental Services Carol Neugent had nothing to report.

Police Chief Mike McElroy introduced Police Officer Glen Davidson as the attending officer. Councilperson Ken Hampton asked if the school had asked about having an officer at the two new schools. McElroy explained he had not received any communications from the school on

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 14

the matter but he would follow up on that next year for the 2008 budget. Councilperson Keith Pierce asked where the Police Department was on their staffing. McElroy reported they were currently one officer short and were looking at applicants to fill that position soon.

Public Works Director Randal Dorner presented pictures to Council of the old 3-point chipper that had been used in the early 90s before the City had been awarded a grant in 1996. Dorner explained that the City purchased a diesel powered self propelled chipper with the grant. Dorner said the newer chipper worked fine and asked Council for authorization to go out for bids to sell the old equipment.

Motion by Holub – Second by Wilkerson

I make a motion that we allow Mr. Dorner to sell the 3-point chipper for the best possible price.

Public Works Director Randal Dorner advised he would go out for bids, advertise in the paper and on the Internet and bring back the winning results to the first Council Meeting in July. Councilperson Joe Holub advised the old red and gray truck needed to go also.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Recreation Director Georgie Root reported on the second session of swim lessons for ages 6 months and up starting Monday, June 19, 2006. Root also reported the pool would be open daily from 1:00 p.m. to 7:00 p.m. and told everyone the phone number was 529-5924. Root advised the pool phone would only be answered during open hours but they did have an answering machine if someone needed to leave a message. Root told everyone the Wichita Children's Theatre would be performing The Three Little Pigs in Riggs Park that weekend at 10:30 a.m. Root said it was a free event and invited everyone out to enjoy it. Councilperson Ken Hampton asked if another employee would be hired for the Hometown Market. Root told the Council no new employee would be hire. Root said the Haysville Activity Center was open later so it was easier for people to contact them.

Under Appointments Mayor Bruce Armstrong presented Georgana Brown, 326 Peach Tree Lane
Re: Library Board of Trustees.

Motion by Pierce – Second by Crum

Mr. Mayor, I would like approval to appoint Georgana Brown, 326 Peach Tree Lane to the Library Board of Trustees.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

Pamela Smith 313 Maynard Avenue, Haysville, KS, & Gabe Robbins, 1722 Green, Wichita, KS, addressed Council and said they were there that evening to support the community of Haysville and to honor the late Amy Robbins. Smith told Council that Amy Robbins had been

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 15

the victim of a high speed chase accident in Wichita on October 5, 2004. Smith stated Amy Robbins was avid on education and had earned two degrees and was still attending college to further her education at the time of her death. Smith told Council that Gabe Robbins, Amy's husband, was a 1995 Campus High School graduate and was the owner of the Chop Shop in Wichita. Smith said Gabe Robbins, along with the owners of the Full Throttle Lounge in Haysville would like to request permission for the use of Riggs Park on Saturday, July 29, 2006 from the hours of 1:00 p.m. to 6:00 p.m. in order to hold a car/bike show for the scholarship benefit in the name of Amy Robbins. Smith told Council that proceeds from the event would be deposited in a Memorial Fund set up at the Intrust Bank and used for a scholarship to assist deserving high school graduates of Campus High School. Smith said it was a privilege for them to be able to honor Amy, contribute to the community, and assist the students in their quest for higher education. Smith advised they hope to make the car/bike show an annual event and reserve Riggs Park on the last Saturday in July each year. Smith said their mission was to help make the children's education as successful as possible. Smith advised the children were the future and the responsibility to them was important. Smith asked the fees be waived for the use of Riggs Park since the event was non-profit. Smith said she had questions regarding the insurance requirements, Police Patrol, electricity, trash, and vendors. Smith announced that alcohol would not be sold during the event and anyone who would like to donate to the Amy Robbins Scholarship Fund may do so at the Intrust Bank in Haysville. Mayor Bruce Armstrong asked if they also wanted to use the band shelter. Smith said that was correct. Armstrong asked Smith about the concerns she had. Smith asked if the vendors would need to have permits, if there would be Police Patrol, if they would be responsible for any electricity used for the event, and how the trash pick up would be handled. Armstrong reported that the vendors would need to be licensed for the City. Armstrong asked City Clerk Carol McBeath to go over the things that needed to be done. McBeath stated the City did not ask that vendors be licensed with the City but they would need to have liability insurance since the event was not sponsored by the City. McBeath stated the Council could waive the fee for the electricity if they chose to do so. Armstrong asked Smith if they would need more Police Patrol than normal. Smith advised there would be no alcohol served and she did not expect people to be disorderly. Smith stated the event would have classic cars, motorcycles and vendors and they planned on doing raffles. Police Chief Mike McElroy reported the normal street Police patrol could handle the event for the first year. Armstrong told Smith they would need to make sure the trash was in the containers provided and if they needed anymore containers, it would be up to them to take care of the matter. Councilperson Steven Crum asked if they were leaving time for the set up. Smith said she would change the time to 12:00 noon to 6:00 p.m. so the entries could be set up by 1:00 p.m. Councilperson Bill Youngers asked if anything was schedule for the Park that day. Director of Governmental Services Carol Neugent stated there was nothing scheduled that day in Riggs Park.

Motion by Youngers – Second by Wilkerson

If there is no other discussion, I would make the motion that we allow Pamela to use Riggs Park for the memorial car/bike show waiving all fees as long as they do the policing of the trash and leave everything as it was.

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 16

Councilperson Keith Pierce asked if there needed to be a deposit made for the park as in the past. Councilperson Bill Youngers said he did not recall charging a deposit in the past. Pierce asked if the date and time needed to be added to the motion. Councilperson Rob Wilkerson stated Mayor Bruce Armstrong included the date and time when he read back the motion.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong told Smith and Robbins to coordinate with City Clerk Carol McBeath on the event. Councilperson Rob Wilkerson asked if flyers would be sent out. Pamela Smith stated there would be flyers sent out and they would be putting a registration form in the newspaper and hand some out to the local businesses. Smith told Wilkerson she would make sure he received a flyer.

Steve Spalding, 415 Hillcrest, addressed Council and said he wanted to take the time to thank the Mayor and the Council for the fine decision about the franchising for trash. Spalding said he had been told there had been something received in the mail concerning the trash service and wanted to know if that was how it had been voted on. Mayor Bruce Armstrong advised the vote had been done at a City election. Spalding thanked the Council again.

There was no Executive Session.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the First Half of June.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion if there is no discussion to go ahead and pay the bills for the first half of June.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

There was nothing on the Consent Agenda.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Ken Hampton asked why the signs at the Skateboard Park had not been put up renaming the park in memory of the individual as requested several months ago. Public Works Director Randal Dorner explained the City had tried to contact the citizens who had come to Council to request the change but they have not heard from them. Dorner reported the signs had to be paid for and he had to have the correct spelling of the name to go on them. Councilperson Rob Wilkerson asked what the cost would be. Dorner said he did not know because he did not know exactly what they wanted on the signs. Hampton asked Dorner to look into the matter some more. Hampton also asked if there would be a budget workshop and Mayor Bruce Armstrong reported there would be multiple meetings on the budget.

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 17

Councilperson Steven Crum reported on his ride on the new Gator going down the hike/bike trail and to Orchard Acres Park. Crum stated he had talked to Councilperson Bill Youngers about getting the equipment at that park improved and updated, as he felt Orchard Acres had been kind of neglected. Crum also asked Police Chief Mike McElroy about the Click it or Ticket campaign. McElroy reported the campaign was over and he would give the final report on it when they received the State Report. McElroy announced there would be a DUI check point this year under another campaign that he thought would be in September. Crum asked McElroy if he had noticed an increase in underage parties where they were drinking. McElroy stated it had been quiet so far and advised the citizens could call the Police dispatch if that happened.

Councilperson Keith Pierce asked if contingencies were carried out when Council made a motion to do so. Pierce said he was assuming that matters were taken care of since Council did not receive any information back on things that had been discussed. Pierce gave examples of an abatement that was to be taken care of on good faith and the issue on insurance. Mayor Bruce Armstrong told Pierce that conditions were being met that were put on motions. Pierce asked about the cracks in the concrete on the hike/bike path. Public Works Director Randal Dorner reported areas of the hike/bike path were being repaired and they tried to make the repairs thicker.

Councilperson Joe Holub mentioned an article from the Kansas Government Journal May 2006 edition about the machinery and equipment tax exemption having an impact on City and County revenues. Holub said he would like the staff to check on the matter to see if it would affect the City in a negative way. Mayor Bruce Armstrong advised the tax exemption would affect the City in a negative way and the matter would be discussed during the budgeting process.

Councilperson Bill Youngers said he had a concern about the playground equipment in Orchard Acres but that would be a budget item. Youngers suggested that citizens who lived in the park areas could put fund raisers together to raise money for some new equipment because it was so expensive. Youngers wanted to know if a citizen was responsible for keeping property cleaned up that backed up to the hike/bike trail. Public Works Director Randal Dorner said they encourage people to take care of their portion of property up to the sidewalk. Mayor Bruce Armstrong advised the property was an easement so if the homeowner did not take care of it, the City would take care of it. Youngers asked if the City had any problems with the parking at Nelson school on Delos. Dorner said that would be considered private property. Youngers had a concern with the new businesses on North Main not doing any landscaping as required in the Ordinance. Armstrong advised that had been discussed and the businesses would do something about it or have their doors locked. Councilperson Rob Wilkerson asked if the landscaping included the Senior Housing. Armstrong advised that included everyone in that area.

Mayor Bruce Armstrong asked for adjournment.

Motion by Pierce – Second by Wilkerson

Mr. Mayor and Council, I make a motion that we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

REGULAR COUNCIL MEETING

JUNE 12, 2006

PAGE 18

The Regular Council Meeting adjourned at 8:41 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Dotti McBride: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, and Streets here.

Invocation was given by Pastor Mike Bradshaw, Haysville Christian Church.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Bruce Armstrong presented Commissioner Tim Norton Re: Presentation of Public Works Award for Grand Avenue Railroad Project/Sedgwick County Update.

Commissioner Tim Norton addressed Council and stated he was very proud to be present that evening and share an award the County had received from the Public Works Association from the State of Kansas. Norton told everyone the Grand Avenue Railroad Separation had been entered in the contest and won in the category for projects from two to ten million dollars. Norton advised the project would “roll over” into the national competition as the Public Works Project of the Year. Norton stated there were approximately thirty two entries around the nation and Haysville should be proud of the project that the Mayor, Council, and staff had suffered through for eighteen months. Norton said the project had started when he was the Mayor of Haysville. Norton presented the Mayor with the award.

Commissioner Tim Norton gave a summary on the projects that were on the County’s Agenda to complete. Norton reported on the new \$48,000,000.00 jail project, the aviation tech center, the new arena plans, and the revitalization efforts for South Broadway/Hwy. 81 corridor. Norton told Council the South Broadway area was the gateway to Haysville and as it deteriorated, it shut off Haysville from the rest of Wichita. Norton advised there was money from Federal and State funds that could be used to revitalize the area. Norton reported there was road work being done on 87th Street and Maize south of 71st Street. Norton reported on the center of the City beautification program and said there were plans for a fountain, statues, flowers, and sidewalks to complete the project. Councilperson Joe Holub asked about the Cowskin Creek cleanup. Norton reported the cleanup started at 95th Street at the Sumner County Line instead of in Haysville because that area needed cleaned up in order for the water to drain properly and not cause portions of the land to flood. Norton advised the County would help do work in Haysville in the near future. Norton reported on the fourteen hundred tires that had been cleaned up on some land near the Cowskin Creek. Councilperson Steven Crum asked about a left turn lane signal at 63rd Street and Broadway. Norton advised that would be a State project and not a County project and he agreed it needed to be done because it was a dangerous intersection. Norton advised the Council to keep bringing up the problem and he would keep telling KDOT about it and hopefully, the project would get done. Norton reported on the 47th Street corridor and the importance of the growth of that area for Haysville. Norton thanked Council for letting him give his update that evening.

Mayor Bruce Armstrong presented the Presentation of Park Board Volunteer of the Year 2006.

REGULAR COUNCIL MEETING

JUNE 26, 2006

PAGE 2

Park Board Chairman Bill Youngers presented Tom Nickel with the award for the Park Board Volunteer of the Year 2006. Nickel thanked Youngers and told everyone it was nice to be recognized.

Mayor Bruce Armstrong presented for approval the Minutes of June 12, 2006.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we approve the Minutes of June 12, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets abstain.

Motion declared carried.

Mayor Bruce Armstrong reported there were no Citizens to be Heard on the Agenda.

Mayor Bruce Armstrong reported there were no Licenses and Bonds to be approved on the Agenda.

Mayor Bruce Armstrong presented the Introduction of Ordinances and Resolutions.

Mayor Bruce Armstrong presented for approval AN ORDINANCE CONCERNING ADOPTION OF FEES SET FORTH IN K.S.A.12-4117.

Mayor Bruce Armstrong asked City Attorney Alison McKinney Brown to explain the Court cost Ordinance. Brown advised the State Legislature had passed an increase to the docket fees that Municipal Courts were required to assess. Brown informed Council the fees currently were \$9.00 and as of July 1, 2006 they would be raised to \$19.00. Brown advised the fees were spread across a variety of different funds such as Law Enforcement Training. Brown explained the City would be required to generate an extra \$10.00 per case and send it to the State Legislature. Councilperson Ken Hampton asked if it was mandatory that the Ordinance be passed. Brown said it was not mandatory the Ordinance be passed but it was mandatory that an additional \$10.00 extra per case be paid.

Motion by Hampton – Second by Pierce

I will make a motion that we pass AN ORDINANCE CONCERNING ADOPTION OF FEES SET FORTH IN K.S.A.12-4117.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS-PHASE III/COUNTRY LAKES ADDITION).

REGULAR COUNCIL MEETING

JUNE 26, 2006

PAGE 3

Motion by Hampton – Second by Wilkerson

I will make a motion that we accept a Resolution for the Sanitary Sewer Improvements – Phase III/Country Lakes Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISIBILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER LINE IMPROVEMENTS – PHASE III/COUNTRY LAKES ADDITION).

Motion by Hampton – Second by Ewert

If there are no other questions, I make a motion that we pass the Resolution concerning the water line improvements for Phase III, Country Lakes Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISIBILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STREET IMPROVEMENTS – PHASE III/COUNTRY LAKES ADDITION).

Motion by Hampton – Second by Pierce

Mr. Mayor, I would make a motion that we approve the Resolution concerning the Street Improvements for Phase III/Country Lakes Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

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

Councilperson Ken Hampton asked about complaints on the Community Building and Park rentals. City Clerk Carol McBeath advised there were forms to be sent out if a citizen had a complaint and explained there had not been any complaints in awhile so no forms had been sent out.

Mayor Bruce Armstrong presented the Governmental Services Activity Report for May.

REGULAR COUNCIL MEETING

JUNE 26, 2006

PAGE 4

Mayor Bruce Armstrong presented the Police Department Activity Report for May.

Mayor Bruce Armstrong reported there had been ninety-four high weed calls. Councilperson Bill Youngers said he would like to comment on the action requests for the vacant lots concerning high weeds. Youngers said he wished there was a way to monitor the high weed complaints to see if there were second time offenders so the process would not have to be started over again. Mayor Bruce Armstrong advised the only thing that could be done was to change the Ordinance for violators and suggested Council look into the matter.

Mayor Bruce Armstrong asked for Governing Body Announcements.

Councilperson Steven Crum reported on the programs the Library would be having during the summer months. Crum advised there were several computers at the Library for public use. Crum asked everyone to use caution when they used fireworks over the 4th of July holiday and to please clean up their mess afterwards.

Councilperson Keith Pierce announced he would be absent from the Council Meeting on July 24, 2006.

Councilperson Bill Youngers reported the Haysville Hometown Market had been put on hold for a couple more weeks. Youngers advised more vendors were needed for the market and asked anyone interested to contact the Haysville Activity Center. Youngers told everyone that Planning and Community Relations Coordinator Angela Millspaugh would give an update on the July 4th activities. Youngers invited everyone to come and join the festivities and enjoy the fireworks.

Councilperson Patricia Ewert thanked the Park Board for the Garden Tour that had been held the last weekend.

Councilperson Michael Streets asked if Police Chief Mike McElroy would report on the hours and legalities for the fireworks. McElroy advised he would report on the matter during his Police Report on the Agenda that evening.

Mayor Bruce Armstrong presented the Memorandum from Public Works Director Randal Dorner Re: Class I Water Operator Max Behrns – Promotion to Class II Water Operator.

Mayor Bruce Armstrong presented the Memorandum from Public Works Director Randal Dorner Re: Wastewater Operator Trainee Keith Hill – Promotion To Class I Wastewater Operator.

Under Other Business Mayor Bruce Armstrong presented the Consideration of Memorandum from Planning and Community Relations Coordinator Angela Millspaugh Re: Riggs Pond July 4th Fishing Derby.

REGULAR COUNCIL MEETING

JUNE 26, 2006

PAGE 5

Planning and Community Relations Coordinator Angela Millspaugh gave Council an update of the activities for the 4th of July and invited everyone to come out and enjoy the fun. Millspaugh reported there would be a Fishing Derby held in Riggs Park and she requested that Council close the pond until the event and not allow any fishing until the Derby. Millspaugh announced the pond would be stocked for the Derby.

Motion by Hampton – Second by Pierce

I will make a motion that we allow no fishing be allowed in Riggs pond June 27, 2006 through the opening of the Fish Derby on July 4th.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Bids for Public Works Entry Way Fences and Gates.

Public Works Director Randal Dorner explained the fence would have a double retracting with a twenty foot opening to allow the large tractors to go through it. Dorner asked Council for authorization to spend up to \$50,000.00, if the budget allowed, to continue with the fence. Dorner explained the fence would totally secure the south side of the Public Works Department. Dorner told Council he would like to have the fence completed by the end of the year. There was a discussion about the price of the fencing. Councilperson Joe Holub asked if the fence would limit the RV access. Dorner advised it had been discussed where to put the RV dump station and there were considerations that would be looked at for the location. Councilperson Ken Hampton asked if the money for the fencing would come out of Capital Improvements. Dorner advised it would be taken out of the Water and Wastewater budgets. Hampton asked if the \$50,000.00 had been budgeted for this year. Dorner reported he had budgeted for most of the fencing. There was a discussion on the extra fencing needed and the cost of the materials.

Motion by Hampton – Second by Pierce

I will make a motion that we approve up to \$50,000.00 for fencing around Public Works, project using Aero Fence Company.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Water Supply Line Petition Re: A Portion of Haysville Schools.

Councilperson Ken Hampton asked about the proposed cost of 0% to the improvement district. Professional Engineering Consultant Rod Young reported that had been a typo and said it should be 100%.

Motion by Hampton – Second by Pierce

REGULAR COUNCIL MEETING

JUNE 26, 2006

PAGE 6

I will make a motion that we approve the Water Supply Line Petition with the correction being made.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Sanitary Sewer Petition Re: A Portion of Haysville Schools.

Mayor Bruce Armstrong advised the petition was different because the school would be paying for just their use and the City at large would be paying for anything over and above. Councilperson Keith Pierce asked if the 42% would be an amount that would be spread over the development. Mayor Bruce Armstrong said that was correct.

Motion by Hampton – Second by Pierce

I will make a motion that we approve the Sanitary Sewer Petition as presented before us tonight.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for the Consideration of Approval of American Red Cross Host Agency Agreements for 2006/07 Program Year.

Councilperson Ken Hampton stated that before the Council moved on to the next item, he would like to ask a question about final plats. Hampton asked that when Council received copies of the final plats, could they be in larger print so they could read them. Mayor Bruce Armstrong advised that could be done.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I would make a motion that we go ahead and approve the American Red Cross Host Agency Agreement for the 2006/2007 program year.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consideration of Approval of Agreement with Kansas Department of Transportation Re: South Main Improvements.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we go ahead and okay the approval with KDOT regarding the South Main Improvements.

Councilperson Ken Hampton asked if the money for the project would come out of 2008 budget. Mayor Bruce Armstrong advised the City had been budgeting for this project out of Capital

REGULAR COUNCIL MEETING

JUNE 26, 2006

PAGE 7

Improvements. Director of Governmental Services Carol Neugent reported the project would bid in September 2006 and begin in 2007, and was an 80/20 % project with KDOT.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consideration of Approval of Contract Agreement with Professional Engineering Consultants Re: Improvements to Country Lakes Addition (PEC Project No. 35-06000-1263 for Streets, Waterline, and Sanitary Sewer).

Professional Engineering Consultant Rod Young explained that this contract was standard. Councilperson Steven Crum asked how many lots were in the Phase. Young reported there should be over sixty lots.

Motion by Hampton – Second by Pierce

I make a motion that we approve the contract with PEC for the Improvements to Country Lakes Addition PEC Project No. 35-06000-1263 for Streets, Waterline, and Sanitary Sewer.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consideration of Approval for Proposed Changes to the Nuisance Abatement Codes (Information to be Distributed June 12, 2006).

There was a discussion about the definitions of vehicle covers. City Attorney Alison McKenney Brown explained the difference between a tarp and automobile cover. Councilperson Steven Crum asked if a Police Officer could write a complaint or ticket for a violation if the Code Enforcement Officer was not available. Brown explained a Police Officer could only file the complaint if they actually saw the offense.

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion that we go ahead and approve the proposed changes to the Nuisance Abatement Codes that was distributed at the last meeting that we had just got done discussing.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Discussion of Capital Improvements Program.

Mayor Bruce Armstrong advised there was a lot of information to read over and if Council would like to table the program, they could do so to give them more time to look it over. Councilperson Bill Youngers advised the Historic District Committee had been considering revising their plans for the use of the Historic District and would probably be making some changes from what had been listed. Armstrong advised amendments could be made later on.

REGULAR COUNCIL MEETING

JUNE 26, 2006

PAGE 8

Councilperson Steven Crum suggested the Park Board and Tree Board get together and do some work together on the parks. Councilperson Ken Hampton stated there were several changes and questions that needed answered and he suggested tabling the program until August. Armstrong said he would like to move forward with the program but advised the matter could be brought up at Council Meetings in the future to discuss any issues.

Motion by Crum – Second by Hampton

I make a motion that we go ahead and table the discussion and to continue it at our next meeting, which would be the first meeting in July.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried. .

Under Old Business Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Haysville Planning Commission Re: General Revision to the Zoning Ordinance (16-404 & 16-415) (Tabled from 6-12-06).

Councilperson Steven Crum asked if any businesses were in the City that came in under certain zoning overlays that would conflict with the revision. Planning and Community Relations Coordinator Angela Millspaugh advised she did not think there were any businesses the revision would conflict with, but if there were, the revisions that were included were “on top” of the overlay. Councilperson Keith Pierce asked about sub-standard permanent foundations and wanted to know if that could be any type of material. Millspaugh explained that was meant for the sheds that were smaller and did not need a permit. Public Works Director Randal Dorner advised the sheds could be on anything but un-treated 2 X 4s. Pierce stated that mobile homes were defined twice in the Ordinance. City Attorney Alison McKenney Brown explained the definition of mobile home. Pierce wanted to know about dwelling specifications. Millspaugh explained his concerns.

Motion by Hampton – Second by Wilkerson

I make a motion that we approve the General Revision to the Zoning Ordinance 16-404 and 16-415.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath introduced the new Office Clerk Dotti McBride and the new Administrative Secretary Jeana White.

Director of Governmental Services Carol Neugent had nothing to report.

REGULAR COUNCIL MEETING

JUNE 26, 2006

PAGE 9

Police Chief Mike McElroy introduced the visiting officer MPO Meredith McDonald. McElroy reported on the hours that fireworks could be set off in the City of Haysville and told which types of fireworks were legal.

Public Works Director Randal Dorner reported the City had limited the tree limb drop off at Public Works to Haysville residents only. Dorner explained the burning issues and stated everyone would need to check in at the Public Works office with proof of their address with a driver's license or water bill. Councilperson Steven Crum asked about citizens calling to make an appointment to bring in limbs. Dorner advised the City would continue to let Haysville citizens only bring in limbs and grass clippings and stated again they would need to check in at the Public Works office. Dorner reported the City had a three to five inch barrier they would mow up to a citizen's fence and it was the responsibility of the homeowner to weed eat their own fence in case there should be any damage done to the fence.

Recreation Director Georgie Root reported the City pool would host a pool party for the Middle School on Friday, July 7, 2006 from 7:00 p.m. to 9:00 p.m. and the admission would be \$3.00. Root told everyone the next session of swimming lessons would begin July 10, 2006 and they could contact the pool for more information. Root advised kick boxing classes would start at the Haysville Activity Center on Tuesdays and Thursdays and to contact them if they would like more information on those classes.

Under Appointments Mayor Bruce Armstrong advised there was still an opening on the Park Board for Ward II if anyone was interested.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

Brent Wiseman, 334 N. Sunnyside addressed Council and stated he was there to ask them for permission to put up signs on public property for football sign ups. Mayor Bruce Armstrong asked Code Enforcement Officer Cale Topinka what the Ordinance stated for signs being up for that purpose. Topinka reported it was for approval by the Governing Body. Armstrong asked how long Wiseman wanted the signs up. Wiseman advised the signs would not be up over three weeks and stated the signs would be up as soon as he could get them up and would be up until the 15th of July.

Motion by Hampton – Second by Wilkerson

I make a motion that we allow him to put up the signs on public owned property from the dates of June 27th through July 15th.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked if there were any other Off Agenda Citizens to be Heard. There were none.

There was no Executive Session on the Agenda.

REGULAR COUNCIL MEETING

JUNE 26, 2006

PAGE 10

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the last half of June.

Councilperson Ken Hampton asked about Item No. 16 on page two for the phone messaging services. Hampton asked if that was something new because he did not recall seeing that service before. Mayor Bruce Armstrong advised that was part of Community Development Director Larry Powell's monthly phone bill. Hampton wanted to know about the fiber switches from Computer Hut on page 4 for \$327.00 for a total of \$450.00. Hampton advised the numbers did not add up and wanted to know if that was a typo. Director of Governmental Services Carol Neugent advised the total bill had been for \$824.00 and asked if Hampton wanted them to look up the purchase order. Hampton stated the labor price for doing the job was high. Neugent stated she would look that up and e-mail Hampton on the follow up. Hampton asked about the trash service pick up on page 3. for the City Wide Clean Up. Hampton wanted to know if the east side of town had more trash pick up than the west side. Mayor Bruce Armstrong advised that was only a portion of the bill, some of the invoices had already been paid, and there would be more invoices coming in to be paid.

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion that we go ahead and pay the bills for the last half of June.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

There was nothing on the Consent Agenda.

Mayor Bruce Armstrong asked for any Council Concerns.

Councilperson Patricia Ewert asked about the high weeds that needed mowed on 7th Street. Public Works Director Randal Dorner advised that was on the mowing schedule for the next week because it had been too wet to mow it. Ewert wanted to know who was responsible to mow the Lutheran Church property since it was vacant now. Police Chief Mike McElroy reported the City had been following up on the issue.

Councilperson Joe Holub asked if the matter of the RV Dump Station would be settled by Wednesday. Public Works Director Randal Dorner advised it would be discussed with an RV owner separately and they would try to find a good location.

Councilperson Keith Pierce advised the Utility Committee had discussed the problem of vandalism to City property and came up with a program to identify and deal with vandals. Pierce asked if that was an appropriate task for the Utility Committee or should it be a Police Committee matter. Mayor Bruce Armstrong advised there could not be four Councilmembers discussing a matter, but if they would like to discuss the issue at a Council meeting or a workshop, that would be legal. Pierce asked if they were in violation if they had discussed the issue already. City Attorney Alison McKenney Brown explained that should be fine since they had discussed the issue as committee members, made no final decisions and their suggestions would be brought back to Council. Pierce asked if the task should be assigned. Armstrong

REGULAR COUNCIL MEETING

JUNE 26, 2006

PAGE 11

advised they could take volunteers to serve on the committees. Councilperson Rob Wilkerson and Councilperson Keith Pierce stated they would volunteer to discuss the matter with Public Works Director Randal Dorner and Police Chief Mike McElroy.

Councilperson Rob Wilkerson asked Public Works Director Randal Dorner if the new antique looking street lights, which had already been placed around the City, would be put up in the area of the new Dollar General Store. Dorner said they would. Wilkerson commented that the Garden Tour had a good turn out and he enjoyed meeting the people who had attended. Wilkerson wanted to know who was responsible for the weeds at the big ditch. Police Chief Mike McElroy advised if the weeds were on the floodway property, it would be the County who was responsible. Dorner also stated that would be the County's responsibility. Wilkerson asked Dorner to contact the County to clean up the weeds.

Councilperson Steven Crum discussed buying storage buildings for equipment at Public Works.

Councilperson Ken Hampton asked about a blue/gray Cadillac with Oklahoma tags that had been parked at the Public Works Department for about two weeks. Public Works Director Randal Dorner reported the car would be towed the next morning if it had not been removed already. Hampton said he had a concern with the Haysville Times not printing the correct information about the trash franchising article. Hampton advised the article had the Council voting unanimously and had the Mayor voting on the subject, which both were not correct. Hampton asked if a tape could be sent to the Haysville Times so they could review it and possibly get the facts correct. Director of Governmental Services Carol Neugent advised that could be done and suggested giving the Haysville Times a DVD for their computer.

Mayor Bruce Armstrong asked for adjournment.

Motion by Pierce – Second by Holub

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Regular Council Meeting adjourned at 8:52 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Jeana White: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, and Ewert here. Councilperson Mike Streets was absent.

Invocation was given by Reverend Steven Dezotel, Church Of The Nazarene.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Mayor Bruce Armstrong presented for approval the Minutes of June 26, 2006.

Motion by Pierce – Second by Holub

Mr. Mayor, if there are no comments or corrections I move that we approve the minutes of June 26, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong reported there were no Citizens to be Heard on the Agenda.

Mayor Bruce Armstrong reported there were no Licenses and Bonds to be approved on the Agenda.

Mayor Bruce Armstrong presented the Introduction of Ordinances and Resolutions.

Mayor Bruce Armstrong presented for approval AN ORDINANCE CONCERNING THE AMENDMENT OF CHAPTER 7, ARTICLE 4, OF THE CITY CODE OF HAYSVILLE, KANSAS, IN CONNECTION WITH MODIFYING THE NUISANCE SECTION OF THE HEALTH AND WELFARE REGULATIONS, ALL WITHIN THE CITY OF HAYSVILLE, SEDGWICK COUNTY, KANSAS.

Mayor Bruce Armstrong advised this was the Resolution passed at the last Council Meeting and was back to the Council for an Ordinance. There was considerable discussion where several council members indicated concerns. Councilperson Keith Pierce advised that he would like to remove twelve inches in height, from the Ordinance. City Attorney Lee Parker advised the wording of twelve inches could be removed from the Ordinance. Councilperson Steven Crum advised that the word brush had not been included. Armstrong asked if it should be included as other offensive and disagreeable things. Crum advised that some citizens might not think brush was offensive. Armstrong asked Parker if the Ordinance pertained to private or public property. Parker advised that if they changed the Ordinance to leaking fluids instead of leaking fluid onto the street, it pertained to private property and was enforceable by the City.

Motion by Hampton – Second by Pierce

I would like to go ahead and pass this ordinance with the exception of 741.1 were it talks about twelve inches in height. I want to eliminate the twelve inches and then on Exceptions under (2) I would like to add on the ground besides public streets.

REGULAR COUNCIL MEETING

JULY 10, 2006

PAGE 2

City Attorney Lee Parker stated to just mark out on nothing. He advised don't put in public streets, just to mark out onto the public streets just put is not leaking fluids.

Councilperson Ken Hampton agreed that would work. Hampton stated the only other items he wanted to add was what Councilman Steve mentioned about adding brush onto the definitions under (a). And other than that I don't have a problem with the rest of the ordinance. I think I can live with it.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong presented for approval AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ZONING ORDINANCE AND REPEALING CERTAIN OTHER PROVISIONS.

Mayor Bruce Armstrong advised this was a follow up Ordinance to a Resolution passed at last Council Meeting. Councilperson Keith Pierce stated there was a grammatical error that had not been corrected. Pierce advised a period should be put after treatment in the second sentence. Pierce stated that would start the next sentence of, such places shall comply with all applicable regulatory requirements. City Attorney Lee Parker advised inserting the word "which" after the word treatment.

Motion by Pierce – Second by Hampton

Mr. Mayor, I move that we pass this Ordinance as written with the exception of the corrections to the paragraph I discussed with the attorney, page six.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Under Notices and Communications Mayor Bruce Armstrong presented the Sedgwick County Fire Department, Station #34 Activity Report for June.

There was no one present from the Sedgwick County Fire Department #34. Mayor Bruce Armstrong gave a summary of the report.

Mayor Bruce Armstrong presented the Public Works Activity Report for June.

Mayor Bruce Armstrong presented the Recreation Activity Report for June.

Mayor Bruce Armstrong asked for Governing Body Announcements.

There were none.

Mayor Bruce Armstrong presented the Memorandum from City Clerk Carol McBeath Re: Mileage Rate.

REGULAR COUNCIL MEETING

JULY 10, 2006

PAGE 3

Mayor Bruce Armstrong presented the Memorandum from City Clerk Carol McBeath Re: Administrative Secretary Jeana White – New Hire.

Mayor Bruce Armstrong presented the Memorandum from Public Works Director Randal Dorner Re: Full Time Temporary General Maintenance Worker Alex Brooks – New Hire.

Mayor Bruce Armstrong presented the Letter from Cox Communications Public Affairs Director Sarah Kauffman Re: Addition of Real Estate Channel.

Under Other Business Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Police Chief Mike McElroy Re: 800 MHZ REBANDING.

Police Chief Mike McElroy addressed the Council and asked if they had questions. Councilperson Joe Holub asked McElroy what the cost for rebanding would be. McElroy explained costs were to be reimbursed by Nextel and he could not affix a cost to Rebanding. McElroy advised cost would depend on the amount of work to license the frequency within the spectrum. McElroy advised cost would also depend on the amount of radios that could not be reprogrammed and must be replaced. Holub asked McElroy if he had estimated costs. McElroy advised he did not have estimated costs but the FCC ordered Nextel to reimburse the City for all cost. Councilperson Keith Pierce asked if action was required of the Council. McElroy stated he needed approval to enter into a service agreement with the two entities listed in the Memorandum. Pierce asked if McElroy had chosen the consultants and attorneys. McElroy advised that the attorneys and consultants were doing work for the state and county. McElroy stated that once the City had an agreement he could estimate cost.

Motion by Hampton – Second by Wilkerson

If there are no other questions I will go ahead and make a motion that we allow the Chief to enter into a service agreement with RCC Consultants and Shulman, Rogers, Gandal, Pordy and Ecker, P.A.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Recreation Director Georgie Root Re: Proposed Half Price Pool Passes.

Recreation Director Georgie Root advised that the pool season was half over and proposed passes be discounted. Councilperson Steven Crum asked if discounting was done in past years. Root advised that they had. Councilperson Patricia Ewert asked who set the opening and closing date of the pool. Root advised that it was the Recreational Department who set the dates. Ewert asked why the pool does not stay open on weekends after school resumed. Root explained cost and staffing were major issues. Mayor Bruce Armstrong advised attendance in past years had not justified staying open. Councilperson Keith Pierce asked if discounting tickets had been successful in past years. Root advised they had sold an additional ten to fifteen passes last year after discounting.

REGULAR COUNCIL MEETING

JULY 10, 2006

PAGE 4

Motion by Pierce – Second by Wilkerson

I move that we approve Georgie's request to offer half price pool passes as an incentive for the balance of the season.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consideration of Water Main Improvements Petition Re: 79th Street South – Country Lakes Addition.

Councilperson Joe Holub asked why the City At Large was asked to pay 16.37 percent for Country Lakes Addition on the Petition. Director of Governmental Service Carol Neugent advised the Petitions needed to be tabled. Neugent stated they would need to find out why the City At Large was asked to pay a percentage of costs.

Motion by Holub – Second by Pierce

I do make the motion to table this Petition and the two Petitions following until we get a clarification.

Mayor Bruce Armstrong asked if all three petitions could be tabled with one vote. City Attorney Lee Parker said they could.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval to Establish July 17, 2006 As Workshop To Discuss Budget – Determine Time

Motion by Holub – Second by Ewert

If there are no other questions Mr. Mayor, I'll make the motion that we meet at 7:00 p.m., July the 17th, to discuss at the workshop, to discuss the budget.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Discussion of July 4th Fireworks Clean Up (Requested By Councilmember Streets).

Mayor Bruce Armstrong advised that Councilperson Mike Streets was not present to discuss the issue. Councilperson Steven Crum asked Police Chief Mike McElroy if there was more or less clean up by citizens this year compared to past years. McElroy advised citizens had better clean up effort than past years. Crum stated last year citizens did a better job of cleaning up than in previous years and he hoped that carried over. Councilperson Bill Youngers commented he believed the neighborhoods had improvement from the past. Councilperson Patricia Ewert advised she had a citizen call to inform her citizens were still driving around fireworks on Stewart Court. Ewert asked who set the regulations for the amount of time fireworks were sold and shot off. Crum answered the Council set those regulations by Ordinance. Ewert informed

REGULAR COUNCIL MEETING

JULY 10, 2006

PAGE 5

the Council she wanted to review that. Ewert stated that eight days of shooting and seven days of selling was too much. Councilperson Ken Hampton suggested street cleaning be changed from prior to shooting dates to afterwards. Councilperson Rob Wilkerson advised that cleaning streets afterwards would cause citizens to leave trash in the street, expecting street sweepers to clean it up. Mayor Bruce Armstrong advised the issue could be brought up by Streets at the next meeting during Council Concerns.

Under Old Business Mayor Bruce Armstrong presented Continued Discussion of Capital Improvements Program (Tabled from 6-26-06).

Councilperson Keith Pierce advised he did not have problems with any of the recommendations except the funding for the Plagens-Carpenter Sports Complex. Pierce stated that he would rather see improvements to the pool and housing for Public Works equipment completed first. Pierce stated he would also like Timberlane drainage and re-pavement of Clinton Avenue completed. Councilperson Rob Wilkerson stated he would like to see improvements to the Senior Center, Library and Police Station. Councilperson Joe Holub asked Public Works Director Randal Dorner the cost of building a garage for equipment. Dorner answered that the last building was \$300,000. and was equipped with electricity and heating. Mayor Bruce Armstrong suggested an un-insulated metal building with sliding doors. Councilperson Steven Crum stated Orchard Acre Park needed improvements. Councilperson Ken Hampton advised the City Building was in need of Capital Improvements. Hampton questioned improvements for underground pipes and Cowskin Creek cleanup. Armstrong advised that the pipes under Alexander Drive. are deteriorating and the Cowskin Creek cleanup is a joint effort with the County's clean up of the Creek. Hampton questioned the twelve inch tie-in to Timber Creek. Professional Engineering Consultant Rod Young advised that the current tie-in is not ideal size and cost of that up-sizing would be shared between the City and Developers.

Motion by Crum – Second by Wilkerson

Mr. Mayor I'd go ahead and make a motion that we table the CIP until the first meeting in August.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath had nothing to report.

Director of Governmental Service Carol Neugent reported that Wednesday July 26, 2006 from 4:00 p.m to 8:00 p.m. there is an open house at the Community Building to get citizen input on Haysville's transportation areas. Neugent also reported that The City of Haysville has officially been recognized with a population of over ten thousand from the Wichita Sedgwick County Development Trends Report.

Police Chief Mike McElroy introduced the visiting officer LT. Keith Luongo.

REGULAR COUNCIL MEETING

JULY 10, 2006

PAGE 6

Public Works Director Randal Dorner reported the Recreational Vehicle dump station was still being designed and RV owners were being consulted to make sure the facility met their needs. Dorner reported drawings of the station were forthcoming.

Recreation Director Georgie Root reported that Peach Capital Soccer Club voted to have the Recreation Department take over the program. Root stated registration began Monday July 17, 2006 and would run through August 17, 2006 at the Haysville Activity Center. Councilperson Bill Youngers asked who was responsible for field upkeep. Root answered that the Recreation Department would be responsible. Root advised that they would be contracting out for the mowing services since the club had sold portions of their equipment, including the mower.

Under Appointments Mayor Bruce Armstrong reported there were no appointments.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

Howard Cook, 323 S. Twin Pines addressed Council and told the Council he was curious why they added brush to item A when you have piles in item K; "Piles or otherwise disorderly accumulations of wood located upon any residential or commercial properties." Councilperson Steven Crum advised he considered piles of wood to be firewood or cut wood and did not pertain to brush or trim. Cook stated that in K is a list how firewood would be put up anyway. Cook stated he was just curious and thanked the Council.

Mayor Bruce Armstrong asked for a motion to go into Executive Session for twenty minutes for Land Acquisition to include Director of Governmental Service Carol Neugent, Public Works Director Randal Dorner, Economic Development Director Larry Powell, and City Attorney Lee Parker.

Motion by Hampton – Second by Pierce

I'll make a motion that we break for Executive Session not to exceed twenty minutes to include Governmental Services, Public Works, Economical Developer, the Attorney and the Governing Body.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Council went into Executive Session at 8:06 p.m.

Council returned from Executive Session at 8:24 p.m.

Mayor Bruce Armstrong called the meeting back to order and advised there was no binding action taken in Executive Session.

Motion by Hampton – Second by Wilkerson

I would like to add to the Agenda an item 10 B, I guess it would be: A proposed contract between Prairie State Bank and The City of Haysville for an amount of \$50,000 for land acquisition.

REGULAR COUNCIL MEETING

JULY 10, 2006

PAGE 7

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I then make the motion that we enter into a contract agreement for the purpose of land acquisition with Prairie State Bank for the property at 334 N. Main. Excuse me all of 334 N. Main or Lot 1 Cazal's Eighth Addition City of Haysville, Kansas, except the south seventeen and a half feet, for the amount of \$50,000.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the First Half of April.

Motion by Hampton – Second by Crum

I'll make a motion that we pay the bills for the first half of July.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consent Agenda.

Motion by Pierce – Second by Crum

Mr. Mayor, I move that we approve the Consent Agenda.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong asked for any Council Concerns.

Councilperson Rob Wilkerson advised the southeast corner of 63rd Street and Seneca, and Osage and Osage, needed to be mowed. Public Works Director Randal Dorner stated that he would take care of it.

Councilperson Steven Crum asked how political signs were being handled. Mayor Bruce Armstrong advised that political signs would be treated as it stated by Ordinance. Crum also stated his concern for South Broadway as an entrance to Haysville. Crum advised adding screening regulations to the Zoning Ordinance for those businesses. Councilperson Bill Youngers stated rather than trying to hide the businesses, they should be encouraged and helped with improving the appearance.

Councilperson Ken Hampton asked if advertised positions for Public Works were additional or replacement employees. Public Works Director Randal Dorner advised that they were all replacement employees. Hampton asked if the boat located at Public Works could be removed if it was not city owned.

Mayor Bruce Armstrong asked for adjournment.

REGULAR COUNCIL MEETING

JULY 10, 2006

PAGE 8

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I move that we adjourn tonight's meeting

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

The Regular Council Meeting adjourned at 8:24 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Council President Steven Crum at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue. Mayor Bruce Armstrong was absent.

Roll was taken by Recording Secretary Jeana White: Hampton here, Crum here, Wilkerson here, Youngers here, Ewert here, and Streets here. Councilperson Keith Pierce and Councilperson Joe Holub were absent.

Invocation was given by Reverend Tim Leaf, Resurrection Lutheran Church.

Council President Steven Crum led everyone present in the Pledge of Allegiance.

Council President Steven Crum presented for approval the Minutes of July 10, 2006.

Motion by Hampton – Second by Wilkerson

If there's no questions I'll make a motion that we approve the minutes for July 10, 2006. Hampton yea, Wilkerson yea, Crum yea, Youngers yea, Ewert yea, and Streets abstained. Motion declared carried.

Council President Steven Crum presented the Citizens to be Heard.

Council President Steven Crum presented the President of Friends Of The Library Lyn Worrell Re: Request For Haysville Community Library Annual City Wide Garage Sale Permits.

Lyn Worrell, 129 Moy Ct. addressed the Council and asked to be allowed to sell garage sale permits for the 26th Annual Haysville City Wide Garage Sale which is scheduled for August 12th and 13th, 2006. Worrell also asked that the City suspend the sale of garage sale permits for August 10th and 11th, 2006. Councilperson Ken Hampton asked if permits could be sold if all funds went to the library. Worrell advised that it would be unfair to those people who traveled to Haysville to attend the garage sales.

Motion by Hampton – Second by Ewert

I'll make a motion that we allow the library to sell garage sale permits August 12th and 13th and restrict the sale of permits for the 10th and the 11th. Hampton yea, Wilkerson yea, Crum yea, Youngers yea, Ewert yea, and Streets yea. Motion declared carried.

Lyn Worrell advised that the D.A.V. agreed to come on Monday to pick up garage sale left over items and information on that would be given when permits were purchased at the library.

Councilperson Bill Youngers reported that Haysville Hometown Market was selling permits for ten dollars for Saturday during the City Wide Garage Sale with five dollars going to the library. Spaces would be available for those who, for whatever reason, felt that was a better location.

REGULAR COUNCIL MEETING

JULY 24, 2006

PAGE 2

Council President Steven Crum reported there were no Licenses and Bonds on the Agenda.

Council President Steven Crum reported there were no Ordinances and Resolutions on the Agenda.

Council President Steven Crum presented the City Clerk Activity Report for June.

Council President Steven Crum presented the Governmental Services Activity Report for June.

Council President Steven Crum presented the Police Department Activity Report for June.

Council President Steven Crum asked for Governing Body Announcements.

Councilperson Ken Hampton reported that Wednesday July 26, 2006 from 5:00 p.m. to 7:30 p.m. the Wichita Area Metropolitan Planning Organization would be discussing the South Area Transportation Study. Hampton advised it would be open to the public at the Haysville Community Building. Director of Governmental Service Carol Neugent advised information was available on the Haysville website.

Councilperson Rob Wilkerson reported the benefit car show was Saturday July 29, 2006 at Riggs Park. Wilkerson advised registration was at 12:00 p.m.

Council President Steven Crum reported the city and volunteers completed the sod and driveway around the Economic Developer building. Crum stated the area looked nice.

Councilperson Bill Youngers reported the Haysville Hometown Market opened last Saturday with good turnout. Youngers stated hours are 8:00 a.m. to 12:00 p.m. Youngers advised information was available by contacting Larry Powell or the Haysville Activity Center.

Council President Steven Crum presented the Memorandum from Public Works Director Randal Dorner Re: Mechanic Zachary Mehle – New Hire.

Council President Steven Crum presented the Memorandum from Police Chief Mike McElroy Re: Police Officer William Daily – Resignation.

Under Other Business Council President Steven Crum presented the Consideration of Approving Publication of Notice of Hearing Re: 2007 Budget and Approval of the Public Hearing Date of August 14, 2006.

REGULAR COUNCIL MEETING

JULY 24, 2006

PAGE 3

Council President Steven Crum reported the budget was discussed at Finance Committee and a workshop had been held. Crum advised the vote was to allow the public to discuss the budget with Council. Crum stated the budget had a .125 mill reduction.

Motion by Hampton – Second by Wilkerson

I'll make a motion that we approve the publication of the Notice of Hearing for August 14, 2006 concerning the 2007 budget and for the approval of Public Hearing and also to not to exceed an ad valorem tax of \$2,157,164.

Council President Steven Crum advised after publication the budget could not increase. Crum reported the budget could change but only to be lowered.

Hampton yea, Wilkerson yea, Crum yea, Youngers yea, Ewert yea, and Streets yea.
Motion declared carried.

Council President Steven Crum presented for approval the Consideration of Pay Request No. 8 (Final) From Bryant & Bryant Construction, Inc. Re: Nelson & Old Oak Hike/Bike Trail.

Councilperson Ken Hampton asked if KDOT had approved the project. Public Works Director Randal Dorner advised PC, the engineering firm responsible for approval, along with the City Inspector did a final walk through of the project. Dorner advised the project had a one year warranty. Councilperson Bill Youngers was concerned about cosmetic issues along the trail. Dorner advised concerns addressed were included as warranty items.

Motion by Hampton – Second by Wilkerson

If there's no other questions I'll make a motion that we go ahead and pay the \$43,255.03 to Bryant & Bryant Construction for project number KDOT 87TE-0230-01 PEC 35-04058-1263.

Hampton yea, Wilkerson yea, Crum yea, Youngers yea, Ewert yea, and Streets yea.
Motion declared carried.

Council President Steven Crum reported there was no Old Business.

Council President Steven Crum asked for Department Reports.

City Clerk Carol McBeath had nothing to report.

Director of Governmental Service Carol Neugent had nothing to report.

Police Chief Mike McElroy introduced the visiting officer MPO Gregory Wright.

REGULAR COUNCIL MEETING

JULY 24, 2006

PAGE 4

Public Works Director Randal Dorner reported he had a Council Action Request Form. Dorner stated 172 Champion and 222 Champion had trash and debris throughout the yard. Dorner stated neither address complied to door hangers. Dorner advised registered letters were sent and they were waiting for a response before starting court proceedings. Councilperson Bill Youngers asked Dorner the status of the Chipper for auction. Dorner reported there was one bid and he would present that at the next Council Meeting.

Recreation Director Georgie Root reported Soccer Sign ups were still being offered for 4 to 14 year olds through August 17, 2006. Root stated they were taking sign ups for fall Youth Volleyball League for 3rd grade through 6th grade and fees are \$35. Root advised information was available through the Haysville Activity Center.

Under Appointments Council President Steven Crum reported there were no appointments.

Council President Steven Crum asked for any Off Agenda Citizens to be Heard.

There were none.

Council President Steven Crum reported there was no Executive Session on the Agenda.

Council President Steven Crum presented for approval the Bills to be Paid for the Last Half of July.

Motion by Hampton – Second by Ewert

If nobody has any questions I'll make a motion that we pay the bills for the last half of July 2006.

Hampton yea, Wilkerson yea, Crum yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Council President Steven Crum presented for approval the Consent Agenda.

Motion by Hampton – Second by Wilkerson

I'll make a motion that we accept the Consent Agenda.

Hampton yea, Wilkerson yea, Crum yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Council President Steven Crum asked for any Council Concerns.

Councilperson Rob Wilkerson reported the city was looking great and he had heard good comments about the area around the Vickers building.

Councilperson Ken Hampton encouraged people to attend the Hearing for the Budget on August 14, 2006.

REGULAR COUNCIL MEETING

JULY 24, 2006

PAGE 5

Council President Steven Crum asked for adjournment.

Motion by Hampton – Second by Ewert

I'll make a motion that we adjourn for tonight.

Hampton yea, Wilkerson yea, Crum yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Regular Council Meeting adjourned at 7:23 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building.

Roll was called by Recording Secretary Pam Robbins: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, and Streets here.

Invocation was given by Father Andrew Kuykendall, St. Cecilia's Church.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Mayor Bruce Armstrong reported that under Special Order of Business Item D needed to be moved up to Item A. Armstrong asked Council for a motion to make that change.

Motion by Hampton – Second by Pierce

Mr. Mayor, I will make a motion that we move Item D on Special Orders of Business to the first and have A, B, and C right under that.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Under Special Order of Business Mayor Bruce Armstrong presented the Presentation of PRIDE Motto Contest Winner/Update of City Wide Clean Up – Tom Gibson.

Tom Gibson, 247 Ranger addressed Council and stated he was the Chairperson for the Haysville PRIDE Committee. Gibson told Council he appreciated them moving his presentation up on the Agenda because the winner had taken off work to be present at the meeting. Tom Gibson introduced Mrs. Floyd. Gibson reported the Floyd family had presented approximately twenty-five different mottos for the PRIDE Committee to look at. Gibson explained there were thirty-six mottos submitted for the contest. Gibson stated they let the people of the community vote on the mottos and the PRIDE Committee chose a winner out of them. Gibson reported the motto that had been selected was Pride, Partnership, Progress. Gibson presented Mrs. Floyd a \$200.00 check from the PRIDE Committee for her winning motto. A banner was displayed with the motto on it. Gibson reported on the City Wide Clean Up and stated that ten percent of the sales went to the Friends of the Library for their participation in selling the permits for them. Gibson stated there were fifty-six volunteers that helped with the trash pick up. Gibson said he would like to apologize to a little girl and her younger brother for not letting them help in the pick up because he thought they were too young. Gibson said he wished he had said she could help out because he should have put them in a car to help deliver water to the volunteers. Gibson asked for Councilperson Keith Pierce, Councilperson Patricia Ewert, Councilperson Steven Crum, Mayor Bruce Armstrong, Police Chief Mike McElroy, and Public Works Director Randal Dorner to come forward so he could present them all with an award. Gibson gave each of them a certificate of appreciation for their work with the City Wide Clean Up. Gibson said he would like to address a few things with the trash pick up. Gibson advised there were some citizens that did not live in Haysville that had brought their trash to the City to dispose of it. Gibson reported that neighbors had bought a permit together to dispose of their trash and he did not think that was right because the money went for a good cause. Gibson advised that Public Works Director

REGULAR COUNCIL MEETING

AUGUST 14, 2006

PAGE 2

Randal Dorner was helping him make a note of citizens who had abused the system. Gibson stated he would like to see the Council pass a Resolution at the next meeting to signify that Pride, Partnership, Progress was the new City motto. Gibson said he would start working on designing the entrance signs into the City with the motto on them. Gibson reported there had been a lot of talk about naming a City flower. Gibson said the Daylily had been chosen by the PRIDE Committee to be the City flower. Gibson stated the PRIDE Committee would like to propose to Council in the form of a Resolution to make the Daylily the official City flower. Councilperson Joe Holub asked Gibson how much it cost to have the trash taken out of the City. Gibson reported that some of the trash went to a Transfer Station, C & D recycling, some of the steel was recycled, and the concrete was crushed and used in other projects in the community. Dorner reported taking the trash to C & D cost \$24.00 per ton and to take trash to the Transfer Station cost anywhere from \$44.00 to \$47.00 per ton. Dorner advised the City recycled everything they could. Councilperson Steven Crum commended the PRIDE Committee for doing a great job and said they did a lot of hard work in the five years they had been established. Gibson said there was always room for more people to join PRIDE and reported the meetings were held on the first Thursday of each month at 6:30 in the Senior Center. Gibson thanked Lies Trash Service for the use of their equipment, man power, time, and gas. Gibson stated that without Lies Trash Service the City Wide Trash Clean Up would not be possible.

Mayor Bruce Armstrong asked for a motion to open the Public Hearing for the 2007 Budget.

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion that we open the Public Hearing to discuss the 2007 Budget.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Public Hearing for the 2007 Budget was opened at 7:18 p.m.

Mayor Bruce Armstrong asked if anyone from the audience would like to come forward and address the Council about the City's proposed Budget.

Howard Cook, 323 S. Twin Pines Avenue, addressed Council and said he had done some comparing on the past budgets and each year it had increased more. Cook told Council he would like them to look at the budget closer because it seemed too much to him. Cook asked what the "Special Highway" was. Public Works Director Randal Dorner reported Special Highway funds were to be used for road repair, for safety with ice control for sand and salt, the traffic control lights, the electricity to run the traffic lights, and anything that dealt with streets. Cook wanted to know what the Special Park Improvement funds were used for. Mayor Bruce Armstrong reported that money came from the fireworks funds for the Park Board. Cook asked if the money came out of the General Funds. Armstrong explained to Cook the money came out of the fireworks funds and 10% of the permit money. Armstrong reported the money was not an ad valorem tax. Cook said he did not have a problem with that as long as the money came in from separate places. Cook asked about the Special Alcohol money. Armstrong stated there were not a lot of alcohol funds in the City but the money from this year had been projected to be

REGULAR COUNCIL MEETING

AUGUST 14, 2006

PAGE 3

\$4,000.00 and it would be used for the D.A.R.E. Program and prevention of alcohol. Armstrong explained there was an amount carried over from the reserve and that amount could be spent if needed because only what is budgeted could be spent. Armstrong advised the General Budget would increase \$529,000.00 but that came from sales tax money that came in. Armstrong stated that Capital Improvements was also in the General Funds. Armstrong stated that breaking the budget down was an extensive process and someone would need to know where all the funds were coming from in order to read it. Armstrong stated inflation had increased 20% since 2000 and the population had increased 18%. Cook advised he would still like the Council to look over the budget and thanked them for letting him speak. Armstrong asked if there was anyone else that wanted to address the Council on the budget. There was nobody.

Mayor Bruce Armstrong asked for a motion to close the Public Hearing.

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion we go ahead and close the Public Hearing on the 2007 Budget.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Public Hearing for the 2007 Budget was closed at 7:27 p.m.

Mayor Bruce Armstrong opened the floor to the Council to discuss the 2007 Budget.

Councilperson Ken Hampton said he had four items to talk about. Hampton said his first item he wanted to discuss was the fifty cent base chart adjustment. Hampton advised that in the past, each year on an employee's anniversary of their hire date they would be evaluated and eligible for a step increase. Hampton said he wanted to clarify that if each employee received the fifty cents that they were not getting a step increase also. Armstrong explained there would be no changes in the budget for step increases and all that had been budgeted was the fifty cents. Hampton said he had concerns with hiring an additional Police Officer, Park Worker, and buying a water truck for the Public Works department. Hampton stated he thought the City could do with out the added expenses and asked that they be taken out of the budget. After a lengthy discussion, Councilperson Keith Pierce stated he agreed with Hampton. Councilperson Steven Crum advised the city had grown and taken on more duties and he felt they needed more employees to keep the City going. Councilperson Rob Wilkerson advised the Police Department did not need to be micro-managed and said he agreed that they needed more Police Officers for the City. Councilperson Joe Holub stated he agreed with Hampton and felt the City did not need any more employees or vehicles. Holub advised the City needed to get rid of old vehicles. Councilperson Bill Youngers said he felt personal opinions were the reason that some of the Council did not think the City needed more employees and vehicles. Youngers stated newer and more efficient vehicles were needed for the City. Youngers advised more employees were needed also to keep up with the growing City. Hampton said he could not support the budget when the City paid out more each year to make employees jobs easier. Pierce advised the Public Works department had spent money on trucks, sweepers, a gator, and new equipment to keep

REGULAR COUNCIL MEETING

AUGUST 14, 2006

PAGE 4

them going and he did not think “personal opinion” had anything to do with budgeting for things that were not necessary.

City Attorney Lee Parker arrived at 7:52 p.m.

Holub said he also did not agree with budgeting for positions that would not be filled or for equipment that was not needed. Holub said it was the Council’s responsibility and duty to control as much cost as they could and to run the City efficiently. Mayor Bruce Armstrong advised it was the responsibility of the Council to make sure the citizens had adequate protection. Armstrong stated he trusted Police Chief Mike McElroy to run the Police Department and the Council did not need to try to control him. Armstrong advised the Council continued to make demands on the Public Works Department to get things done and hiring another employee would help. Armstrong explained about the budget and stated it would not affect the Ad-Valorem taxes and he did not want to mislead the citizens. There was more discussion on the budget, the mill levy, alcohol taxes, Ad-Valorem taxes, and protecting the citizens of the City. Armstrong stated he disagreed with Council and advised it was not their job to run the City’s departments. The discussion continued.

Motion by Hampton – Second by Holub

I would like to make a motion that we change the budget by deleting the Police Officer position, the Park Worker position, and the budgeted amount for the water truck and those three items are the only things I would like to delete from the budget as it is presented to us tonight.

Mayor Bruce Armstrong advised that by deleting the truck out of the budget, the Public Works department would need to reduce the revenue and expenditures by that amount because that was an estimate.

Hampton he would like to amend his motion to change tonight’s budget by eliminating the Police Officer position and the extra Park Worker position.

Councilperson Joe Holub amended his second.

Hampton yea, Crum nay, Wilkerson nay, Pierce yea, Holub yea, Youngers nay, Ewert nay, and Streets yea.

Mayor Bruce Armstrong voted nay to break the tied vote.

Motion denied.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we accept the 2007 Budget mill levy as presented to us tonight.

Hampton nay, Crum yea, Wilkerson yea, Pierce nay, Holub nay, Youngers yea, Ewert yea, and Streets nay.

Mayor Bruce Armstrong voted yea to break the tied vote.

Motion declared carried.

REGULAR COUNCIL MEETING

AUGUST 14, 2006

PAGE 5

Mayor Bruce Armstrong presented the Public Hearing to Consider a Request to Vacate a Utility Easement – 354 Turkle.

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

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion that we open the Public Hearing to consider a request to vacate a utility easement at 354 Turkle.

Mayor Bruce Armstrong read from a script for Public Hearings. Armstrong asked if any of the Councilmembers had any outside contact regarding the case. There were none. Armstrong asked if any Councilmembers had a conflict of interest in the case and if so, they needed to disqualify their self from further action with the City Council on the case. Armstrong asked if there were any Councilmembers that had a conflict. There were none. Armstrong asked if the City had received any written or electronic communications on the matter. Planning and Community Relations Coordinator Angela Millspaugh advised the information in the Council packets from Westar was the only communication the City had received on the matter. Armstrong asked staff to present the recommendations from the Planning Commission. Millspaugh reported it was the recommendation of the Planning Commission to approve and vacate twenty feet of the easement based on the letter and phone conversations with Westar and Kansas Gas Service. Councilperson Steven Crum asked why the City had been asked to vacate the easement. Millspaugh explained the property owners would like to add on a room addition to the house on the property. Millspaugh advised she had been told by Westar there needed to be a twenty-five foot clearance on either side for the plat so Public Works could issue a permit.

Mayor Bruce Armstrong advised the vote had not been taken to open the Public Hearing after the motion and second had been made. Armstrong called for the vote.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Public Hearing for 354 Turkle was opened at 8:03 p.m.

Councilperson Steven Crum asked if the easement was sixty-three foot and if the applicant was only asking for twenty foot. Planning and Community Relations Coordinator Angela Millspaugh said that was correct and stated that Westar recommended they take twenty-five foot because it was a transmission line. Mayor Bruce Armstrong asked if the applicant was present and if so to please come forward.

Brenda Jacobs, 354 Turkle addressed Council and told them she had lived at that address for thirty-eight years and had twenty-four immediate family members and they liked to get together after Church for family dinners. Jacobs explained she had a 7' x 9' dinning room which was not big enough and they would like to build an addition to her home for a bigger dinning room. Armstrong asked if anyone else would like to speak before the Council. There was nobody.

REGULAR COUNCIL MEETING

AUGUST 14, 2006

PAGE 6

Motion by Crum – Second by Ewert

Mr. Mayor, I would like to make a motion that we go ahead and vacate the utility easement, twenty feet of the utility easement, at 354 Turkle.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked for a motion to close the Public Hearing.

Motion by Crum – Second by Ewert

Mr. Mayor, I make a motion that we close the Public Hearing.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Public Hearing was closed at 8:09 p.m.

Mayor Bruce Armstrong presented the Public Hearing to Consider a Request to Vacate an Ingress/Egress and Utility Easement – Hiser Addition to Sedgwick County.

Mayor Bruce Armstrong asked for a motion to open the Public Hearing for the Ingress/Egress for the Hiser Addition.

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion that we open the Public Hearing to consider a request to vacate an Ingress/Egress and Utility Easement for the Hiser Addition to Sedgwick County.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Public Hearing was opened at 8:10 p.m.

Mayor Bruce Armstrong asked if Councilmembers had any outside contact regarding the case. There were none. Armstrong asked if Council had a conflict of interest regarding the case. There was none. Armstrong asked if the City had received any written or electronic communications regarding the case. Planning and Community Relations Coordinator Angela Millspaugh reported the information had been provided in the Council packets. Councilperson Bill Youngers said he was confused about the electronic transmission. Millspaugh explained that Westar had sent information on both of the Public Hearings on one E-mail. Armstrong asked staff to present the recommendation from the Planning Commission. Millspaugh reported it was the recommendation of the Planning Commission to approve the request for the vacation. Millspaugh reported she had not received the site plan with the Fire Department's approval. Millspaugh advised the Fire Department had recommended approval also. Armstrong asked if the applicant was present and if so, to please come forward and state their name and address.

REGULAR COUNCIL MEETING

AUGUST 14, 2006

PAGE 7

Glen Hiser, 710 E 79th Street So., addressed Council and asked that six foot of his easement be reverted to his property. Hiser explained it would cost him about \$5,000.00 to move his septic tank. Hiser told Council the Fire Department said it would be alright to have a fourteen foot road width. Planning and Community Relations Coordinator Angela Millspaugh reported the Fire Department did approve the site plan and the Planning Commission recommended the request be approved. Mayor Bruce Armstrong asked if anyone from the public would like to address Council concerning the matter. There was nobody. Councilperson Steven Crum asked Millspaugh if she had something in writing from the Fire Department stating there was not a problem with the vacation. Millspaugh reported she had a stamped approval from the Fire Department. Councilperson Keith Pierce had a concern about Westar Energy's statement pertaining to the existing equipment near the requested area not being located in the portion of the easement. Pierce asked Millspaugh if that response carried any risk or uncertainty about anything. Millspaugh replied that if the equipment would need to be removed, it would fall back on the property owner to pay for that.

Motion by Crum – Second by Wilkerson

Mr. Mayor, if there is no more discussion, I would like to make a motion that we go ahead and vacate the Ingress/Egress and Utility Easement for the Hiser Addition as presented.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Minutes of July 24, 2006.

Motion by Hampton – Second by Ewert

If there is no other discussion, I will make a motion that we approve the Minutes for July 24, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub abstain, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

It was stated the Public Hearing for the Hiser Addition had not been closed and there needed to be a motion made to do so.

Motion by Crum – Second by Hampton

I make a motion that we close the Public Hearing on the Ingress/Egress Utility Easement at the Hiser Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Public Hearing was closed at 8:18 p.m.

There were no Citizens to be Heard on the Agenda.

REGULAR COUNCIL MEETING

AUGUST 14, 2006

PAGE 8

There were no Licenses and Bonds to be approved on the Agenda.

Under Ordinances and Resolutions Mayor Bruce Armstrong presented for approval A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF HAYSVILLE, KANSAS, TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF SAFE ROUTES TO SCHOOLS FUNDS SET FORTH BY SAFETEA-LU FOR THE HAYSVILLE SAFE ROUTES TO SCHOOL PLAN PROJECT IN HAYSVILLE, KANSAS AND AUTHORIZING THE MAYOR TO SIGN THE APPLICATION.

Planning and Community Relations Coordinator Angela Millspaugh explained Resolution was for the City would be applying for a grant for a program for sidewalk improvements for children who walked to school. It was asked if the City would pay a percentage of the grant or if it would be paid 100%. Millspaugh reported the City had to pay for everything first and would be reimbursed 100%.

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion that we allow you to sign A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY HAYVILLE, KANSAS TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF SAFE ROUTES TO SCHOOLS FUNDS SET FORTH BY SAFETEA-LU FOR THE HAYSVILLE SAFE ROUTES TO SCHOOL PLAN PROJECT IN HAYSVILLE, KANSAS AND AUTHORIZING THE MAYOR TO SIGN THE APPLICATION.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Under Notices and Communications Mayor Bruce Armstrong presented the Sedgwick County Fire Department, Station #34 Activity Report for July – Captain Alan Disney.

There was nobody present from the Fire Department and Mayor Bruce Armstrong gave a summary of their Activity Report.

Mayor Bruce Armstrong presented the Public Works Activity Report for July.

Mayor Bruce Armstrong presented the Recreation Activity Report for July.

Mayor Bruce Armstrong presented the Second Quarter 2006 Community Development Director's Report.

Mayor Bruce Armstrong presented the 2005 Annual Report to City Council Neighborhood Revitalization Program.

Mayor Bruce Armstrong asked for Governing Body Announcements.

REGULAR COUNCIL MEETING

AUGUST 14, 2006

PAGE 9

Councilperson Patricia Ewert reminded everyone that school would be starting that week and to watch out for the children. Ewert reported there would be an Open House on August 15th.

Councilperson Bill Youngers reported the Hometown Market would be on Saturdays from 8:00 p.m. to 12:00 noon and asked that everyone come out to support the vendors so they would keep coming back.

Councilperson Steven Crum announced the Tree Board met the first Monday of each month but because Labor Day was the first Monday in September, the meeting had been moved to Tuesday, September 5th. Crum reported there was a chance the Tree Board would meet at the old Vickers building to look at some trees along Seneca.

Mayor Bruce Armstrong presented the Memorandum from City Clerk Carol McBeath Re: Senior Center Director Sarah Elliott – New Hire.

Mayor Bruce Armstrong presented a Letter from ISO Re: Public Protection Classification Results.

Public Works Director Randal Dorner reported that Haysville had been changed from a Class 4 rating to a Class 2 and that would improve the insurance ratings for the citizens. Mayor Bruce Armstrong suggested that citizens contact their insurance companies to see if they were eligible for reductions in their insurance premiums.

Under Other Business Mayor Bruce Armstrong presented the Review of Financial Statements for Year Ending December 31, 2005 Re: Gary George – George, Bowerman, & Noel, P.A.

Gary George of George, Bowerman, and Noel, P.A. reviewed the financial statements for the year ending December 31, 2005 for the City of Haysville and the Community Library. George advised the Council that he recommended the City should not be cashing checks for anyone.

Mayor Bruce Armstrong presented for approval the Consideration of Memorandum from Haysville Planning Commission Re: Zone Change Request from “A” Single Family to “D” Light Commercial – Portion of Reserve A, Hillcrest Addition to Haysville.

Councilperson Steven Crum asked if any citizens had come forward to talk in favor or against the zone change. Planning and Community Relations Coordinator Angela Millspaugh reported that a citizen had some concerns about trash and drainage and they were addressed by the applicant. Mayor Bruce Armstrong advised the applicant was present that evening if Council had any questions to ask. Councilperson Ken Hampton stated he did not know if his brother was associated with the zone change or not and he wanted to know if he should abstain from voting on the matter. Armstrong advised Hampton that the actual conflict of interest would have to do with him gaining personally from voting on the subject directly. Armstrong told Hampton that if he felt he did not want citizens to get the impression that he was involved, he should abstain. Councilperson Joe Holub asked if the zone change was approved by Council, when it would take

REGULAR COUNCIL MEETING

AUGUST 14, 2006

PAGE 10

place. Armstrong stated the President of the Bank was present and he could answer any questions the Council might have.

Steve Carr, President of Community Bank addressed Council and reported the plans were to start building on October 1st. Carr said they had the FDIC's approval and they were waiting on the State Banking Department approval. Carr advised the building was on order.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I would like to make a motion that we approve AN ORDINANCE CHANGING ZONING CLASSIFICATION FROM "A" TO "D" ON CERTAIN PROPERTY LOCATED WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF HAYSVILLE, KANSAS. It looks like we are talking about Reserve A, except the East 100 feet of the South 125 feet, thereof, and except the West 150 feet of the South 132 feet thereof, Hillcrest Addition, Haysville, Sedgwick County, Kansas.

Hampton abstain, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Under Old Business Mayor Bruce Armstrong presented the Continued Discussion of Capital Improvements Program (Tabled from 6-26-06 and 7-10-06).

Mayor Bruce Armstrong explained Council had the paperwork with the changes made on them. Armstrong advised Council that if they approved the Capital Improvements Program that evening, they would be sending it to the Planning Commission for their comments. Councilperson Ken Hampton asked about the completion of the Wire House and the gazebo in the Historic District. Armstrong explained there would be a presentation made back to Council to talk about those subjects at a later date. Councilperson Steven Crum stated he appreciated the updates in the equipment for Orchard Acres Park in the near future. Armstrong advised there needed to be a motion made to send the Capital Improvements Program to the Planning Commission for their comments on the matter.

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion that we send the Capital Improvements Program on to the Planning Commission for their input.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath had nothing to report.

Director of Governmental Services Carol Neugent had nothing to report.

REGULAR COUNCIL MEETING

AUGUST 14, 2006

PAGE 11

Police Chief Mike McElroy introduced the visiting officer MPO Paul Strother. McElroy said he wanted to remind everyone that school would be starting and to be careful and watch out for the children. McElroy reported that at the next Council Meeting there would be information on a joint Haysville Police Department/Highway Patrol's D.U.I. check point that they would be conducting in the near future.

Public Works Director Randal Dorner reported on Council Action Forms for 434 W. 7th, 172 Champion, and 222 Champion. Councilperson Ken Hampton asked Dorner about the new fire protection rating. Dorner reported the City had been a Class 4 and had been upgrade to a Class 2. Hampton wanted to know what number the highest class would be. Dorner told Council that Class 1 was the highest that could be achieved and explained he had not heard of a Class 1. Dorner stated the Fire Chief had told him that Wichita was a Class 3 and only about five cities in Kansas were at Class 1. There was a discussion about what would help Haysville to keep the Class 2 rating. Councilperson Steven Crum asked if the City would save money on their insurance by having the Class 2 rating. Mayor Bruce Armstrong advised they would save money and they would let the insurance company know about the change.

Recreation Director Georgie Root reported the Fall Brochure was now available and the Council had received one in their packets. Root stated the brochures could be viewed on the City's website. Root reported the community pool had closed Sunday but the last event of Dog Daze would be held Saturday on August 19 from 1:00 to 2:30 p.m. Root told everyone the admission would be \$3.00 per dog. Root reported the Latchkey and Playhouse registrations were going on at the Haysville Activity Center and said anyone could call the center if they would like more information. Root invited everyone to visit the Open House for those programs during the school's open house. Root reported there would be a Middle School Dance on Friday, August 18, 2006 from 8:00 p.m. to 10:00 p.m. Root announced the extended deadline for soccer sign ups would be September 1st and flyers would be sent to the schools.

Mayor Bruce Armstrong presented for approval the Appointment of Christine Kiefer, 727 Chelsea – Planning Commission, Ward IV.

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion that we allow you to appoint Christine Kiefer, 727 Chelsea to Planning Commission to represent Ward IV.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

There were none.

Mayor Bruce Armstrong stated there was no Executive Session on the Agenda.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the First Half of August.

REGULAR COUNCIL MEETING

AUGUST 14, 2006

PAGE 12

Councilperson Ken Hampton asked questions concerning a credit return for UPS. Director of Governmental Services Carol Neugent reported that was for an exchange for a larger item and the City had to pay the difference. Hampton asked about money Haysville Forward, Inc. had spent supporting a program for kids. Mayor Bruce Armstrong explained the school had asked for Haysville Forward, Inc. to pay half of a State wide program to educate kids on learning how to vote. Hampton asked about the insurance premiums of \$186,000.00. Assistant City Clerk/Finance Director Beverly Rodgers stated she would research that and get back to Hampton with the results.

Motion by Hampton – Second by Pierce

I will make a motion that we pay the bills for the first half of August 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

There was nothing on the Consent Agenda.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Ken Hampton expressed his sympathy to Captain Bruce Powers for the loss of his Father.

Councilperson Steven Crum asked about the voter turn out since there were only two places to vote in Haysville now. City Clerk Carol McBeath reported she had not spoken to the Election Commissioner and did not know about the turn out. Crum reminded Council there had been an Ordinance passed a couple of months ago to have businesses screen their trash containers and gave them until August 1, 2006 to get it done. Crum advised he had spoken with Code Enforcement Officer Cale Topinka and was told that nobody had complied. Crum said Topinka had reported to him that he would send letters to the businesses to get it worked out. Crum said he would appreciate the businesses complying with the Ordinance.

Councilperson Rob Wilkerson asked when the Main Street Place would have their landscaping completed. Public Works Director Randal Dorner reported the water meters for the sprinkler systems were being put in and as soon as that was completed, the grass planting would begin.

Councilperson Bill Youngers stated the City had an Ordinance that required local businesses to be registered and there was no way to enforce that. Youngers asked what they could do to take care of that issue. Mayor Bruce Armstrong advised the Council could bring the Ordinance back for discussion or they could ask the City Attorney to review it and come back with an Ordinance that would add some type of a penalty for non-compliance.

Motion by Youngers – Second by Crum

I would make a motion that we have the Attorneys review the present Registration Ordinance and install a mechanism for enforcement.

REGULAR COUNCIL MEETING

AUGUST 14, 2006

PAGE 13

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

There was a discussion about using the registration information for several purposes. City Attorney Lee Parker advised the State Statutes prohibits cities from providing information from business listings for commercial purposes.

Councilperson Patricia Ewert stated it had been reported to her that there was a problem in the back of 7th Street with four wheelers running up and down the easements and in the field and driving erratically and almost out of control. Police Chief Mike McElroy reported that property was in the County. McElroy stated the Haysville Police Department would need to work with the Sheriff's Department to enforce the law. McElroy told Ewert he would get back with her on the matter. Ewert advised she drove down Turkle every morning and people were parking their vehicles in yards and using them for driveways. Ewert asked how the Ordinances could be enforced with the constant violations. Public Works Director Randal Dorner advised he would check into the problem the next day.

Councilperson Ken Hampton wanted to know if the City would be in violation if they let Haysville Forward, Inc. use the business directory registration. Hampton reminded the Council that the City gave money to Haysville Forward, Inc. Mayor Bruce Armstrong explained that if Haysville Forward, Inc. used information from the City's registrations it would be a violation but if they were to talk to all the businesses and write them down, it would not be a violation. City Attorney Lee Parker advised if the information had been received from the City's files, it would be a violation.

Mayor Bruce Armstrong asked for a motion to adjourn.

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I move that we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Regular Council Meeting adjourned at 9:12 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:02 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Jeana White: Hampton absent, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, and Streets here.

Reverend Paul Greene, First Assembly of God was absent. Mayor Bruce Armstrong led everyone in a moment of silence.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Bruce Armstrong presented a Police Department Promotion Re: Police Officer Mark Mullin to Master Police Officer. Armstrong stated that Officer Mullin was a graduate of The University of Nebraska and had served with the Salina Kansas Police Department. Officer Mullin started employment with the City of Haysville in December of 2005. Armstrong asked Officer Mullin to come forward to receive his badge.

Mayor Bruce Armstrong asked that Senior Center Director be introduced. Assistant City Clerk/Finance Director Beverly Rodgers introduced Sarah Elliott as the new Senior Center Director since July 31, 2006. Rodgers asked Elliott if she had any comments. Elliott stated that she was excited to be here and looked forward to getting some good things going.

Mayor Bruce Armstrong presented for approval the Minutes of August 14, 2006.

Motion by Crum – Second by Pierce

Mr. Mayor if there's no corrections I make a motion that we approve the minutes for August 14, 2006.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Citizens to be Heard.

Mayor Bruce Armstrong presented Clem Dickerson Re: Reserving Riggs Park for Fall Festival – Requesting October 18, 2006 through Morning of October 23, 2006.

Clem Dickerson, 8815 S. Hydraulic addressed Council on behalf of the Fall Festival Committee to request the use of Riggs Park from October 18, 2006 through October 23, 2006 for the 22nd Annual Haysville Fall Festival.

Motion by Crum – Second by Wilkerson

I'd make a motion that we allow the Fall Festival Committee to have use of the park, Riggs Park, from October 18, 2006 through the morning of October 23, 2006.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

AUGUST 28, 2006

PAGE 2

Mayor Bruce Armstrong reported there were no Licenses and Bonds on the Agenda.

Mayor Bruce Armstrong reported there were no Ordinances and Resolutions on the Agenda.

Mayor Bruce Armstrong presented the City Clerk Activity Report for July.

Mayor Bruce Armstrong presented the Governmental Services Activity Report for July.

Mayor Bruce Armstrong presented the Police Department Activity Report for July.

Mayor Bruce Armstrong asked for Governing Body Announcements.

Councilperson Bill Youngers advised the Hometown Market had been rained out the previous weekend but would be open September 2, 2006. Youngers thanked the Hampton family for their donation of a swing set to Kirby Park in memory of a family member. Youngers stated there had been more vandalism to Pear Tree Park. Mayor Bruce Armstrong advised there were rewards for tips that led to someone being prosecuted.

Councilperson Steven Crum advised the Tree Board Meeting was moved to Tuesday September 5, 2006 at the Vicker's Building. Crum stated the Tree Board would be looking at the trees along Main Street.

Mayor Bruce Armstrong presented a Memorandum from Police Chief Mike McElroy Re: Police Officer Mark Mullin – Promotion to Master Police Officer.

Mayor Bruce Armstrong presented a Memorandum from Public Works Director Randal Dorner Re: Electrician/Maintenance Technician Tony Meek – New Hire.

Mayor Bruce Armstrong presented a Memorandum from Public Works Director Randal Dorner Re: Full Time Temporary General Maintenance Worker Ricky Darrow – New Hire.

Mayor Bruce Armstrong presented a Memorandum from Police Chief Mike McElroy Re: Full Time Police Officer Paul Schmidt – New Hire.

Mayor Bruce Armstrong presented a Memorandum from Haysville Activity Center Program Coordinator J.J. Davis Re: Resignation.

Mayor Bruce Armstrong presented a Memorandum from Police Chief Mike McElroy Re: Communications Officer Patricia Trujillo – Resignation.

Mayor Bruce Armstrong presented a Letter from Vice President & Director of National Expansion Claudia Corrigan – A Child is Missing Program.

REGULAR COUNCIL MEETING

AUGUST 28, 2006

PAGE 3

Mayor Bruce Armstrong presented the Haysville Police Department Certificate Re: Firearms Safety Education.

Under Other Business Mayor Bruce Armstrong presented a Consideration of Memorandum from Recreation Director Georgie Root Re: Soccer Agreement.

Recreation Director Georgie Root stated Council had before them a proposed agreement between the City of Haysville and USD 261 for use of the soccer fields for fall and spring soccer season. Mayor Bruce Armstrong asked about the number of sign ups. Root advised that seventy three kids signed up, down from last year. Councilperson Steven Crum asked City Attorney Alison McKenney Brown if she approved of the contract. Brown stated she had worked with Root in creating the document.

Motion by Crum – Second by Wilkerson

I'd like to make a motion that we go ahead and accept this contract between us and the USD 261 in regards to using the soccer fields.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Update on Proposed Non-Binding Vote Re: Smoking Ban.

Mayor Bruce Armstrong advised the question could not be put on the ballot since it was non-binding. Councilperson Bill Youngers stated he proposed to have Council vote on the proposal and Councilperson Joe Holub agreed. Councilperson Keith Pierce stated he believed the vote should be taken off the ballot and Council should vote on it in the near future.

Motion by Youngers – Second by Ewert

I would make the motion that we, I guess what, rescind the motion or the binding vote for proposal to put it on the ballot.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Councilperson Steven Crum asked Council when they wanted to bring this back. Mayor Bruce Armstrong advised making a motion.

Motion by Crum – Second by Wilkerson

I will make a motion that on the Agenda we will be voting on whether or not to accept the smoking ban as written, we're going to vote on that as a Council at the first meeting in September.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

AUGUST 28, 2006

PAGE 4

Mayor Bruce Armstrong presented the Discussion of Trash Receptacle Screening Ordinance.

Mayor Bruce Armstrong advised after enforcement there were problems found and the Ordinance was up for discussion. Armstrong advised that Code Enforcement Officer Cale Topinka gave suggestions for improvement. Armstrong advised that some locations that have dumpsters, were not included in the Ordinance. Armstrong stated there was a suggestion to change the pad to an all weather surface. Councilperson Steven Crum stated he would like the trash companies held responsible for placing the dumpster back in the screening. Crum was concerned with the definition of commercial and how that could affect home daycares. Crum stated he believed daycares shouldn't screen their trash unless they have a dumpster. Councilperson Keith Pierce stated he was against the burden of cost and maintenance on the businesses. Armstrong advised Council to send the Ordinance back to the attorneys to re-draft with the Council's recommendations. Councilperson Bill Youngers advised the Ordinance should include types of businesses and specify regulations for daycare providers.

Motion by Youngers – Second by Crum

I would make that motion that the attorneys revise that Ordinance with the recommendations we just made.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Report on Business Registration and Penalty.

Mayor Bruce Armstrong advised that Council was concerned with not having penalties in the Ordinance. Armstrong stated that City Attorney Alison McKenney Brown presented a letter outlining the penalty phase already in place. Councilperson Steven Crum asked who was in charge of enforcing the penalties. Brown replied that she had worked with Planning and Zoning Coordinator Angela Millspaugh, City Clerk Carol McBeath, and Code Enforcement Officer Cale Topinka. Brown advised that anyone who is involved in administration could sign the complaint. Councilperson Bill Youngers advised businesses the fee was minimal and application information was for safety reasons. Councilperson Mike Streets asked if home businesses were required to have a license. Armstrong advised they did.

Mayor Bruce Armstrong reported there was no Old Business on the Agenda.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath was absent. Assistant City Clerk/Finance Director Beverly Rodgers had nothing to report.

Mayor Bruce Armstrong advised that Assistant City Clerk/Finance Director Beverly Rodgers had given Council a report on voter turn out.

REGULAR COUNCIL MEETING

AUGUST 28, 2006

PAGE 5

Director of Governmental Services Carol Neugent had nothing to report.

Police Chief Mike McElroy introduced the visiting officer MPO Chad Case. McElroy stated the Haysville Police Department and the Kansas Highway Patrol would be conducting a DUI checkpoint. McElroy stated the checkpoint would be Saturday September 2, 2006 from 12:00 a.m. to 2:30 a.m. at the 7000 block of South Broadway. McElroy advised this was part of a national campaign. McElroy stated that Sunday September 3, 2006 was the Cops Vs. Wranglers Staff Charity Baseball Game and Silent Auction with proceeds going to Sedgwick County Law Enforcement Memorial.

Public Works Director Randal Dorner reported they were continuing action on 172 Champion and 222 Champion. Dorner stated they increased observation for cars parking in yards along Turkle, 7th, 6th, and 5th Street. Councilperson Bill Youngers was concerned with street signs that were un-level. Dorner advised they used a level to place signs and he would get those corrected. Councilperson Patricia Ewert advised of a speed sign down on Grand Avenue.

Recreation Director Georgie Root reported Shakespeare in the Park was performing Two Noble Kinsmen Sunday September 3, 2006 at 7:00 p.m. at Riggs Park. Root stated youth dance classes would begin September 9 and September 11, 2006 at the Haysville Activity Center. Root advised youth soccer sign ups would continue through September 1, 2006. Root stated the Dog Daze at the pool was successful with an increase in attendance from the previous year.

Mayor Bruce Armstrong reported there were no Appointments on the Agenda.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

Roger Stamback, 918 Summey addressed Council and stated he was there to talk about the sand on the approach from Seneca. Stamback advised the sand was up on the concrete approach and when you come to a stop you slide. Stamback stated it was the same way at 65th Street. Stamback stated that sand was dropped at Summey and was never graded, leaving 3-4 inches of sand and riding a bike on that was not fun. Stamback would like to see what could be done to fix that. Stamback advised there was a dip in the road where the concrete ends and the gravel road starts. Public Works Director Randal Dorner advised they were prepping the roads for winter and he would sweep the approach. Councilperson Rob Wilkerson stated that the gravel seemed excessive even for winter preparation and the approaches had not been swept in a long time.

Howard Cook, 323 S. Twin Pines addressed Council and stated he had four things to discuss. Cook advised that Blossum Ave., between Twin Pines and Broadway, was developing potholes at both ends and in the middle. Cook stated at Twin Pines and Riley, after the grader went through, gravel was piled up 10-14 inches. Cook advised this is the second time it had happened and cars almost get stuck in it. Cook asked Council if the public would get to look at proposed changes to the trash. Cook advised it came out

REGULAR COUNCIL MEETING

AUGUST 28, 2006

PAGE 6

Friday and wondered if he could get a copy of it before then. Mayor Bruce Armstrong advised Cook he could get it on Friday. Cook asked if Council was going to have a public comment on it or if they were just going to vote on it. Armstrong advised it would be up to the Council. Cook stated that was all he had and he thanked the Council.

Mayor Bruce Armstrong reported there was no Executive Session on the Agenda.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the Last Half of August.

Motion by Pierce – Second by Wilkerson

Mr. Mayor if there is no questions or concerns I make a motion that we approve the payment for the bills for the last half of August 2006.

After several questions by Councilperson Joe Holub council voted on the motion.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consent Agenda.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Steven Crum stated he had concerns with the number of dogs running at large. Crum advised Public Works Director Randal Dorner of graffiti on Alice behind Norland Plastics. Crum advised Dorner of brush and an old torn flag at Marlen and Grand.

Councilperson Rob Wilkerson asked citizens to be careful when talking on their cell phone and driving. Wilkerson stated that out of town citizens were commenting on the improvements to the appearance of the city.

Councilperson Keith Pierce stated he would like to have plans made for aquatic improvements for Capital Improvements. Mayor Bruce Armstrong advised they should allow staff to take care of that and come up with any improvements. Pierce asked Council if anyone was interested in considering helping businesses with a portion of the cost of screening. There were none.

Councilperson Joe Holub asked Public Works Director Randal Dorner the status of new stop signs. Dorner advised they were looking at the city in areas, they complete twenty five to thirty signs a week, and are one-third done with replacing all signs in the city.

Councilperson Bill Youngers asked citizens to be courteous of their neighbors when working and tuning their cars.

REGULAR COUNCIL MEETING

AUGUST 28, 2006

PAGE 7

Councilperson Patricia Ewert advised the pot hole on Ranger and Loring was getting worse. Public Works Director Randal Dorner advised they were going to cut the pot hole out.

Mayor Bruce Armstrong asked for a motion to adjourn.

Motion by Pierce – Second by Ewert

Mr. Mayor I move that we adjourn tonight's meeting.

Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried

The Regular Council Meeting adjourned at 8:00 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by recording Secretary Pam Robbins: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, and Streets here.

The Invocation was given by Reverend Steven Dezotel, Church of the Nazarene.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Bruce Armstrong presented the Public Hearing to Consider the Haysville Senior Center CDBG Application.

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

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we open a Public Hearing to consider the Haysville Senior Center CDGB Application.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Public Hearing was opened at 7:03 p.m.

Mayor Bruce Armstrong asked for anyone from the audience that would like to speak for or against the CDBG Application to please step forward and address the Council. There was nobody.

Mayor Bruce Armstrong asked for a motion to close the Public Hearing.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion that we close the Public Hearing on the Haysville Senior Center CDBG Application.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong advised the Council they had before them a Resolution that needed to be passed that would allow the City to apply for the CDBG. Armstrong asked for a motion to pass the Resolution.

Councilperson Ken Hampton asked if the \$396,000.00 dedicated was enough to get the grant. Mayor Bruce Armstrong advised the total amount would be 100% of the engineer's estimate needed to build the building. Armstrong explained the City would have to match the 100% to get the full point structure. Armstrong advised the building had been estimated to be about \$800,000.00. Hampton asked if there would be extra points given if they went above the 100%.

REGULAR COUNCIL MEETING

SEPTEMBER 11, 2006

PAGE 2

Armstrong explained that 100% was all that could be given. Councilperson Rob Wilkerson asked when the application had to be sent in and when the City would find out if they had received the grant. Armstrong advised the application would be sent in November and the City would know the results in January. Councilperson Keith Pierce stated he thought the maintenance cost of \$63,900.00 was a low estimate. Pierce asked Armstrong if he was comfortable with that amount. Armstrong told Council he had to rely on the people who had figured the estimates.

Motion by Hampton – Second by Pierce

If there are no other questions, I make a motion that we pass the RESOLUTION CERTIFYING LEGAL AUTHORITY TO APPLY FOR THE 2007 KANSAS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FROM THE KANSAS DEPARTMENT OF COMMERCE AND AUTHORIZING THE MAYOR TO SIGN AND SUBMIT SUCH AN APPLICATION.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong advised Council that a Resolution for the operation and maintenance of the Senior Center needed to be voted on. Armstrong asked for a motion.

Motion by Hampton – Second by Pierce

If nobody has any questions, I make a motion that we pass A RESOLUTION ASSURING THE KANSAS DEPARTMENT OF COMMERCE THAT FUNDS WILL BE CONTINUALLY PROVIDED FOR THE OPERATION AND MAINTENANCE OF THE SENIOR CITIZENS CENTER TO BE FINANCED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong advised Council they needed to vote on an Anti-displacement Relocation Assistance Plan that was required.

Motion by Hampton – Second by Crum

I will make a motion that we pass an Anti-displacement and Relocation Assistance Program.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consideration of Approval to Authorize a Ballot Question on November 7, 2006 General Election Ballot.

Mayor Bruce Armstrong explained the ballot question was for funds to build a new Library. Armstrong asked if anyone from the Library would like to make a presentation.

REGULAR COUNCIL MEETING

SEPTEMBER 11, 2006

PAGE 3

Zoe Burgess, 232 Hemphill, addressed Council and stated she was there to re-introduce plans for a new Library in the Historic District. Burgess explained the layout of the new building, square footage, new features, and the time frame of building the new Library. Burgess told Council that building cost had risen and they figured it would cost 4.6 million to 5.2 million to build the new Library. Burgess said she had come before the Council to ask for a bond issue of 3.9 million because they did not want to ask the Citizens of Haysville to pay that large of an expense. Burgess advised the Library would try to come up with the other money from grants available to Libraries. There was a discussion about the Library expansion, the costs, the importance of getting support from the community, and the cost of remodeling for the Police Department and City offices.

Motion by Hampton – Second by Pierce

If there are no other questions, I will make a motion that we pass AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE CALLING OF A SPECIAL QUESTION ELECTION IN THE CITY OF HAYSVILLE, KANSAS, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY THE QUESTION OF AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY TO FINANCE THE COSTS TO ACQUIRE A SITE AND TO CONSTRUCT, FURNISH AND EQUIP THEREON A NEW PUBLIC LIBRARY FACILITY; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Minutes of August 28, 2006.

Motion by Crum – Second by Wilkerson

Mr. Mayor, if there is no other discussion, I make a motion that we approve the minutes of August 28, 2006.

Hampton abstain, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

There were no Citizens to be Heard on the Agenda.

There were no Licenses and Bonds on the Agenda.

Under Ordinances and Resolutions Mayor Bruce Armstrong presented for approval AN ORDINANCE ELIMINATING SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT WITHIN THE CORPORATE LIMITS OF THE CITY OF HAYSVILLE.

Mayor Bruce Armstrong advised the Election Commission would not put the question on the ballot as a non-binding referendum and stated the Council wanted to bring back the issue for discussion. Councilperson Joe Holub stated the City of Lawrence had their smoking ban before the Kansas Supreme Court and wanted to know if the City enacted the Ordinance if it would be

REGULAR COUNCIL MEETING

SEPTEMBER 11, 2006

PAGE 4

in vain or if they should wait to hear what the Supreme Court decided on the issue. City attorney Lee Parker advised that if it was the Council's will to pass the Ordinance, they could do so and if needed, the Ordinance could be amended in the future. Councilperson Keith Pierce said he did not think the second hand smoke was as harmful as citizens thought and explained why he felt that way. Councilperson Steven Crum asked about Section 3 (c) the City employees' thirty foot limit from entranceway or doorway for smoking and being allowed to smoke in their cars. Parker advised the limit was set up so other employees would not have to walk through smoke if they chose not to. Councilperson Rob Wilkerson advised that citizens had the right to choose and agreed with Pierce that the Council should not regulate the town's people about smoking. There were concerns about smoking in restaurants and the health of non smokers. There was a suggestion of checking into clinics to help people quit smoking. There was discussion about the restaurants in Haysville and letting them decide on the smoking in their establishments. It was stated the Ordinance pertained to all businesses and it was a public safety issue for office buildings, day care centers and other businesses besides restaurants. It was advised that the State of Kansas was trying to pass a non smoking ban and all cities would have to comply if that happened. There was a discussion about smoking in motels and construction sites for new homes.

Motion by Crum – Second by Hampton

If there are no other statements, I would like to go ahead and make a motion that we approve the Ordinance before us eliminating smoking in public places of employment within the corporate limits of the City of Haysville.

Hampton yea, Crum yea, Wilkerson nay, Pierce nay, Holub nay, Youngers yea, Ewert nay, and Streets nay.

Motion denied.

Mayor Bruce Armstrong presented for approval AN ORDINANCE CONCERNING AN AMENDMENT OF CHAPTER SEVEN, ARTICLE TWO OF THE HAYSVILLE MUNICIPAL CODE GOVERNING RULES AND REGULATIONS APPLICABLE TO SOLID WASTE STORAGE AND COLLECTION.

There was a discussion about the having the Ordinance include duplexes and the clarification of what wording should be in the Ordinance. City Attorney Lee Parker suggested adding apartment buildings in the wording. Mayor Bruce Armstrong advised commercial, industrial, and apartment buildings with four or more units should be listed in the Ordinance.

Motion by Crum – Second by Hampton

I make a motion that we pass AN ORDINANCE CONCERNING AN AMENDMENT OF CHAPTER SEVEN, ARTICLE TWO OF THE HAYSVILLE MUNICIPAL CODE GOVERNING RULES AND REGULATIONS APPLICABLE TO SOLID WASTE STORAGE AND COLLECTION with the addition under commercial to include apartment or multi family homes with four or more living residential units.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

SEPTEMBER 11, 2006

PAGE 5

Under Notices and Communications Mayor Bruce Armstrong presented the Sedgwick County Fire Department, Station #34 Activity Report for August.

Mayor Bruce Armstrong stated there was nobody present from the Fire Department and he gave a summary of the Report.

Mayor Bruce Armstrong presented the Public Works Activity Report for August.

Councilperson Ken Hampton asked Public Works Director Randal Dorner about the broken lamps and bulbs on the hike/bike trail. Dorner explained the issue to Council.

Mayor Bruce Armstrong presented the Recreation Activity Report for August.

Councilperson Ken Hampton asked how many people had signed up for the soccer program. Recreation Director Georgie Root reported there were one hundred eighteen people who had signed up for the program with four teams and four different divisions. Mayor Bruce Armstrong commented that 2006 was a good year for the pool.

Mayor Bruce Armstrong asked for any Governing Body Announcements.

Councilperson Bill Youngers reminded everyone that there were only three more weeks left for the Hometown Market and there would be no produce available for that weekend.

Councilperson Steven Crum reported the Tree Board had met at the Vickers Building and told everyone there would be some trees moved from one side of the street to the other and make sure there would not be any sight problems. Crum stated there would be different kinds of trees planted in October or November.

Mayor Bruce Armstrong presented the Memorandum from Assistant City Clerk/Finance Director Beverly Rodgers Re: Office Clerk Dottie McBride – Resignation.

Mayor Bruce Armstrong presented a Letter From Cox Communications Public Affairs Director Sarah Kauffman Re: Addition of PBS Kids Sprout Channel.

Mayor Bruce Armstrong presented the Memorandum from Code Enforcement Officer Cale Topinka Re: Unsafe Structure – 374 W. 4th Street.

Code Enforcement Officer Cale Topinka addressed the Council and reported it had been over ninety days since the structure had burned and he had inspected the property when somebody had given estimates on repairs. Topinka said he had actually been inside the house and most of the house had fire and water damage. Topinka said he had spoken with the owner approximately one month after the fire and she had been getting estimates to re-build the house and estimates to demolish the house and put a modular home in its place. Topinka reported he had lost communication with the owner because her phone had been disconnected. Topinka advised the house was on the market to sell. Topinka told Council the house was an unsafe structure and a

REGULAR COUNCIL MEETING

SEPTEMBER 11, 2006

PAGE 6

blight to the neighborhood. Mayor Bruce Armstrong advised the Council would need to declare the house an unsafe structure to move things along faster on the notification list. Councilperson Steven Crum asked if the house was unlocked and if rodents or birds were living inside it. Topinka advised the house was locked but it was just a matter of time before rodents moved in. Councilperson Ken Hampton asked if the house was unsafe structurally and what criteria had to be met to call it unsafe. Topinka advised the property was uninhabitable and that was one of the criteria to an unsafe structure.

Motion by Crum – Second by Ewert

If there is no other discussion, I will go ahead and make a motion that we pass A RESOLUTION FIXING THE TIME AND PLACE AND PROVIDING NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF HAYSVILLE, KANSAS, AT WHICH TIME OWNERS, THEIR AGENTS, ANY LIENHOLDERS OF RECORD AND ANY OCCUPANTS OF THE BUILDINGS LOCATED ON BLOCK 8, LOT 31, OF THE RESERVE ADDITION TO THE CITY OF HAYSVILLE, ALSO KNOWN AS 374 W. 4TH IN SAID CITY, MAY APPEAR AND SHOW CAUSE WHY SUCH BUILDINGS SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS DANGEROUS OR UNSAFE STRUCTURES.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Under Other Business Mayor Bruce Armstrong presented the Consideration of Approval of Bids for RV Dump Station.

There was a discussion about the access to the dump station. Councilperson Steven Crum wanted to know where the money would come from to build the station. Mayor Bruce Armstrong informed Council the money would come from the Capital Improvements Fund. There was a discussion about the need for the dump station, the maintenance of the dump station and ways to keep vandalism down.

Motion by Hampton – Second by Wilkerson

I will make a motion that we go ahead and approve the bid for the RV Dump Station with K & M Building Co., Inc. for the amount of \$19,684.00.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consideration of Approval of Bids for Water Treatment Plant Chlorination and Telemetry Improvements (PEC Project No. 34-06121-1263).

Professional Engineering Consultant Rod Young explained to Council that the number 34 in front of the project number meant it had been done by another division. Young advised that if Council had any questions, he would try to answer them. Young told Council there was only one bid tab in their packets and the reason for that was because the bid had been taken on August 9,

REGULAR COUNCIL MEETING

SEPTEMBER 11, 2006

PAGE 7

2006 and all of the bids had been over the engineer's estimate and by statute, they had to re-bid the project. Young stated on September 6, 2006 the project went up for bids again and at that time there was only one bid submitted and they had kept the same bid they had before. Councilperson Steven Crum said he was curious why all the bids had been over the engineer's estimates. Young informed Council it was a small project. Mayor Bruce Armstrong advised the engineer that had worked on the project would not work again on any of Haysville's projects. Councilperson Ken Hampton asked if the City had paid twice for the bids since they had to be redone. Young told Council the design had only been paid for once and apologized for the problems with the project. Mayor Bruce Armstrong stated he wanted to clarify where the funds would come from to pay for the project and asked for recommendation as to where the funds would come from. Hampton said he thought the Council had discussed using the Revenue Bonds. Public Works Director Randal Dorner advised it had initially been discussed to use the Wastewater Reserve Account. Councilperson Joe Holub stated the money should come out of the Wastewater Reserve Account.

Motion by Crum – Second by Hampton

If there is no other discussion, Mr. Mayor, I would go ahead and make a motion that we approve the bid of \$223,000.00 from the Utility Contractors for the Water Treatment Plant Chlorination and Telemetry Improvements which is PEC Project No. 34-06121-1263.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consideration of Memorandum from Haysville Planning Commission Re: General Revisions to the Zoning Ordinance (Sections 16-404, 16-416, and 16-417).

Planning and Community Relations Coordinator Angela Millsbaugh reported these were the changes recommended by Council to the Planning Commission in regards to some of the enforcement items that had been brought up in some of the workshops on the nuisances for businesses. Mayor Bruce Armstrong asked if the changes were for the all weather definition. Millsbaugh explained the changes.

Motion by Hampton – Second by Crum

I make a motion that we pass the General Revisions to the Zoning Ordinance Sections 16-404, 16-416 and 16-417 as presented before us.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Discussion of Time Clock Information (Requested by Councilperson Ken Hampton).

There was a lengthy discussion about the City using time clocks for employees and Councilperson Ken Hampton stated his reasons why he thought the City should be using them.

REGULAR COUNCIL MEETING

SEPTEMBER 11, 2006

PAGE 8

Councilperson Rob Wilkerson stated his reasons why the City should not use the time clocks and stated the Council was there to oversee the City and not to try and manage it. Councilperson Bill Youngers stated he disagreed with using the time clocks also. Councilperson Steven Crum stated he thought that would be something that could be looked into in the future but he felt comfortable with the way things were now and felt it would be an added expense. Hampton said he had looked into the cost and it was minimal. Councilperson Keith Pierce said he would like to table the discussion so he could get more information on the subject. Mayor Bruce Armstrong stated he disagreed and felt the Council should move forward instead of spending more time and money on the matter.

Motion by Hampton

I make a motion that the Utility Committee consider the issue of time cards and come back with their recommendation.

Motion died for lack of a second.

Motion by Pierce – Second by Hampton

I would like to make a motion that we have a joint committee take a look at this with one member from the Utility Committee and one member from the Finance Committee to sit down together with staff and take a look at this.

Hampton yea, Crum yea, Wilkerson nay, Pierce yea, Holub nay Youngers nay, Ewert nay, and Streets yea.

Mayor Bruce Armstrong voted nay to break the tie.

Motion denied.

There was nothing under Old Business.

Mayor Bruce Armstrong asked for the Department Reports.

City Clerk Carol McBeath had nothing to report.

Director of Governmental Services Carol Neugent had nothing to report.

Police Chief Mike McElroy introduced the visiting officer, Sergeant Scott Holton. McElroy reported on the Click It or Ticket Campaign which made the Police Department eligible for \$3,000.00 in equipment. McElroy reported on the DUI Checkpoint and stated it resulted in five DUI charges.

Public Works Director Randal Dorner reported on Council Action Requests for 346 N. Jane, 172 Champion, and 222 Champion. Dorner reported on graffiti on Alice. Dorner stated there had been a flag torn and the owner had been contacted. Dorner reported the pothole at Ranger and Loring would be repaired soon.

Recreation Director Georgie Root had nothing to report.

REGULAR COUNCIL MEETING

SEPTEMBER 11, 2006

PAGE 9

Under Appointments Mayor Bruce Armstrong presented for approval Ken Klein – Tree Board (2 Year Term).

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion we allow you to appoint Ken Klein to the Tree Board as a two year term.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the appointment of Dave Harper, 340 W. 6th Street to the Tree Board (2 year term).

Motion by Crum – Second by Pierce

I make a motion that we allow the Mayor to appoint Dave Harper, 340 W. 6th Street to the Tree Board for a two year term.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

There were no Off Agenda Citizens to be Heard.

There was no Executive Session.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the First Half of September.

Councilperson Ken Hampton asked about the \$680.00 paid to the City of Wichita for Freeman, Oatville, Nelson and Rex Schools. Hampton wanted to know if that money had been paid for someone to walk through the school and say they could have the Latchkey Program. Recreation Director Georgie Root said that was correct.

Motion by Hampton – Second by Pierce

Mr. Mayor, I will make a motion that we pay the Bills for the First Half of September 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consent Agenda.

Mayor Bruce Armstrong commented on a letter he had received from a citizen concerning the Dewey Gunzelman property on 63rd Street that was not in the City. Armstrong suggested the citizen contact the County and ask them to clean it up. Armstrong advised the County was in charge of that property and the City of Haysville would like to have it cleaned also. Councilperson Rob Wilkerson reported he had received several calls about the property and he

REGULAR COUNCIL MEETING

SEPTEMBER 11, 2006

PAGE 10

had tried to get in touch with the Wichita City Councilmen and the County. Councilperson Steven Crum informed everyone they could go to the website and send Commissioner Norton an e-mail about the property. Councilperson Ken Hampton asked if the Mayor had jurisdiction on the property within a three mile radius. Armstrong informed Council there were certain requirements that had to be met. City Attorney Lee Parker stated that was correct. Councilperson Joe Holub asked if the property was owned by Gunzelman. Armstrong advised the City did not know who the property owner was and it had always been referred to as the Gunzelman property.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Ken Hampton said he had requested information a month ago about employees being able to sell back their vacation time. Mayor Bruce Armstrong advised the information would be given to Hampton as soon as it was available.

Councilperson Steven Crum stated he was happy about the appointments to the Tree Board that evening and said the Tree Board was full now. Crum commented on the lack of volunteers to fill positions on boards and the Commission. Crum said he had received a call from a citizen in Pretty Prairie, Kansas who had seen the Haysville ads on TV and said they were very good. Mayor Bruce Armstrong reported Haysville Forward, Inc. was responsible for the ads.

Mayor Bruce Armstrong asked for a motion to adjourn.

Motion by Hampton – Second by Pierce

I will make a motion that we adjourn tonight.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Regular Council Meeting adjourned at 9:07 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Jeana White: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, and Ewert here. Councilperson Mike Streets was absent.

Craig Mead, Saint Marks Presbyterian Church was absent for the Invocation. Mayor Bruce Armstrong led everyone present in a moment of silence.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Bruce Armstrong gave a Presentation of Service Awards.

Mayor Bruce Armstrong presented City Clerk employees Probation Officer Janet Hutchison and Court Clerk Toni Rogers with a 20 year pin. Armstrong presented Assistant City Clerk/Finance Director Beverly Rodgers with a 25 year pin. Armstrong presented Police Department employees Sergeant Bob Crites with a 10 year pin and Master Police Officer Mac McDonald with a 25 year pin. Armstrong presented Public Works employees Mechanic Sean Rinehart with a 10 year pin and Wastewater Supervisor Dave Harper with a 25 year pin.

Mayor Bruce Armstrong presented DeAnn Konkel, PRIDE Re: Holiday Decorations.

DeAnn Konkel, 170 Moy Ave. addressed Council and stated she had something she would like to cover before discussing the Holiday Decorations. Konkel presented Director of Governmental Services Carol Neugent with a certificate and coin for her work with Hurricanes Katrina and Rita. Konkel informed Council these items were from Kansas Adjutant General, Tod Bunting with the Kansas Division of Emergency Management. Konkel stated the coins were made on rare occasions and were given to select individuals. Konkel addressed Council regarding the Haysville PRIDE Committee purchasing Christmas decorations. Konkel stated the PRIDE Committee would like to decorate the intersection at Main and Grand. Konkel informed Council of the decorations the PRIDE Committee had chosen including Victorian style carriages and a sixteen foot LED light tree and stated they were interested in placing live trees at the intersection. Konkel advised Council the PRIDE Committee would be putting money towards the cost of decorations and informed the Council they would be asking Haysville businesses to sponsor banners to be put on the light poles. Konkel stated of the \$22,463.00 total cost, the PRIDE Committee was asking for \$15,663.00 from the City of Haysville. Konkel asked if the Council had any questions. Councilperson Rob Wilkerson asked where the sixteen foot tree would be located. Konkel answered it would be on the north side of the intersection and stated she was still working with Public Works Director Randal Dorner on the placement of decorations. Councilperson Joe Holub asked if the decorations were permanent and where they would be stored. Dorner advised they would be placed in a locked storage building at Public Works. Councilperson Ken Hampton asked if they

REGULAR COUNCIL MEETING

SEPTEMBER 25, 2006

PAGE 2

were able to compare similar products with other companies. Konkell stated they had looked at different companies and were saving money by driving to Oklahoma and ordering from the Internet with free shipping options. Councilperson Bill Youngers stated the decorations should represent what the season is for. Councilperson Steven Crum asked if, once the PRIDE Committee reached their \$1800.00 goal for banners, they would still approach businesses to sell more. Konkell advised that amount was for the number of light poles and they would be unable to sell more unless they put banners on regular poles or along other portions of the Hike and Bike Trail. Crum asked Mayor Bruce Armstrong where the funds would come from if Council approved the request. Armstrong advised it would come from Capital Improvements. Councilperson Rob Wilkerson stated he did not like to be politically correct and would like to see decorations that say Merry Christmas. Konkell advised the wording on the banners would be removed to place the business name on them. Konkell stated when the PRIDE Committee discussed the decorations it was decided in the future, with updating to that intersection, the decorations could be moved and would fit with the theme of the Historic District.

Motion by Crum – Second by Hampton

I'll make a motion that we'll allow we'll help PRIDE pay for some Christmas decorations not to exceed \$15,700.00.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers nay, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Minutes of September 11, 2006.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I make a motion if there's no problems with it go ahead and approve the Minutes of September 11, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

There were no Citizens to be Heard on the Agenda.

There were no Licenses and Bonds on the Agenda.

Under Ordinances and Resolutions Mayor Bruce Armstrong presented for approval AN ORDINANCE CONCERNING THE AMENDMENT OF CHAPTER 16, ARTICLE 4, OF THE CITY CODE OF HAYSVILLE, KANSAS, IN CONNECTION WITH MODIFYING THE ZONING REGULATIONS OF THE ZONING AND PLANNING CODE, ALL WITHIN THE CITY OF HAYSVILLE, SEDGWICK COUNTY, KANSAS.

Mayor Bruce Armstrong advised this was the Ordinance Council sent to the Planning Commission and was in front of the Council for approval with suggested changes.

REGULAR COUNCIL MEETING

SEPTEMBER 25, 2006

PAGE 3

Motion by Hampton – Second by Pierce

I'll make a motion that we approve the ORDINANCE CONCERNING THE AMENDMENT OF CHAPTER 16, ARTICLE 4, OF THE CITY CODE OF HAYSVILLE, KANSAS, IN CONNECTION WITH MODIFYING THE ZONING REGULATIONS OF THE ZONING AND PLANNING CODE, ALL WITHIN THE CITY OF HAYSVILLE, SEDGWICK COUNTY, KANSAS.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented the City Clerk Activity Report for August.

Mayor Bruce Armstrong presented the Governmental Services Activity Report for August.

Mayor Bruce Armstrong presented the Police Department Activity Report for August.

Councilperson Ken Hampton asked Police Chief Mike McElroy the status of equipment purchased to eliminate the transport of prisoners. McElroy advised the original control piece had a failure and was being replaced.

Mayor Bruce Armstrong presented the Community Development Interim Quarterly Report.

Councilperson Joe Holub informed Council he was concerned with the status of Kwik Shop. Public Works Director Randal Dorner stated Kwik Shop had submitted a drainage plan and were working on a drive agreement. Holub asked Mayor Bruce Armstrong if the building of Kwik Shop was still going to happen. Armstrong stated that was what the City was still informed.

Mayor Bruce Armstrong asked for any Governing Body Announcements.

Councilperson Bill Youngers stated he would like to remind everyone there were still two weeks of the Hometown Market.

Councilperson Rob Wilkerson recommended Dr. Rey at the Haysville Family Med Center to anyone who didn't have a good Doctor.

Councilperson Steven Crum stated the soccer season had started and things were going well. Crum advised he had been contacted by the new Haysville Baseball League Board and stated they approached Recreation Director Georgie Root about coming to some meetings. Crum stated the league wanted to try to mend the situation with the City. Crum stated anyone who would like to get a new library in town should contact the library for information to help run the campaign.

REGULAR COUNCIL MEETING

SEPTEMBER 25, 2006

PAGE 4

Mayor Bruce Armstrong presented the Memorandum From Director of Governmental Services Carol Neugent Re: Administrative Secretary Pamela L. Robbins – Resignation.

Mayor Bruce Armstrong presented a Letter From Cox Communications Public Affairs Sarah Kauffman Re: Price Adjustments For Cable, Analog, & High Speed Internet.

Mayor Bruce Armstrong presented a Letter From Kansas Department of Health and Environment Re: Lead & Copper: Triennial Monitoring.

Councilperson Ken Hampton asked Mayor Bruce Armstrong if price increases by Cox Communications changed the franchise agreement with the City. Armstrong advised the contract agreement had payment based on gross sales.

Under Other Business Mayor Bruce Armstrong presented a Consideration of Contract For Federal – Aid Road Construction Engineering by City (City – Non Federal – Aid Agreement).

Public Works Director Randal Dorner reported the project was for South Main Street and bids were taken for the project. Dorner advised the agreement needed to be signed to participate in the project with KDOT. Councilperson Ken Hampton asked who would be completing the work. Dorner advised the project would be contracted and would be completed by early 2007 if weather allowed. Councilperson Steven Crum asked if County was involved with the project. Dorner stated they were not.

Motion by Hampton – Second by Crum

I'll make the motion that we allow the Mayor to enter into an agreement with KDOT for grading and surfacing of .27 miles located in Haysville, Main Street: Grand Avenue to Cowskin Creek.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for discussion Community Development Re: Facade and Materials Review of Warren Building and Extension of the Construction Start Date.

Carl Warren, Derby Kansas addressed Council for an extension of the start date for a retail commercial building and to answer any questions on the building plans. Councilperson Joe Holub asked if the business titles on the drawing were actual tenants. Warren advised they were just for the demographics of the drawing. Councilperson Steven Crum asked if Warren was asking for another 180 days to start the project. Warren stated he was but thought they would be able to start sooner than that. Warren informed Council they were working on ingress and egress, shared access with Kwik Shop and Dollar Store and stated there was delay to pursue a restaurant in the building. Warren advised they are now committed to a strip retail center. Councilperson Ken Hampton stated he was not concerned with extending the time since it was the builder's

REGULAR COUNCIL MEETING

SEPTEMBER 25, 2006

PAGE 5

money, he was concerned about the penalty phase. Mayor Bruce Armstrong advised they were only amending the start date and penalties would not change.

Motion by Crum – Second by Hampton

Mr. Mayor, if there is no other discussion I'll go ahead and make a motion that we allow, we go ahead and extend the contract with the Warren Building extension for another 180 days for their property on Main Street.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong advised Council Warren was presenting architectural approval of the building and materials and Council would need a motion to approve the plans.

Motion by Crum – Second by Hampton

I'd make a motion that we go ahead and approve the drawings, the type of building they're thinking about doing, if that's acceptable.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong thanked Carl Warren for building in Haysville and stated he was looking forward to the building being done.

Mayor Bruce Armstrong presented a Consideration of Request For Proposals Re: Solid Waste For City Owned/Operated Facilities.

Mayor Bruce Armstrong advised Council there was a request for bids to licensed waste collectors and those bids were before them. Councilperson Ken Hampton asked Armstrong if this had been done before. City Clerk Carol McBeath advised it had been about five years with the current vendor. Hampton stated he believed Lies was the best deal but asked why there was no cost for the spring clean up. Lies Trash Service Vice-President David Lies was in the audience and stated they had not included cost for events they normally do for the City. Lies advised that also included the Fall Festival. Councilperson Bill Youngers asked if Lies Trash Service would be paying tipping fees. Lies stated the City pays for tipping fees on the spring clean up. Youngers asked if other companies could claim they had an unfair advantage against Lies Trash Service because of services Lies Trash Service donated. City Attorney Alison McKenney Brown advised the request for bids could be written however the City wanted. Brown stated all companies had a history with the City and those could be taken into consideration.

Motion by Hampton – Second by Wilkerson

I'll make a motion that we accept Lies Trash Service for the solid waste for the City proposed for \$700.00 a month.

REGULAR COUNCIL MEETING

SEPTEMBER 25, 2006

PAGE 6

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong asked David Lies if their trucks would be able to put the dumpsters back in the screening. Lies advised he could and stated all new containers would be purchased for the City. Lies told Council to let him know if they had a preference of color.

Mayor Bruce Armstrong presented Discussion of Vacation Buy Back (Requested by Councilmember Ken Hampton).

Councilperson Ken Hampton stated he brought this issue up to examine the cost of selling back vacation against the overtime required to cover the position if vacation was taken. Hampton asked if overtime was required to fill positions on vacation. Director of Governmental Services Carol Neugent stated she could not answer for all departments but it did not for Governmental Services and City Clerk. Hampton stated he wanted overtime amounts to compare and would like to drop the issue since those were not available.

Mayor Bruce Armstrong presented a request to Establish a Council Workshop Re: Storm Water Utility.

Mayor Bruce Armstrong advised the Council this workshop was needed to learn about a storm water utility. Armstrong stated the City was in the second phase of new mandatory laws to regulate content going down the sewers. Armstrong informed the Council that Mike Shomaker, from PEC, would be speaking at the workshop. Armstrong proposed to schedule the workshop on October 10, 2006 at 6:00 p.m. Councilperson Joe Holub asked if the City would have to rework the current sewer system. Public Works Director Randal Dorner advised it would require updating and adding to the current system. Dorner stated this was in the time frame of the Clean Water Act of 1972. Dorner advised it was for infrastructure and preventative maintenance. Professional Engineering Consultant Rod Young advised that many cities were looking into a storm water utility.

Motion by Pierce – Second by Holub

Mr. Mayor, if there's no other questions I move that we establish a Council Workshop regarding discussion of the storm water utility on Tuesday October 10, 2006 at 6:00 p.m. here in the Council Chambers.

Councilperson Ken Hampton asked if the workshop would be posted for citizens to attend. Mayor Bruce Armstrong advised it would.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

REGULAR COUNCIL MEETING
SEPTEMBER 25, 2006
PAGE 7

There was nothing under Old Business.

Mayor Bruce Armstrong asked for the Department Reports.

City Clerk Carol McBeath reminded everyone that the next Council Meeting would be held on October 10, 2006.

Director of Governmental Services Carol Neugent informed the Council on September 15, 2006 there was a Community Service Day with the Haysville Alternative School and the Charter School. Neugent showed a portion of a video that showed progress from the day. Neugent stated there were over one hundred students and faculty involved in several projects throughout the City. Neugent also showed Council a video created by the Haysville Police Department due to senior citizen scams. Neugent stated the video would be playing on Channel 7.

Police Chief Mike McElroy introduced the visiting officer MPO Rene LaMarche. Councilperson Steven Crum asked McElroy if the Police Department would be posting information on the senior citizen scam and the video. McElroy advised he would look into posting something.

Public Works Director Randal Dorner showed Council a video where the top building of the old water building was removed. Dorner stated once the top was removed the water building was painted as part of the Community Service Day with the schools. Dorner presented to Council a map for eight new light poles along Grand in between Main and Baughman. Dorner stated cost had gone up some on the lights. Mayor Bruce Armstrong advised the lights were budgeted for at the time of the railroad construction.

Motion by Hampton – Second by Pierce

I'll go ahead and make a motion that we, to complete the lighting around Grand Street Bridge from Baughman to Main. I make a motion that we approve \$24,000.00 which includes one Millbank Distribution Panel Box from CED at \$4,600.00 and a grand total of \$24,000.00.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Councilperson Bill Youngers asked about the progress on lights the Park Board had ordered. Public Works Director Randal Dorner advised he was combining orders to get a lower price on the lights.

Recreation Director Georgie Root reported the Haysville Activity Center had School's Out Service days for days when there was no school. Root advised childcare would be available for kindergarten through fifth grade and stated pre-registration was required.

REGULAR COUNCIL MEETING

SEPTEMBER 25, 2006

PAGE 8

Mayor Bruce Armstrong presented for approval the appointment of Gail Klinginsmith, 6510 Ward Parkway, Ward II, to the Park Board.

Motion by Youngers – Second by Wilkerson

I would make a motion that we allow the appointment of Gail Klinginsmith to Ward II position of Park Board.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Councilperson Bill Youngers advised the Park Board needed members for the Advisory Committee.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

Howard Cook, 323 S. Twin Pines addressed Council and asked if the Hike and Bike Trail had been completed. Public Works Director Randal Dorner advised it was final with a one year warranty. Cook advised there was one item outstanding and that was power to the sign at the Hometown Bingo. Cook stated he was a member of the Optimist Club and they play bingo there and they can't turn the light on. Dorner stated he would look into it.

There was no Executive Session.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the Last Half of September.

Councilperson Joe Holub asked if the toilet replaced at Riggs Park was due to vandalism. Public Works Director Randal Dorner stated it was.

Motion by Hampton – Second by Pierce

I'll make a motion that we pay the bills for the last half of September, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers abstain, and Ewert yea.

Motion declared carried.

There was nothing under Consent Agenda.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Ken Hampton asked City Attorney Alison McKenney Brown if the City could legally specify which members of Professional Engineering Consultants could work on City Projects. Mayor Bruce Armstrong advised the statement he made at the September 11, 2006 Council Meeting, regarding the engineer not working for the City in

REGULAR COUNCIL MEETING

SEPTEMBER 25, 2006

PAGE 9

the future, was made by Professional Engineering Consultants. Brown advised the City could put anything they wanted in contracts.

Councilperson Steven Crum asked about the status of trash dumpster enforcement. Public Works Director Randal Dorner advised forty letters had been sent. Dorner stated there was good response with some businesses submitting site plans.

Councilperson Rob Wilkerson stated he would like to see better information about the Council Meetings in the Haysville Times. Wilkerson was concerned with the paper getting facts correct.

Councilperson Keith Pierce advised Council the Planning Commission still has openings. Pierce stated he had sent e-mails and never received any response.

Councilperson Joe Holub asked Police Chief Mike McElroy when vandalism was occurring at the parks. McElroy advised it was at random times throughout the day.

Mayor Bruce Armstrong asked for a motion to adjourn.

Motion by Pierce – Second by Wilkerson

Mr. Mayor I move that we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

The Regular Council Meeting adjourned at 8:18 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Jeana White: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, and Streets here.

Invocation was given by Reverend Steven Dezotel, Church of the Nazarene.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Mayor Bruce Armstrong presented for approval the Minutes of September 25, 2006.

Councilperson Steven Crum asked that one change be made to the minutes. Crum stated he did not say the Haysville Baseball League wanted to attend any Council Meetings but had stated they wanted to mend fences with the City.

Motion by Crum – Second by Hampton

If no other changes on that I'd go ahead and make a motion to approve the minutes with that one change.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets abstain.

Motion declared carried.

There were no Citizens to be Heard on the Agenda.

There were no Licenses and Bonds on the Agenda.

There were no Ordinances and Resolutions on the Agenda.

Mayor Bruce Armstrong presented the Sedgwick County Fire Department, Station #34 Activity Report for September.

Mayor Bruce Armstrong presented the Public Works Activity Report for September.

Mayor Bruce Armstrong presented the Recreation Activity Report for September.

Mayor Bruce Armstrong asked for any Governing Body Announcements.

Councilperson Steven Crum reminded everyone it was Fire Safety Week and the children would be bringing information home from school. Crum urged citizens to check their smoke detectors, furnaces and fireplaces.

Councilperson Rob Wilkerson announced the opening of the Great Wall Chinese Restaurant in Haysville.

REGULAR COUNCIL MEETING

OCTOBER 10, 2006

PAGE 2

Councilperson Bill Youngers stated the Haysville Hometown Market was finished for the season. Youngers reminded everyone that the Fall Festival would be the 20th, 21st, and 22nd of October. Youngers stated the Park Board filled all positions but were looking for Advisory Committee Members.

Councilperson Patricia Ewert stated there would be no school Monday, October 16, 2006.

Councilperson Michael Streets advised the Senior Center would be giving flu shots on October 17, 2006 from 1:30 p.m. to 3:30 p.m.

Councilperson Rob Wilkerson added the library would be holding a meeting October 12, 2006 at 7:00 p.m. to discuss the new library.

Mayor Bruce Armstrong presented a Memorandum From Director of Governmental Services Carol Neugent Re: Transfer – Jeana White.

Mayor Bruce Armstrong presented a Memorandum From City Clerk Carol McBeath Re: Part Time Office Clerk Donna Rajsl – New Hire.

Mayor Bruce Armstrong presented a Memorandum From Recreation Director Georgie Root Re: Program Coordinator Robert Arneson – New Hire.

Under Other Business Mayor Bruce Armstrong presented a Consideration of Memorandum From Haysville Planning Commission Re: Conditional Use Permit – Lot 6, Nelson’s First Addition to Haysville, Sedgwick County, Kansas (153 Delos).

Planning and Community Relations Coordinator Angela Millspaugh addressed Council and stated the Planning Commission was recommending approval of the memorandum if the lighting would be directed away from residential properties and if they had the parking reviewed at the time of the building permit application. Millspaugh advised the lot was to the south of the main church building. Mayor Bruce Armstrong asked if the church would be using the same material as the existing building. Millspaugh stated that was correct. Councilperson Steven Crum asked about the two e-mails received on parking and wondered what days they were concerned about. Millspaugh advised it was Sunday. Crum stated they needed to look into parking and suggested looking into what the Haysville Methodist Church did for parking. Councilperson Ken Hampton asked Armstrong if he would need to abstain from voting since he attended the church. Armstrong advised that Hampton would not financially gain from it and he did not need to abstain.

Motion by Hampton – Second by Wilkerson

If there’s no other questions I’ll make a motion that we accept the conditional use for Lot 6, Nelson’s First Addition to Haysville, Sedgwick County, Kansas, 153 S. Delos, with the recommended conditions that the lighting not extend beyond the property lines, exterior matching the existing building and parking to be reviewed at the time of the building permit issuance.

REGULAR COUNCIL MEETING

OCTOBER 10, 2006

PAGE 3

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of City of Haysville's Membership with REAP Through a New Interlocal Agreement.

Councilperson Joe Holub asked Community Development Director Larry Powell about a section of the agreement and whether the language was necessary. Powell advised the State Attorney General helped to draft the document and recommended the section in question. Councilperson Ken Hampton stated the City opted not to join REAP in 2004. Mayor Bruce Armstrong advised the City opted against joining the water, not REAP. Hampton asked if each participating city was required to have an elected and appointed official to be a representative. Armstrong advised a city's mayor would be the representative and he had chosen Powell to take his place at the monthly meetings. Hampton asked what the membership fee was. Powell stated it would be \$250.00 a year. Hampton asked if the REAP studies were large and if the City would have significant cost to participate in them. Powell stated there were only two studies done to date. Powell advised the City did contribute a small amount, based on population, to the Airfare study. Councilperson Keith Pierce asked if the REAP Organization was smart, logical, and beneficial. Powell stated it was and that it helps to pull together local entities to have a concentrated voice on regional issues.

Motion by Crum – Second by Wilkerson

Mr. Mayor, if there's no other discussion I'll go ahead and make a motion that we go into a resolution adopting the interlocal agreement creating a regional economic area partnership to serve and promote the interest of local government in south central Kansas.

Councilperson Keith Pierce asked if the agreement was a resolution. Mayor Bruce Armstrong stated it was.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Orchard Acres Park Improvements.

Public Works Director Randal Dorner advised he met with the Park Board and those were the recommendations for equipment. Dorner stated there would be a Playworld System, three legged swing and a miniature whirl. Dorner said the twelve light poles would be for the Hike and Bike Trail and he advised they would need eighteen more poles to complete the Trail. Dorner stated there would be a \$250.00 per light savings by ordering twenty or more light poles. Councilperson Ken Hampton asked about the price difference in two different light orders. Dorner explained one order included an electric box and stated that some of the lights would need upsized wiring due to the distance from an electric source. Councilperson Bill Youngers asked if Dorner had looked into an alternative rubber base for the light poles. Recreation

REGULAR COUNCIL MEETING

OCTOBER 10, 2006

PAGE 4

Director Georgie Root advised the rubber base needed to be placed on an asphalt or cement base, raising the cost. Councilperson Steven Crum asked if the approval would need two motions since it would be from two different funds. Mayor Bruce Armstrong advised they would need two motions. Youngers asked if a delay would affect the price of the poles. Dorner advised the bid was set for thirty days and costs continually increase. Armstrong advised making the motion for the full amount.

Motion by Youngers – Second by Hampton

Well I would make a motion that we approve the monies, the \$46,285.00, for the first leg of the, to complete the Orchard Acres Park and the lighting from, to complete that portion within Old Oaks.

Councilperson Ken Hampton advised the amount mentioned was the lower amount. Councilperson Bill Youngers stated the money was there for that project. Youngers asked if the City would be installing the project. Dorner stated they would be hiring an electrician but the City would install the rest.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Motion by Youngers – Second by Crum

Then I would make the motion that we approve an amount not to exceed \$52,700.00 for the project lighting the bike path from Grand to Karla Street.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Under Old Business Mayor Bruce Armstrong presented a request to Re-establish Council Workshop Re: Storm Water Utility.

Mayor Bruce Armstrong advised Council Michael Schomaker, had been hospitalized. Armstrong stated Bruce Remsburg from the PEC Pittsburgh office would be conducting the workshop.

Motion by Pierce – Second by Wilkerson

Mr. Mayor I'll make a motion that we reschedule our Council Workshop to discuss the Storm Water Utility to be held on October 23, 2006 at 6:00 p.m. at the Council Chambers.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath had nothing to report.

REGULAR COUNCIL MEETING

OCTOBER 10, 2006

PAGE 5

Director of Governmental Services Carol Neugent had nothing to report.
Police Chief Mike McElroy introduced visiting officer MPO Aaron Tabing.

Public Works Director Randal Dorner gave an update on the Hometown Bingo sign. Dorner stated he had worked out the problems between the contractor, City, and owner and there would be an electrician to work on it as soon as weather permitted. Dorner stated they had started sweeping the streets and were informing residents of that with flyers. Dorner advised they were out in the early morning to avoid traffic. Councilperson Joe Holub asked Dorner if the streets would be sealed this fall. Dorner stated they had been looking into different procedures and they were still reviewing the results. Dorner advised they were looking towards the spring if they would be doing street sealing.

Recreation Director Georgie Root had nothing to report.

There were no Appointments on the Agenda.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard

There were none.

There was no Executive Session on the Agenda.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the First Half of October.

Motion by Crum – Second by Hampton

Mr. Mayor I make a motion that we approve the bills to be paid for the last half of October.

City Attorney Lee Parker advised Council the motion was made for the last half of October and needed to be made for the first half of October. Councilperson Steven Crum advised he meant to say first half and amended his motion. Councilperson Ken Hampton seconded the amending motion.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers abstain, Ewert yea,
and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consent Agenda.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Joe Holub was concerned with the population of geese at Riggs Park. Mayor Bruce Armstrong asked if there had been changes made to the federal guidelines. City Attorney Lee Parker advised there had been some changes. Parker suggested a falconer to control the geese. Councilperson Keith Pierce asked Public Works Director Randal Dorner to look up

REGULAR COUNCIL MEETING

OCTOBER 10, 2006

PAGE 6

roosting and nesting information. Councilperson Bill Youngers advised he knew of a housing addition that had a trapper remove the geese. Holub asked if Police Chief Mike McElroy could keep an eye on Riggs Park after school to keep vandalism down. McElroy advised they already do.

Councilperson Keith Pierce asked about the progress of the Capital Improvement Plans. Director of Governmental Services Carol Neugent advised the Planning Commission approved it and they were making final copies. Pierce asked to meet with Police Chief Mike McElroy, Public Works Director Randal Dorner, and Councilperson Rob Wilkerson to schedule a meeting for the vandalism committee.

Councilperson Steven Crum stated residents by the Community Bank were concerned with drainage from the bank. Professional Engineering Consultant Rod Young advised there were some issues with the drainage plan. Mayor Bruce Armstrong advised reviewing their drainage plan, and reminded everyone the building was a temporary installation.

Mayor Bruce Armstrong asked for a motion to adjourn.

Motion by Pierce – Second by Hampton

Mr. Mayor I move that we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Regular Council Meeting was adjourned at 7:40 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Jeana White: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, and Streets here.

Invocation was given by Reverend Tim Leaf, Resurrection Lutheran Church.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Bruce Armstrong presented a Public Hearing Re: Unsafe Structure – 374 W. 4th St.

Code Enforcement Officer Cale Topinka addressed the Council and stated ownership of the house had changed. Topinka informed Council the new owners were James and Kathy Thomas of Clearwater and stated they had made improvements to the house. Mayor Bruce Armstrong advised the property was declared an unsafe structure at the previous Council Meeting and the Resolution was the next step of the process. Armstrong asked City Attorney Alison McKenney Brown if notification needed to be made again with new owners. Brown advised since notification was made by publication, no other notification was needed. Councilperson Joe Holub asked if a building or remodeling permit had been issued. Topinka advised they were issued a building permit to reconstruct from fire damage. Councilperson Steven Crum asked the length of the building permit. Topinka advised it was 180 days to start the project and two years to complete it. Armstrong asked if being issued a building permit made a difference in the Resolution. Brown advised it did not. Brown stated the Council did not need to take action on the Resolution and advised they could take action at a later date if needed. Crum asked if the Resolution would need to be tabled. Brown advised Council to not pass the Resolution and stated it would be acceptable to table it. Crum asked if the house had been secured. Topinka advised some of the windows had been replaced.

James Thomas, 9410 S. 103rd St. West, Clearwater, approached the Council and advised he had purchased the property at 374 W. 4th Street. Thomas stated the previous owner had not informed him that the property was brought before the City to be torn down. Thomas advised he had bought many homes over the years and stated they don't like to sit on them. Thomas stated they wanted to get in, fix them up and resell. Thomas estimated the property would be close to being finished by the first of January. Councilperson Steven Crum asked about the windows. Thomas stated his son was working on the project and he thought they already had all of the windows in. Thomas stated they had been working on the roof that day. Thomas advised he would make sure the house was secure. Councilperson Keith Pierce asked City Attorney Alison McKenney Brown if the Council needed to rescind the Resolution. Brown stated the Resolution had not been passed and advised Council to take a no action on the Resolution.

Motion by Crum – Second by Wilkerson

Mr. Mayor I'd make a motion that we take no action on this Resolution for the unsafe structure at 374 W. 4th at this time.

REGULAR COUNCIL MEETING

OCTOBER 23, 2006

PAGE 2

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Minutes of October 10, 2006.

Motion by Hampton – Second by Pierce

Mr. Mayor I'll make a motion that we approve the minutes of October 10, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

There were no Citizens to be Heard on the Agenda.

There were no Licenses and Bonds on the Agenda.

There were no Ordinances and Resolutions on the Agenda.

Mayor Bruce Armstrong presented the City Clerk Activity Report for September.

Mayor Bruce Armstrong presented the Governmental Services Activity Report for September.

Mayor Bruce Armstrong presented the Police Department Activity Report for September.

Mayor Bruce Armstrong asked for any Governing Body Announcements.

Councilperson Bill Youngers announced the Historic District had issued limited edition Christmas ornaments as fundraisers for the Historic District. Youngers stated the ornament had a picture of the Haysville State Bank as it appeared in 1919. Youngers advised the ornaments were \$10.00 and were available at the City Building, Library, and Haysville Activity Center. Youngers stated there would be a new ornament each year and they were very limited.

Councilperson Rob Wilkerson announced there would be a meeting at the Library on Wednesday, October 25, 2006.

Councilperson Steven Crum announced he attended the REAP and Wichita Visioneering Leadership meeting. Crum stated they discussed education and how to market an area. Crum stated Community Development Director Larry Powell, Chamber of Commerce Administrative Assistant Barb Walters, and County Commissioner Tim Norton were also present at the meeting.

Mayor Bruce Armstrong presented a Letter from Lisa Koch, Kansas Department of Transportation Re: Safe Routes to School.

REGULAR COUNCIL MEETING

OCTOBER 23, 2006

PAGE 3

Councilperson Ken Hampton asked if there was anything showing where the City was weak. Director of Governmental Services Carol Neugent advised the City had not received anything but that the Kansas Department of Transportation knew the City wanted a copy.

Mayor Bruce Armstrong presented a Letter from Dennis Miller, Kansas Department of Transportation Re: Outdoor Advertising Legislation.

Mayor Bruce Armstrong advised a sign in the City had been identified as needing a permit and stated it was believed that the sign did not belong to the City. Armstrong advised in the future there would be a \$250.00 permit fee for signs on Highway 81.

Mayor Bruce Armstrong presented a Memorandum from Police Chief Mike McElroy Re: Michael Conrady.

Mayor Bruce Armstrong presented a Memorandum from Police Chief Mike McElroy Re: Debra Hampton – Resignation.

Mayor Bruce Armstrong presented Information from Joint Committee on Vandalism.

Councilperson Keith Pierce gave a summary on the information presented to Council. There was much discussion over types of vandalism occurring, what could be prevented, and quality of video equipment. There was a concern over invasion of privacy and City Attorney Alison McKenney Brown advised public places, such as the park, have a reduced expectation of privacy and saw no problem with it. Councilperson Bill Youngers asked how the equipment could help with the bathrooms. Brown advised the City would still have a strong case if there was video of a person entering the restrooms between certain times that vandalism had occurred.

Under Other Business Mayor Bruce Armstrong presented a Consideration of CDBG Contract for Administrative Services.

Mayor Bruce Armstrong advised this was a contract with SCKEDD for administrative services if the City received the grant for the Senior Center.

Bill Bolin, with SCKEDD, addressed Council and explained the City was showing their preparedness by having the contract for administrative services done.

Motion by Hampton – Second by Wilkerson

I'll make a motion that we allow the Mayor to go into contract with CDBG Contract for Administrative Services for the Community Senior Center Grant.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Discussion of Proposed Changes to HAC Building Hours.

REGULAR COUNCIL MEETING

OCTOBER 23, 2006

PAGE 4

Recreation Director Georgie Root stated she had been looking into the hours for over a year. Root advised summer hours were affected by outdoor recreational activities such as Volleyball and Basketball. Councilperson Steven Crum stated one thing he would like was more programs to keep high school and middle school kids going to the Haysville Activity Center on Friday and Saturday nights.

Motion by Hampton – Second by Pierce

If there's no other questions I'll make a motion that we accept the proposed changes to the HAC building hours as presented before us.

Councilperson Steven Crum asked when the new hours would take effect. Recreation Director Georgie Root stated November 1, 2006. Crum asked if Root would send a mailer or just post information. Root advised it would be in the Winter/Spring brochure and possibly a flier.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Memorandum from Recreation Director Georgie Root Re: Updates for Plagens Carpenter Sports Complex.

Recreation Director Georgie Root advised some of the bleachers were still wooden and needed planks replaced and repainting. Root was asking to replace the wooden bleachers with aluminum bleachers. Root advised they also needed a score keeper's table and stated they would like to put concrete underneath the bleachers and table. Councilperson Bill Youngers asked if they had looked into shade structures. Root stated they were around \$3000.00 a field and she was looking to do something in the next couple of years. Councilperson Steven Crum asked how long the bids were good for. Root stated 30 days. Mayor Bruce Armstrong advised the funds originally set aside for this project had been used on lighting the hike and bike trail and advised they would need to build the money back up.

Motion by Crum – Second by Wilkerson

Mr. Mayor I'd like to make a motion that we approve the low bid from Helmer's Construction of \$8755.00 for cement work to be done at Plagens Carpenter Sports Complex and also for 16,200.00 to Fry & Associates for a low bid on bleachers for the same complex.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Memorandum from Director of Governmental Services Carol Neugent Re: Distance Requirements.

Mayor Bruce Armstrong advised this was regarding the distance requirements for serving alcoholic beverages in the City. Armstrong stated someone was looking into purchasing the old Pizza Hut building but found they could not put the business they wanted in because of the

REGULAR COUNCIL MEETING

OCTOBER 23, 2006

PAGE 5

alcohol restrictions. Councilperson Steven Crum asked if the library was the only thing within the distance. Armstrong stated that was correct. Councilperson Rob Wilkerson asked what atmosphere the business was. Armstrong advised it was a sports restaurant. Councilperson Joe Holub asked what the distance was from the building to the library. Director of Governmental Services Carol Neugent stated the property lines touch on the corner. Councilperson Bill Youngers asked if they were looking for a variance for the building or changing the Ordinance. Armstrong advised discussing the entire Ordinance. Councilperson Michael Streets asked if the Pizza Hut served beer at that location. Neugent advised they had sold beer and she believed some of it was grandfathered and explained there was a difference between cereal malt beverages and alcoholic liquor. Councilperson Keith Pierce asked to have the issue looked into. Crum asked if Council could do anything in the short term to allow the business to go in without much risk. Armstrong advised the Ordinance allowed for a variance. Neugent advised to grant the waiver there would need to be a public notice and hearing.

Motion by Crum

If there's no other discussion I guess I'd like to make a motion that we allow a waiver for the...

Neugent advised they need to begin the process for the waiver due to notification and hearing.

Motion by Crum – Second by Wilkerson

So just make a motion to do a notification of the hearing of a possible waiver on a business location.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Motion by Pierce – Second by Holub

Mr. Mayor I make a motion that we have staff review and prepare an assessment and perhaps recommendations for change of Section 3-402 of the City Code of Haysville.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Bids Re: Water Materials and Meters for the Inventory of the Haysville Water Department (Project No. W101806).

Public Works Director Randal Dorner advised they had sent out proposals to five companies for items. Dorner stated none of the companies could bid on all items. Councilperson Ken Hampton asked if item five was a residential meter that was read with a wand. Dorner advised that was item four, the master meter. Hampton asked if they could wait on those until they further discussed new ways to read meters. Dorner stated the bids were good for 60 days.

Motion by Crum – Second by Hampton

Mr. Mayor I make a motion that we accept the bid on Mueller Service Brass on HAJOCA for \$36,091.80.

REGULAR COUNCIL MEETING

OCTOBER 23, 2006

PAGE 6

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Motion by Crum – Second by Hampton

Mr. Mayor I make a motion that we accept the bid for miscellaneous water materials from Water Products for \$19,549.37.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Motion by Crum – Second by Hampton

Mr. Mayor I'd make a motion that we accept a bid for fire hydrants, valves, and miscellaneous from Winwater for \$13,417.00.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Motion by Crum – Second by Hampton

Mr. Mayor I'd make a motion that we table the master meter bid and get a report on that the next Council Meeting to find out if we've come up with a resolution that would possibly be able to keep us from spending that.

Hampton yea, Crum yea, Wilkerson nay, Pierce yea, Holub nay, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Motion by Crum – Second by Hampton

Mr. Mayor I'd like to make a motion that we accept the bid from or for Sensus remote read wellhead meters from National Waterworks for \$8,859.80.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Bids Re: Grand Avenue 12" Sanitary Sewer Extension (PEC Project No. 35-06338-1263).

Professional Engineering Consultant Rod Young advised Council this was a bid for gravity sewer for the Middle and Elementary Schools. Young stated it would begin at Country Lakes and travel north across Grand to the schools. Young advised three of the bids were very competitive. Councilperson Joe Holub asked about the addendums. Young stated they had minor changes with the school's final set of plans.

Motion by Hampton – Second by Pierce

REGULAR COUNCIL MEETING

OCTOBER 23, 2006

PAGE 7

If there's no other questions I'll make a motion that we accept the bids from Mies Construction for \$115,000.00 for the Grand Avenue 12" Sanitary Sewer Extension Project Number 35-06338-1263.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Sanitary Sewer Petition Re: Phase 1, Timber Creek Estates Addition (Replaces June 12th Sanitary Sewer Improvements Re: Phase 1).

Professional Engineering Consultant Rod Young addressed Council and informed them that costs had gone up since the petitions were originally approved. Young stated the Water Supply Line Petition was originally one phase but would now be two. Mayor Bruce Armstrong stated the petitions were completely funded by the developer.

Motion by Crum – Second by Wilkerson

Mr. Mayor if there's no other discussion I'll go ahead and make a motion that we go ahead and accept this Storm Water Drain Petition to replace the one that was approved on June 12th for Timber Creek Estates Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Water Supply Line Petition Re: Phase 1, Timber Creek Estates Addition (Along with Water Supply Line Phase 2, Replaces June 12th Water Supply Line Improvements).

Motion by Crum – Second by Wilkerson

Mr. Mayor I make a motion that we accept the Sanitary Sewer Petition regarding Phase 1 of Timber Creek Estates Addition to replace the one that was approved on June 12th.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Water Supply Line Petition Re: Phase 1, Timber Creek Estates Addition (Along with Water Supply Line Phase 2, Replaces June 12th Water Supply Line Improvements).

Motion by Crum – Second by Wilkerson

Mr. Mayor I make a motion that we accept the Water Supply Line Petition regarding Phase 1 of Timber Creek Estates Addition, along with Water Supply Line Phase 2 replace the June 12th one we already approved.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

OCTOBER 23, 2006

PAGE 8

Mayor Bruce Armstrong presented a Consideration of Water Supply Line Petition Re: Phase 2, Timber Creek Estates Addition (Along with Water Supply Line Phase 1, Replaces June 12th Water Supply Line Improvements).

Motion by Crum – Second by Wilkerson

Mr. Mayor I'd like to make a motion that we accept the Water Supply Line Petition regarding Phase 2 of Timber Creek Estates Addition, this replaces the one with the Phase 1 that we approved on June 12th.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Paving Petition Re: Phase 1, Timber Creek Estates Addition (Replaces June 12th Paving Improvements Re: Phase 1).

Motion by Crum – Second by Wilkerson

Mr. Mayor I'd make a motion that we accept the Paving Petition regarding Phase 1 of Timber Creek Addition and this will replace the one that we approved on June 12th.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Contract with PEC for Design of Certain Improvements Re: Timber Creek Estates Phase 1 (PEC Project No. 35-05561-1263).

Mayor Bruce Armstrong advised this item needed to be tabled. Armstrong stated the City requires a letter of credit before approving any award design contracts.

Motion by Crum – Second by Hampton

Mr. Mayor on item "L" I would make a motion that we table the Consideration of Contract with PEC for design of certain improvements regarding Timber Creek Estates Phase 1.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

There was no Old Business on the Agenda.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath reported the City again reached the Gold Level with KMIT. McBeath stated this would give the City an almost \$3000.00 discount in rates. McBeath thanked the Safety Committee members for their hard work and training schedule. McBeath advised voter registration had closed and stated the Haysville Activity Center would have advance voting on

REGULAR COUNCIL MEETING

OCTOBER 23, 2006

PAGE 9

November 3, 2006 and November 4, 2006. McBeath stated the election would be November 7, 2006.

Director of Governmental Services Carol Neugent had nothing to report.

Police Chief Mike McElroy introduced visiting officer MPO Randy Nowak. McElroy informed Council the video arraignment equipment had been used in two court sessions and had cut down on transportation. McElroy advised that as a result of the equipment he might have some vehicles for disposal. Councilperson Ken Hampton asked McElroy for an update on the railroad property. McElroy stated a letter had been sent to the County with the City's concerns on the vegetation and that he was trying to locate a Tax Key Number on the property. McElroy advised he had met with a railroad representative and they were looking back at contracts to see what obligations were made in the agreements. McElroy stated they wanted to keep some vegetation due to the slope of the project. Mayor Bruce Armstrong advised the project had not been finalized and stated a letter was sent to the County informing them the project would not be finalized until the issue was taken care of. Councilperson Rob Wilkerson asked Public Works Director Randal Dorner if the City had the equipment to mow the property. Dorner advised it would require personnel with weed eaters or expensive equipment which could only mow the west side of the tracks. Dorner stated the east side had no road access and could only be taken care of by the railroad. Armstrong advised that in the design the vegetation was to be native grasses and stated those types of grasses could grow to be over twelve inches. Hampton asked if the City had looked into hiring contractors to mow the property. Dorner advised there was only one type of machine in the area with that capability.

Public Works Director Randal Dorner gave an update on the geese at Riggs Park. Dorner explained the difference between resident and migratory geese. Dorner stated the City's geese population consisted mostly of migratory. Dorner advised there would need to be environmental studies done, there are restrictions on who could move them and you would have to do a relocation of the geese. Councilperson Keith Pierce advised results were not guaranteed. Dorner stated that was correct and after relocating one group another group could move in. Dorner advised he reviewed the drainage plans for the Community Bank. Dorner stated all comments made by Professional Engineering Consultant Rod Young were addressed and after grading and shaping everything met or exceeded the draining requirements. Dorner informed Council South Main was closed to local traffic. Dorner stated he did not have a schedule of dates but he would keep the Council informed with updates on the construction.

Recreation Director Georgie Root reported the Haysville Activity Center had been open eight years in November and they would be holding a membership drive. Root advised they were taking registrations for the Christmas session of youth dance. Root stated ballet, tumbling and cheer for ages 3-12 would be available. Root stated the class would perform at the Village Christmas the first weekend of December.

There were no Appointments on the Agenda.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

REGULAR COUNCIL MEETING

OCTOBER 23, 2006

PAGE 10

Howard Cook, 323 S. Twin Pines addressed the Council and asked which sign the State was talking about. Mayor Bruce Armstrong advised it was billboard size by Gabbie's Goodies. Cook advised that a couple of non-profit organizations went together to put up a welcome to Haysville sign. Armstrong confirmed that was the sign. Cook stated the organizations got praise from the Council for putting the sign up. Armstrong stated the State wanted \$250.00 for a permit on that sign. Cook asked Council to leave the geese alone. Cook stated he took pictures and enjoyed them. Cook advised he would rather walk in geese poop than dog or cow poop. Councilperson Joe Holub advised Cook that he had complaints about it being on the sidewalks. Cook stated he enjoys the wildlife and he believed it was not worth the effort to get rid of them.

There was no Executive Session on the Agenda.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the Last Half of October.

Motion by Crum – Second by Wilkerson

Mr. Mayor I make a motion if there's no other discussion to go ahead and approve the bills for last half of October.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Consent Agenda.

Motion by Pierce – Second by Wilkerson

Mr. Mayor I move we approve the consent agenda.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Bill Youngers thanked everyone for their hard work at the Fall Festival.

Councilperson Rob Wilkerson agreed the Fall Festival was a great time and stated he hoped there would be better weather next year.

Councilperson Steven Crum asked Public Works Director Randal Dorner for an update on the trash screening letter sent out. Public Works Director Randal Dorner stated they received several plans. Dorner advised True Value and Casey's General Store had completed their screening. Dorner stated there was some resistance from smaller businesses. Crum reminded everyone to be careful on Halloween.

Mayor Bruce Armstrong asked for a motion to adjourn.

REGULAR COUNCIL MEETING

OCTOBER 23, 2006

PAGE 11

Motion by Pierce – Second by Wilkerson

Mr. Mayor I move that we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Regular Council Meeting was adjourned at 8:25 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Jeana White: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here, and Streets here.

Reverend Steven Dezotell, Church of the Nazarene, was absent for the Invocation. Mayor Bruce Armstrong led everyone present in a moment of silence.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Mayor Bruce Armstrong presented for approval the Minutes of October 23, 2006.

Motion by Crum – Second by Hampton

Mr. Mayor if there's no discussion I make a motion that we approve the minutes from October 23, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Citizens to Be Heard.

Mayor Bruce Armstrong presented Florence Bergkamp, 8231 W. 55th St. South Re: Water Outside the City (6603 S. Meridian).

Florence Bergkamp, 8231 W. 55th St. South, Clearwater addressed Council and stated her son and his wife lived at 6603 S. Meridian. Bergkamp said she wanted to see what the cost and expectations would be to hook onto city water. Mayor Bruce Armstrong explained that if Council approved it, all of the costs would be paid by the owner. Armstrong advised they would be required to sign a petition for annexation. Bergkamp asked if annexation referred to just the house or included the land around it. Armstrong asked if the property had separate legal addresses. Bergkamp stated they had consolidated tax ID numbers. Armstrong asked if the legal address of the land was different from the legal address of the house. Bergkamp said it was. Armstrong advised the petition would be signed for the house. Bergkamp stated she would rather be annexed by Haysville than Wichita. Bergkamp asked about tax costs. Armstrong said she would pay city and county mill levy only if she were annexed. Bergkamp asked what the cost of going under the road would be. Public Works Director Randal Dorner explained there was a fire hydrant across the street from her property. Dorner advised she would be responsible for cost to have a meter set, to bore under the road, and for the purchase of permits. Dorner stated it would be around \$1000.00 to cross the road and advised the line from there to the house would be paid to the contractor she hired. Bergkamp asked how much the line would cost. Dorner stated \$3.00 a foot was the average price. Dorner advised they could cross the land at a diagonal to save length. Bergkamp asked how much the meter would cost. Dorner stated it would cost around \$1300.00. Bergkamp asked if the City had contractors for the job. Dorner advised there was a list of plumbing contractors available at Public Works. Armstrong advised if the property was farmland the City would require an easement. Dorner advised the land was

REGULAR COUNCIL MEETING

NOVEMBER 13, 2006

PAGE 2

private and it would be an all service line. Bergkamp asked about the cost of the water and whether it would be double. Director of Governmental Services Carol Neugent stated that could be accurate. Bergkamp asked how much an average bill in town was. Armstrong advised it would vary on water usage. Bergkamp asked if they didn't water the lawn if the bill would be around \$50.00. It was agreed that would be about right. Councilperson Joe Holub asked if the City served a rural water district. Armstrong stated the City did not. Holub asked City Attorney Lee Parker if there were any legal issues with allowing the request. Lee advised the owners would need to be informed of boring permits but did not see any other issues. Councilperson Steven Crum asked if they could tie into the water lines from the schools on Meridian. Dorner advised it was a greater distance. Crum asked when the County planned on beginning construction on Meridian. Armstrong advised it was 2008. Armstrong advised Bergkamp that Meridian would be constructed to four lanes in 2008. Bergkamp stated she preferred to have City water if costs were not outlandish. Councilperson Bill Youngers asked if the approval would be open ended or if it would have a termination date. Armstrong advised it depended on the motion Council made. Bergkamp thanked the Council.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I'll go ahead and make a motion that we would allow 6603 S. Meridian to tie onto City water as long as they meet all of our, the City, requirements, as well as any requirements that the County may have, and we'll leave that open until January of 2008.

Motion by Crum – Second by Wilkerson

Councilperson Steven Crum amended his motion, and Wilkerson agreed as second, to say January 1, 2008.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

There were no Licenses and Bonds on the Agenda.

There were no Ordinances and Resolutions on the Agenda.

Mayor Bruce Armstrong stated there was no Sedgwick County Fire Department, Station #34 Activity Report for October. Armstrong advised there was no one from the Fire Department present.

Mayor Bruce Armstrong presented the Public Works Activity Report for October.

Mayor Bruce Armstrong presented the Recreation Activity Report for October.

Mayor Bruce Armstrong asked for any Governing Body Announcements.

Councilperson Steven Crum thanked the Veterans in town and surrounding areas. Crum stated he wanted the Veterans to know he appreciated all they had given up. Crum stated the Tree Board, along with Public Works, moved four trees from the west side of Main to the east side of

REGULAR COUNCIL MEETING

NOVEMBER 13, 2006

PAGE 3

Main. Crum advised they would be moving four more trees. Crum stated they would be putting three pine trees in at the southeast corner of Grand and Main. Crum advised they could be used for decorating at Christmas.

Councilperson Rob Wilkerson congratulated the ladies at the library who helped to get the library passed.

Councilperson Bill Youngers reminded everyone to purchase the Historic District ornaments selling for \$10.00. Youngers stated they were available at the Haysville Activity Center, Library, and the City Building.

Councilperson Michael Streets announced the Senior Center needed new furniture. Streets advised they were selling bricks to raise money. Streets stated the Senior Center needed donations for food baskets for the holiday seasons and homebound seniors.

Mayor Bruce Armstrong presented a Memorandum from City Clerk Carol McBeath Re: Part Time Senior Center Assistant Norma Schaper – New Hire.

Mayor Bruce Armstrong presented a Memorandum from Recreation Director Georgie Root Re: Recreation Assistant Jennifer Jones – Resignation.

Mayor Bruce Armstrong presented a Memorandum from Public Works Director Randal Dorner Re: Ricky Darrow – Resignation.

Mayor Bruce Armstrong presented a Letter from Congressman Todd Tiahrt Re: Satellite Office Program.

Under Other Business Mayor Bruce Armstrong presented a Consideration of Memorandum from City Clerk Carol McBeath Re: American Red Cross Good Neighbor Nutrition Program.

City Clerk Carol McBeath stated there were some changes from last year but advised nothing really affected the contract. Councilperson Rob Wilkerson stated transportation for seniors was not available during the lunch, since the vehicle was being used to deliver food to homebound seniors. McBeath stated the Red Cross only provided one van. There was much discussion over the needs of the van, what it was being used for, and the needs of the seniors. Councilperson Steven Crum stated the Red Cross was asking them to perform two jobs with one vehicle.

Motion by Pierce – Second by Hampton

I make a motion that we authorize the mayor to go ahead and sign this contract with the American Red Cross with regards to the Good Neighbor Nutrition Program.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

REGULAR COUNCIL MEETING

NOVEMBER 13, 2006

PAGE 4

Mayor Bruce Armstrong presented a Consideration of Memorandum from Police Chief Mike McElroy Re: Disposal of Police Vehicles.

Police Chief Mike McElroy advised Council there were three vehicles surplus to the Police Department needs. McElroy stated the Plymouth Voyager would have a minimum bid of \$300.00 and the Mercury Cougar would have a minimum bid of \$1047.50. McElroy advised the Ford Crown Victoria had a bad engine and they used a salvage value of \$1500.00 for the minimum bid. McElroy asked to accept bids from November 14, 2006 to November 24, 2006 online. Councilperson Bill Youngers asked if the Crown Victoria was purchased new and what type of maintenance schedule it had. McElroy advised service maintenance was done at Public Works. Youngers asked if the maintenance was done by a certified mechanic. Public Works Director Randal Dorner advised the mechanic was not certified but had training. Councilperson Steven Crum asked if the Crown Victoria he was asking to dispose of would be replaced by the new Crown Victoria proposed for purchase. McElroy stated it was not and advised the one asked to be disposed of had been replaced earlier in the year. Councilperson Joe Holub asked if the push bumper and spotlight could be retained. McElroy advised the push bumpers were being replaced with a new style and removing the spotlight would leave a hole in the door.

Motion by Hampton – Second by Wilkerson

If there's no other questions I'll make a motion that we allow the Chief to dispose of the police vehicles. The 1979 Plymouth Voyager for a minimum bid of \$300.00, the 1993 Mercury Cougar for a minimum bid of \$1047.50 and the 1999 Crown Vic for a minimum bid of \$1500.00 and allow him to do it online from a period of November 14, 2006 to November 24, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Memorandum from Police Chief Mike McElroy Re: Patrol Vehicle Replacement.

Police Chief Mike McElroy stated he had been trying to do a four year rotation on the vehicles. McElroy advised they had funds available to replace a vehicle. McElroy stated Rusty Eck Ford was the low bid but advised they did not have a vehicle in stock. McElroy asked Council to approve the bid from Shawnee Mission Ford. McElroy stated the new vehicle would be replacing a 1999 Ford Crown Victoria. Councilperson Bill Youngers asked if the equipment could be moved to the new car. McElroy advised they were upgrading light bars and push bumpers and stated the basic equipment could be moved. Councilperson Ken Hampton asked what would be done with the car replaced. McElroy advised it would be brought before Council for disposal. Hampton asked if funds were coming from the Law Enforcement account. McElroy stated it was.

Motion by Hampton – Second by Wilkerson

If there's no other questions I'll go ahead and make a motion that we approve the vehicle from Shawnee Mission Ford for the amount of \$23,575.00.

REGULAR COUNCIL MEETING

NOVEMBER 13, 2006

PAGE 5

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Memorandum from Police Chief Mike McElroy Re: Radar Trailer.

Police Chief Mike McElroy advised they received a \$3385.00 grant from the State for traffic related equipment from participating in the 2006 STEP Campaign. McElroy stated they wanted to purchase the radar trailer to help with voluntary compliance of the speed zones, and explained citizens could compare their speedometer with the equipment. McElroy advised the grant would cover 63% of cost and the rest would come from the Police Department General Fund budget. Councilperson Steven Crum asked about the differences in the three bids. McElroy stated the high bid was for equipment that had a bigger display. McElroy advised the equipment could be updated and added to. Councilperson Bill Youngers asked how long the equipment could operate on the charge. McElroy believed it was six to eight hours. Councilperson Joe Holub asked where the equipment would be stored. McElroy stated it would be at the storage facility at Public Works or under the canopy behind the City Building. Councilperson Ken Hampton asked if the equipment had any data gathering capabilities. McElroy stated it did not. Crum asked if future grant funds could go towards updating the equipment. McElroy stated he would need to verify that but he believed they could.

Motion by Crum – Second by Wilkerson

Mr. Mayor, if there is no other discussion I'll go ahead and make a motion that we allow the Chief to purchase the speed monitoring radar trailer from Kustom Signal for \$5345.00.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Memorandum from Public Works Director Randal Dorner Re: 2006 Street Maintenance Program.

Public Works Director Randal Dorner addressed Council and stated the information before them was on a new procedure he had tested on Campbell Drive. Dorner advised the system was a preservative. Dorner stated Andover had been using the system over twenty years and were satisfied with the results. Dorner advised the streets must be in good condition to use the product. Dorner stated slurry seal was \$1.20 a square yard and the Reclamite would be \$.50 a square yard. Councilperson Bill Youngers asked about wide cracks on the streets proposed for the procedure. Dorner advised they would put crack sealer in and stated the product would not cure the wide cracks. Youngers asked about the procedure of the product. Dorner advised it was a liquid water soluble product that would be sprayed on the road with a fine coat of gravel finish. Dorner stated it would take thirty minutes to an hour and a half of road closure depending on the temperature. Mayor Bruce Armstrong asked what the increase of streets covered would be with this method. Dorner advised they could cover two-thirds more streets with the Reclamite rather than slurry seal.

REGULAR COUNCIL MEETING

NOVEMBER 13, 2006

PAGE 6

Motion by Hampton – Second by Crum

I'll make a motion that we allow the Public Works Director to spend \$21,022.00 for the 2006 Street Maintenance Program.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented a discussion on Distance Requirements for Certain Beverages.

Director of Governmental Services Carol Neugent stated one map was for the current library location and the other represented where the new library would be built. Neugent advised Council the maps indicated where you could sell cereal malt beverages and alcoholic beverages. Neugent advised there were some differences between licensing and zoning regulations.

Mayor Bruce Armstrong presented a Discussion Re: Storm Water Utility.

Mayor Bruce Armstrong told Council he wanted to move forward with the storm water utility. Armstrong advised there would be a water and sewer rate study and stated he would like to add the storm water utility rates to the study. Councilperson Ken Hampton stated he had done research and couldn't find any time tables. Public Works Director Randal Dorner advised he had been told to comply within five years of 2003. Armstrong advised the attorney and staff would come back with an ordinance or plan for Council.

Under Old Business Mayor Bruce Armstrong presented a Discussion of Bid for Master Meter (Tabled 10-23-06).

Public Works Director Randal Dorner briefly explained how the current meter system worked and advised Council the newest system discussed had conflicts with the City's software. Dorner stated they were 971 meters from being completed with the current system. Dorner advised they were scheduled to be complete January of 2008.

Motion by Hampton – Second by Pierce

If there's no other questions I'll go ahead and make a motion that we accept the bid from Water Products for \$14,314.00 for the master meters.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath reported she had a count on the votes for the library bond issue. McBeath stated there were 1203 yes votes and 1154 no votes. McBeath advised she could not get confirmation but believed the numbers represented the final results.

Director of Governmental Services Carol Neugent had nothing to report.

REGULAR COUNCIL MEETING

NOVEMBER 13, 2006

PAGE 7

Police Chief Mike McElroy introduced visiting officer Sergeant Robert Crites. Councilperson Bill Youngers asked about vandalism from Halloween. Councilperson Keith Pierce advised the Vandalism Committee was drafting the RFP for the video equipment.

Public Works Director Randal Dorner reported he needed to crush concrete which could be used for road base. Dorner advised price was estimated on quantity and stated he believed it would be \$40,000.00 to \$45,000.00. Dorner stated funds came from the Highway Reserve account.

Motion by Hampton – Second by Wilkerson

I'll make a motion that we allow the Public Works Director to bring down the rock crusher.

Mayor Bruce Armstrong stated the motion did not have an amount to spend. Councilperson Ken Hampton amended his motion.

Motion by Hampton – Second by Wilkerson

I'll make a motion that we allow him to bring down the rock crusher and not spend more than \$45,000.00.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Recreation Director Georgie Root reported the Haysville Activity Center would be hosting their second Make-It Take-It craft class on December 9, 2006 for girls ages 3-13 years. Root stated the Winter Break Camp would be December 26, 2006 to December 29, 2006 for kindergarten to fifth grade.

Mayor Bruce Armstrong stated he had an appointment that was not on the Agenda. Armstrong asked Council to add Daniel D. Williams, 316 Wire for appointment to the Planning Commission. Armstrong advised Williams would not be representing a Ward due to vacancies on the board.

Motion by Crum – Second by Hampton

Then I'll make a motion that under appointments we add B. for Daniel Williams 316 Wire for a Planning Commission spot.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the appointment of Tim Aziere, 1306 Hannah Ln, Planning Commission Ward I.

Motion by Pierce – Second by Hampton

Mr. Mayor, I make a motion we allow you to appoint Tim Aziere, 1306 Hannah Lane, to the Planning Commission for Ward I.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

REGULAR COUNCIL MEETING

NOVEMBER 13, 2006

PAGE 8

Motion declared carried.

Mayor Bruce Armstrong presented for approval the appointment of Daniel D. Williams, 316 Wire, Planning Commission.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I'd make a motion that we allow you to appoint Daniel Williams, 316 Wire, to the Planning Commission spot.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong advised the Planning Commission still had a vacancy for the three mile radius outside of the City.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

Howard Cook, 323 S. Twin Pines, addressed Council and asked Public Works Director Randal Dorner if he had a date when they would be hooking up the Hometown Bingo sign. Dorner reported he had been calling twice a week. Councilperson Steven Crum stated that with some contracts for building there were fines if completion was not done during a certain time. Dorner advised he would be contacting the engineer. Dorner stated there was incorrect wiring that had been fixed and he was waiting for them to send a truck down to hook up both ends. Dorner advised the sign was on private property and was something the City would not take responsibility for.

There was no Executive Session on the Agenda.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the First Half of November.

Councilperson Bill Youngers asked why the General Fireworks Revenue was negative. City Clerk Carol McBeath advised it was an estimate and stated the City did not issue that many permits.

Motion by Crum – Second by Hampton

Mr. Mayor, if there's no other discussion I'll make a motion that we pay the bills for the first half of November.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consent Agenda.

Mayor Bruce Armstrong asked for Council Concerns.

REGULAR COUNCIL MEETING

NOVEMBER 13, 2006

PAGE 9

Mayor Bruce Armstrong advised Council they received information on Council Action Request forms. Armstrong informed Council the media reported the City was being sued for 150 million dollars and advised that information was sent to the insurance company and attorney. Armstrong stated he would give updates.

Councilperson Bill Youngers asked how long the City would give people to comply to the trash screening. Public Works Director Randal Dorner stated they gave notice to businesses to submit a site plan. Dorner advised they would be sending letters giving ten days to comply or it would go to the court. Youngers stated he had a concern with the Sign Ordinance and would like to look at the ordinance again.

Councilperson Keith Pierce asked Recreation Director Georgie Root if the Haysville Activity Center would be having a smoking clinic. Root advised they were looking at offering it in February and information would be in the Winter/Spring brochure. Pierce asked if there were any potential pool enhancements. Root advised they were currently looking at different options. Pierce asked about portions of the sludge field the City was using. Mayor Bruce Armstrong advised they were trying to trade for the land. Pierce asked about the park property the City was trying to sell. Director of Governmental Services Carol Neugent advised they had a problem finding an appraiser who was knowledgeable in the type of sale they were attempting to do. Pierce asked who would be deciding how money for the library would be administered. Armstrong advised the City would own the building and would make decisions on construction. Pierce asked when they would have a plan for the current library building. Armstrong stated it would be a simultaneous working relationship. Pierce asked about the Senior Center. Armstrong stated they would have results after the first of the year.

Councilperson Rob Wilkerson asked why the City was involved in private property. Public Works Director Randal Dorner stated it was the City's project that moved the Hometown Bingo sign.

Councilperson Steven Crum asked Public Works Director Randal Dorner about an odor from the wastewater. Dorner advised he did not believe it was from our plant due to the wind direction. Crum wished everyone a happy Thanksgiving and to watch for kids out of school.

Councilperson Ken Hampton asked if the City would start the library once the money was assured. Mayor Bruce Armstrong advised it would come before Council. Armstrong stated his opinion was to start building due to increasing construction costs. Hampton asked Community Development Director Larry Powell to give an update at the next Council Meeting.

Councilperson Steven Crum asked how many property owners were located at the proposed library site. Mayor Bruce Armstrong stated there were five properties, three of which had houses on them.

Mayor Bruce Armstrong asked for a motion to Adjourn.

Motion by Pierce – Second by Ewert

REGULAR COUNCIL MEETING

NOVEMBER 13, 2006

PAGE 10

Mr. Mayor, I move that we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, and Streets yea.

Motion declared carried.

The Regular Council Meeting was adjourned at 8:32 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Jeana White: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, and Ewert here. Councilperson Michael Streets was absent.

Craig Mead, Saint Marks Presbyterian, was absent for the Invocation. Mayor Bruce Armstrong led everyone present in a moment of silence.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Bruce Armstrong presented a Public Hearing Re: Vacation Request – Utility & Drainage Easement, Lot 3, Block A, Haysville Downtown Addition.

Motion by Pierce – Second by Wilkerson

Mr. Mayor, I make a motion that we open the public hearing regarding a vacation request for utility and drainage easement on Lot 3 of Block A in Haysville's Downtown Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong advised he would be reading along with a script for the public hearing. Armstrong asked if any Council members had outside contact regarding the case. Councilperson Ken Hampton stated he spoke with Public Works Director Randal Dorner about concern with why the vacation had not been done before construction of the building. Hampton advised he also discussed other utilities on the easement. Armstrong asked if there had been any written or electronic communication on the matter. Planning/Community Relations Coordinator Angela Millspaugh advised she received communication from the utility companies stating they did not need the easement. There was also discussion with the applicants. Armstrong asked for the recommendation from the Planning Commission. Millspaugh advised the Planning Commission was recommending a vacation of eight feet to leave access for the sanitary sewer line. Councilperson Steven Crum stated the vacation application requested a ten foot vacation. Millspaugh advised the vacation order stated eight feet.

Motion by Hampton – Second by Pierce

I'll make a motion that we approve the vacation of the west eight feet of the twenty foot drainage and utility easement, Lot 3, Block A, Haysville Downtown Addition to Haysville, Sedgwick County, Kansas.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong asked for a motion to close the public hearing.

Motion by Crum – Second by Hampton

Mr. Mayor, I'd make a motion to close the public hearing.

REGULAR COUNCIL MEETING

NOVEMBER 27, 2006

PAGE 2

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong presented a Public Hearing Re: Waiver of Beverage Code Restrictions.

The governing body held a public hearing for the purpose of determining whether a waiver of the City's alcoholic liquor distance limitations would be adverse to the public welfare. Mayor Bruce Armstrong advised this was not a scripted hearing and there would be no motions to open and close the hearing. Armstrong asked if anyone in the audience, for or against the beverage code restriction waiver at 111 N. Main, would like to speak. Councilperson Bill Youngers asked for clarification on what the waiver would allow. Armstrong advised it would allow the sale of cereal malt beverages and alcoholic beverages to be served at the location. Councilperson Ken Hampton asked what the zoning was on the property. Armstrong stated it was light commercial. Hampton asked if 50% of their sales would have to be food. Armstrong stated that was correct. Councilperson Steven Crum asked if the Library was the only location restricting the property. Armstrong stated that was correct.

Motion by Crum – Second by Ewert

Mr. Mayor, I'd like to make a motion that we give a waiver from the beverage code restrictions set forth in Haysville Municipal Code 3-402. This waiver will be given to property located at 111 N. Main, to allow them to serve alcohol at that location.

Hampton nay, Crum yea, Wilkerson yea, Pierce yea, Holub nay, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong presented for approval the Minutes of November 13, 2006.

Motion by Hampton – Second by Wilkerson

Mr. Mayor, I'd like to make a motion if there's no other questions, we approve the minutes of November 13, 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

There were no Citizens to be Heard on the Agenda.

There were no Licenses and Bonds on the Agenda.

There were no Ordinances and Resolutions on the Agenda.

Mayor Bruce Armstrong presented the City Clerk Activity Report for October.

Councilperson Ken Hampton asked if City Clerk Carol McBeath had any information on the number of seniors unable to attend lunch at the Senior Center. McBeath stated she had looked into it and advised it would be difficult to give accurate information without doing a complete survey. Councilperson Steven Crum asked why commodities were not distributed at the Senior Center in October. McBeath advised they did not receive any from the State. McBeath stated

REGULAR COUNCIL MEETING

NOVEMBER 27, 2006

PAGE 3

they usually didn't receive commodities in November and December and advised the Senior Center gave out food baskets for Thanksgiving and Christmas.

Mayor Bruce Armstrong presented the Governmental Services Activity Report for October.

Mayor Bruce Armstrong presented the Police Department Report for October.

Mayor Bruce Armstrong presented the Community Development Office Third Quarter Directors Report.

Councilperson Keith Pierce stated he would like to see more information on construction projects including timelines, deadlines, milestones and start dates. Mayor Bruce Armstrong advised Community Development Director Larry Powell would not be able to provide that information. Councilperson Joe Holub asked about the status of the new Kwik Shop. Public Works Director Randal Dorner advised he had not received plans from Kwik Shop. Armstrong stated the lease at their current location was up in March and their plans were to have the new location completed by that date.

Mayor Bruce Armstrong asked for any Governing Body Announcements.

Councilperson Patricia Ewert thanked Nelson Elementary students for bringing food for the Thanksgiving food drive. Ewert reminded the public Nelson's Annual Christmas Food Drive would be November 30, 2006 thru December 13, 2006. Ewert advised the Nelson Singers would be performing at the Village Christmas at 7:00 p.m. Ewert stated Thursday, December 7, 2006 fourth grade and Nelson Singers would be performing at Nelson Elementary with admission being a canned good. Ewert reported the Haysville United Methodist Church would have a living Christmas drive thru on December 9, 2006 to December 10, 2006 from 6:00 p.m. to 9:30 p.m. Ewert advised the event was free to the public.

Councilperson Bill Youngers thanked those people who helped with Christmas lights at Rigg's Park and the corner of Grand and Main. Youngers stated there were twenty-five Historic District ornaments left and advised anyone who purchased one would receive a pass to move to the beginning of the line to see Santa Claus at the Village Christmas. Youngers reported the Village Christmas would be December 2, 2006 from 4:00 p.m. to 8:00 p.m. Youngers stated the City lighting would be at 6:00 p.m.

Councilperson Keith Pierce announced he would have RFPs to Mayor Bruce Armstrong this week regarding the vandalism committee.

Councilperson Steven Crum stated six trees had been moved along Grand and advised they would be bringing in a bigger tree spade to move the remaining two. Crum stated they would be moving the three pine trees as well.

Councilperson Ken Hampton announced there would be four openings for City Council and advised that anyone who wants to run for Council should file by January 23, 2007 at noon.

REGULAR COUNCIL MEETING

NOVEMBER 27, 2006

PAGE 4

Mayor Bruce Armstrong presented a Letter from Sarah Kauffman, Cox Communications Re: Digital Cable Change.

Mayor Bruce Armstrong presented a Letter from City Clerk Carol McBeath to Sedgwick County Election Commissioner Re: Positions Up for Election.

Mayor Bruce Armstrong advised the positions were held by Keith Pierce, Ward I, Rob Wilkerson, Ward II, Steven Crum, Ward III, and Ken Hampton, Ward IV.

Mayor Bruce Armstrong presented a Certificate of Canvass Re: Library Bond Issue.

Under Other Business Mayor Bruce Armstrong presented for approval a Consideration of Proposal for Repair to Grit Separator/Teacup.

Public Works Director Randal Dorner advised the existing teacup was composed of carbon steel and stated they began having problems with it five years ago. Dorner advised the entire top would need to be replaced. Dorner stated he had looked at what the price of a new teacup would be and found they were all stainless steel with a cost of \$80,000.00. Dorner stated the repair could last five to ten years. Dorner recommended the repair instead of replacement due to increased flows and the possibility of expansion in the future. Councilperson Bill Youngers asked what the warranty on the repair would be. Dorner stated he believed it was one year.

Motion by Hampton – Second by Wilkerson

If there's no other questions, I'll make a motion that we allow the Public Works Director to spend \$14,205.00 for the repair to the grit separator/teacup.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval a Consideration of Purchase of Computer Hardware.

Public Works Director Randal Dorner advised the computer would be used mainly by the Public Works Director. Dorner stated it would be used for the CAD software and as a back up for the water and sewer plant. Dorner advised the current computer was given to the street inspector. Councilperson Bill Youngers asked if some of the specifications on the computer were necessary. Dorner stated it was. Councilperson Ken Hampton asked if the purchase was from budgeted money. Dorner said that was correct. Councilperson Keith Pierce asked if there was anyone who had knowledge of the CAD software. Dorner stated there was one person, other than himself, who had some knowledge.

Motion by Hampton – Second by Wilkerson

I'll make a motion that we allow the Public Works Director to spend \$3105.52 for a purchase of computer hardware.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

REGULAR COUNCIL MEETING

NOVEMBER 27, 2006

PAGE 5

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath reported there was one bid on the three vehicles up for auction online. McBeath advised they received an offer of \$365.00 for the Plymouth Voyager. McBeath asked Council for authorization to sell the van for \$365.00.

Motion by Crum – Second by Ewert

I'd like to go ahead and make a motion to allow us to sell the van that was online bid for \$365.00.

City Clerk Carol McBeath advised the Senior Center was discussing the possibility of a second vehicle with the Red Cross.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Director of Governmental Services Carol Neugent was not present and had no report.

Police Chief Mike McElroy introduced visiting officer MPO Malcolm Young. McElroy stated he would like to use the State auctioneer, Purple Wave, to dispose of the two vehicles that did not receive bids. McElroy stated it would be an Internet auction and advised there could be no minimum set on the vehicles and there would be no cost to the City. Councilperson Steven Crum asked if it was the buyer's responsibility to get the vehicle. McElroy stated that was correct.

Motion by Wilkerson – Second by Ewert

If there's no other questions, I make a motion that we let the Chief sell the cars through purplewave.com on the Internet auction.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Public Works Director Randal Dorner had nothing to report.

Recreation Director Georgie Root was not present and had no report.

Mayor Bruce Armstrong presented for approval the Appointment of Kelly Kennedy, 1216 W. 4th St. – Haysville Community Library Board of Trustees.

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion that we allow you to appoint Kelly Kennedy, 1216 W. 4th St. to the Haysville Community Library Board of Trustees.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.
Motion declared carried.

Mayor Bruce Armstrong presented for approval the Appointment of Debbie Coleman, 149 Wayne – Haysville Community Library Board of Trustees.

REGULAR COUNCIL MEETING

NOVEMBER 27, 2006

PAGE 6

Motion by Crum – Second by Ewert

I make a motion to allow the Mayor to appoint Debbie Coleman, 149 Wayne, Haysville Community Library Board of Trustees.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

Sandy Bradshaw, 110 Champion addressed and thanked Council for the opportunity to speak. Bradshaw stated she was speaking due to a conversation with Councilperson Michael Streets. Bradshaw advised at the Senior Center Advisory Meeting she discussed the Library Bond and the new Senior Center with Streets. Bradshaw stated she had commented to Streets she hoped not too far in the future Council would consider what they might do with the Activity Center. Bradshaw said she was informed there were five members of the Council that would see to it that Haysville would never have a new Activity Center. Bradshaw advised she was on Council when citizens were surveyed and expressed they did not want a bond put on the ballot to fund an Activity Center but still wanted a facility. Bradshaw stated all age groups were represented in the survey. Bradshaw advised the building was then bought eight to nine years ago. Bradshaw stated she discussed with Streets that she would like to see the Activity Center in the long range plans of the City. Bradshaw informed Council the Activity Center needed to be updated and advised the center represented Haysville and the community. Bradshaw stated she would like to see the facility maintained to be as good quality as the City could offer. Bradshaw believed the facility was an important service to the community and was underappreciated. Bradshaw stated she had concern with five Council members who would not support the Activity Center. Bradshaw stated she had not seen anything on the Agenda regarding the Activity Center and advised the Kansas Open Meetings Law purpose was to provide citizens of the community opportunity to know what the Council is thinking. Bradshaw suggested Streets might have overstated the opinions of Council. Bradshaw urged Council to have conversations about the Activity Center.

Councilperson Keith Pierce stated he had no interest in closing the HAC but was concerned about the roof and need for updates. Mayor Bruce Armstrong advised that although it wasn't in the five year plan, a new facility was in the Capital Improvements Plan. Bradshaw stated she understood everything couldn't be top of the line but that the center needed a face lift. Armstrong advised the participation certificates could be redone to provide funds for repairs and updating. Councilperson Rob Wilkerson advised he would not want to shut the center down. Bradshaw stated she appreciated their consideration of the sector of community who uses the Activity Center. Councilperson Steven Crum stated he was a supporter of the HAC. Councilperson Ken Hampton stated Councilperson Michael Streets did not speak on his behalf. Councilperson Bill Youngers advised he supported the Haysville Activity Center. Councilperson Joe Holub advised he was neutral on the situation and believed it did need repairs. Bradshaw stated she believed it offered a service to young people, children and young families. Councilperson Patricia Ewert stated her grandchildren attended dances at the HAC and advised she knew the HAC was needed.

REGULAR COUNCIL MEETING

NOVEMBER 27, 2006

PAGE 7

There was no Executive Session on the Agenda.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the Last Half of November.

Motion by Pierce – Second by Ewert

Mr. Mayor, I make a motion that we go ahead and pay the bills for the last half of November 2006.

Councilperson Bill Youngers asked if the Orchard Acres Park Equipment had been received. Public Works Director Randal Dorner stated it had.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea. Motion declared carried.

Mayor Bruce Armstrong presented the Consent Agenda.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Bill Youngers had a concern with the vandalism of Christmas lights at Rigg's Park and stated he would appreciate it when Councilperson Keith Pierce had information together for the vandalism.

Councilperson Steven Crum asked Public Works Director Randal Dorner what would be done with road block signs during the Village Christmas. Dorner advised the sidewalks would be finished, barricades would be evaluated that day, and stated parking would be on the east side of Hays. Dorner stated the rain had set back the construction. Dorner advised they were ready to place rock on portions of the road and dirt work to finish on other portions. Dorner stated they should be finished sometime around Christmas and New Years, weather permitting. Crum asked the status of dumpsters. Dorner advised he had received some plans from businesses. Dorner stated letters were sent on the dumpsters and notification letters were sent regarding carts.

Councilperson Ken Hampton asked if G.O. Bonds could be used for acquiring land. Mayor Bruce Armstrong advised the question stated that land could be acquired. Hampton asked the definition of furnishing and equipping, in regards to the new Library. Armstrong advised it was a broad category to allow for different types of equipment such as shelving and computers. Armstrong advised there would be a meeting with the Library to discuss issues.

Councilperson Bill Youngers asked if recycling bins would need to be screened according to the ordinance. Public Works Director Randal Dorner advised the ordinance read solid waste and the contents of the recycle bins were not solid waste. Youngers asked if they would need to be included in the ordinance. Dorner advised that would be a Council decision.

Mayor Bruce Armstrong asked for a motion for Adjournment.

REGULAR COUNCIL MEETING

NOVEMBER 27, 2006

PAGE 8

Motion by Pierce – Second by Hampton

Mr. Mayor, I move that we adjourn tonight's meeting.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, and Ewert yea.

Motion declared carried.

The Regular Council Meeting adjourned at 8:01 p.m.

City Clerk, Carol McBeath

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was called by Recording Secretary Misti Elliott: Hampton here, Crum here, Pierce here, Holub here, Ewert here. Councilperson Rob Wilkerson Councilperson Bill Youngers, and Councilperson Mike Streets were absent.

Invocation was given by Paul Greene, First Assembly of God.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Mayor Bruce Armstrong presented for approval the Minutes of November 27, 2006.

Motion by Pierce – Second by Hampton

If there are no corrections or comments I move that we approve the minutes of the meeting of November 27, 2006.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

There were no Citizens to be Heard on the Agenda.

There were no Licenses or Bonds on the Agenda.

Under Introductions of Ordinances and Resolutions Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER SUPPLY LINE IMPROVEMENTS/HAYSVILLE SCHOOL ADDITION).

Motion by Crum – Second by Hampton

Mr. Mayor, if there is no discussion I'll make a motion that we approve this resolution for the Water Supply Line Improvements for the Haysville School Addition.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS/HAYSVILLE SCHOOL ADDITION).

Motion by Crum – Second by Hampton

REGULAR COUNCIL MEETING

DECEMBER 11, 2006

PAGE 2

Mr. Mayor, if there is no discussion I'd like to make a motion that we approve this resolution for the Sanitary Sewer Improvements of the Haysville School Addition.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STREET IMPROVEMENTS-PHASE 1/TIMBER CREEK ESTATES ADDITION).

Motion by Crum – Second by Hampton

Mr. Mayor, if there is no discussion I'll make a motion that we approve the resolution for the Street Improvement for Phase 1, Timber Creek Estates Addition.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STORM WATER DRAIN IMPROVEMENTS/TIMBER CREEK ESTATES ADDITION).

Motion by Crum – Second by Hampton

If there's no discussion on this, Mr. Mayor, I make a motion that we pass the resolution for the Storm Water Drain Improvements for Timber Creek Estates Addition.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS-PHASE 1/TIMBER CREEK ESTATES ADDITION).

Motion by Crum – Second by Hampton

If there is no discussion on this, Mr. Mayor, I make a motion that we approve the resolution for the Sanitary Sewer Improvement for Phase 1, Timber Creek Estates Addition.

REGULAR COUNCIL MEETING

DECEMBER 11, 2006

PAGE 3

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AN PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER SUPPLY LINE IMPROVEMENTS – PHASE 1/TIMBER CREEK ESTATES ADDITION).

Motion by Crum – Second by Hampton

I make a motion Mr. Mayor, that we approve the resolution for Water Supply Line Improvements Phase 1, Timber Creek Estates Addition.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DETERMINING THE ADVISABILITY OF MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF HAYSVILLE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER SUPPLY LINE IMPROVEMENTS – PHASE 2/TIMBER CREEK ESTATES ADDITION).

Motion by Crum – Second by Hampton

Mr. Mayor, I make a motion that we approve the resolution for the Water Supply Line Improvements Phase 2, Timber Creek Estates Addition.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong advised Council that there was no Activity report for November from the Sedgwick County Fire Department Station #34. Armstrong stated the report would be distributed as soon as it was made available.

Mayor Bruce Armstrong presented the Public Works Activity Report for November.

Mayor Bruce Armstrong presented the Recreation Department Activity Report for November.

Mayor Bruce Armstrong asked for any Governing Body Announcements.

REGULAR COUNCIL MEETING

DECEMBER 11, 2006

PAGE 4

Councilperson Ken Hampton announced that there was an Election coming up next April if anybody was interested in the four Wards that are coming up, they had until the 23rd of January to register.

Councilperson Steven Crum announced that the Tree Board may not have a meeting in January. It would depend on if they needed to meet for Tree City USA. If there is not going to be a meeting, it would be posted on the website. Crum also stated that there have been activities going on in town that have been published in the Haysville Times as well as the Wichita Eagle, including activities at churches and the Christmas lighting on the corner of Main and Grand as well as Old Town. Crum reported that Mr. Micah Friesen a 5th grade teacher at Nelson Elementary won the Horizon Award which is an award that is only given to four Elementary Schools in the State. Crum stated that the City is looking really good and he wanted to thank Public Works Director Randal Dorner and the City crew for the work they did getting the lights up. He also wanted to thank the Pride Committee for all the hard work they did, raising funds and decorating. Crum advised that if anyone has anything going on, they need to call the paper so that we could bring more businesses to town.

Mayor Bruce Armstrong presented a letter from Joe and Maxine Brantley to City employees and volunteers complimenting them on the wonderful job done putting up the Christmas decorations at Grand and South Main. Brantley stated that the decorations were absolutely beautiful and that everyone in Haysville should be proud of the City at this Christmas Season. Armstrong stated that he also wanted to thank everyone behind the scenes including the Public Works employees that were out in the cold weather putting up the decorations.

Councilperson Steven Crum stated that the Vicker's Building was getting ready to have an Open House and confirmed the date and time of that function. Community Development Director Larry Powell stated that it would be Friday the 15th of December from 9:00 to 11:00 a.m.

Mayor Bruce Armstrong presented a letter from J'vonnah Maryman, Sedgwick County Health Department RE: Mobile Health Clinic.

Mayor Bruce Armstrong presented a letter from Sarah Kauffman, Cox Communications RE: Channel Correction.

Mayor Bruce Armstrong presented a letter from Sarah Kauffman, Cox Communications RE: Addition of ESPN.

Mayor Bruce Armstrong presented a Memorandum from Police Chief Mike McElroy RE: Full Time Police Officer William Daily - New Hire.

Mayor Bruce Armstrong presented a Memorandum from Police Chief Mike McElroy RE: Recruit Police Officer Brady Simmons - Transfer.

REGULAR COUNCIL MEETING

DECEMBER 11, 2006

PAGE 5

Mayor Bruce Armstrong presented a Memorandum from Police Chief Mike McElroy RE: Full Time Communications Officer Krissy A. Lowe - New Hire.

Mayor Bruce Armstrong presented a Memorandum from Police Chief Mike McElroy RE: Full Time Record Clerk Kerry Haynes - New Hire.

Councilperson Keith Pierce asked Police Chief Mike McElroy if the Police Department was at Full Staff, and Chief McElroy advised it was.

Mayor Bruce Armstrong presented a Memorandum from City Clerk Carol McBeath Re: Bookkeeping Assistant Kimberly Landers - End of Training.

Mayor Bruce Armstrong presented a Memorandum from Recreation Director Georgie Root RE: Recreation Assistant, Recreation Park Suzi Koelling - New Hire.

Under Other Business Mayor Bruce Armstrong presented for approval the Consideration of Bids RE: Refinishing Floor at Community Building.

City Clerk Carol McBeath stated the floors were refinished three years ago and were in need of it again. McBeath advised there was money in the Buildings and Grounds budget to cover the expense. Mayor Bruce Armstrong advised the low bid was Restoration Hardwood for \$3,628.50. Councilperson Steven Crum questioned the possibility of prolonging refinishing in the future by having the floors buffed and sanded in two years. Crum asked what the cost was to buff and sand the floors. McBeath advised it would be less than \$1,000.00. Councilperson Keith Pierce asked McBeath if she was familiar with any of the vendors' work. McBeath stated that due to time constraints, she was not. McBeath advised she would do a reference check on the approved vendor. Crum asked if any of the vendors offered a guarantee on the work. McBeath stated she did not know but would find out.

Motion by Pierce – Second by Hampton

I make a motion that we approve for the refinishing of the Community Building floors, the bid from Restoration Hardwood for \$3,628.50.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Authorization To Purchase A Public Works Vehicle.

Public Works Director Randal Dorner stated that the vehicle would be for the Waste Water Supervisor. The Supervisor's old truck would go to the Water Department. Dorner advised that the old truck would be used for meter reading a couple weeks out of the month. Dorner stated that the new truck was similarly equipped to those that were purchased earlier in the year. It is a three quarter ton heavy duty, and would be used to haul a trailer. Dorner stated that he was asking for authorization to purchase the vehicle

REGULAR COUNCIL MEETING

DECEMBER 11, 2006

PAGE 6

because the other truck was being overused. Dorner asked for authorization to purchase the truck from Davis-Moore Chevrolet for \$28,999.00. Dorner also stated that he had purchased six other vehicles from Don Hatton Chevrolet in the last five years. Councilperson Ken Hampton wanted to confirm that it was already in the Wastewater budget. Dorner advised that it come from both the Wastewater budget and the Water budget since the older truck would be used in that department. Hampton asked if Dorner would rather go with Don Hatton since there was only a dollar difference in the sale amount. Dorner stated that if Council decided to go with Don Hatton, he would be satisfied with that.

Motion by Hampton – Second by Crum

If there are no other questions, I'll make a motion that we allow the Public Works Director to buy a vehicle from Don Hatton Chevrolet for the amount of \$29,000.00.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented for Consideration an Authorization For The Mayor To Sign A Letter To Sedgwick County Re: Roadway.

Mayor Bruce Armstrong advised that it was a roadway that borders a property that the City owns on 95th Street South. It is approximately thirty acres that the City purchased several years ago, with the idea that a sewer plant would be built on the land. Mayor Armstrong stated that it was being used for spreading sludge and planting crops. Armstrong advised that due to fuel cost, the property was too far to take sludge to. When the city originally allowed a road to be built, an agreement was signed that obligated the City to forever maintain that roadway. The City Attorney and Community Development Director Larry Powell both researched the issue to see if there was a way the City could not have to forever continue maintenance on the roadway. Armstrong stated that in the wording, the contract that was signed did not meet the Kansas Open Meetings Act. When the agreement was made the law stated that the upkeep of the roadway should have been from adjacent landowners to the land itself. Armstrong advised that the letter was basically putting the County on notice that the City does not feel that it needs to maintain that land forever. This would also give the City the ability to sell the land. The letter would also advise Sedgwick County that the next landowner would have the responsibility of maintaining that road. Councilperson Ken Hampton asked if Sedgwick County was neglecting to take responsibility or if the City was going through the motions legally to change the contract. Armstrong advised that it was discussed with the Sedgwick County Attorney. Previously the County drew up the agreement that obligated Haysville to forever maintain the road. The letter would state that the County left out part of the Statute when the agreement was made and that the language in the agreement needed to be different. Councilperson Steven Crum asked Public Works Director Randal Dorner where the road was actually located. Dorner advised that it was a gravel drive way off of 95th Street South. Crum asked that if the landowners that adjoin the land would be paying special taxes, or if Sedgwick County would maintain the roadway. Armstrong advised that however the landowners decided to maintain it would be up to

REGULAR COUNCIL MEETING

DECEMBER 11, 2006

PAGE 7

them. Crum wanted to clarify that the City did not want to pay for the entirety of the maintenance. Armstrong stated that was correct, and that if the City were to sell the property that the City would no longer maintain the property. The original agreement read as though the City would have to maintain the roadway after the property was sold.

Motion by Crum – Second by Hampton

Mr. Mayor if there is no more discussion, I'd like to make a motion that we go ahead and authorize you to sign a letter to Sedgwick County regarding Resolution 161-1996 in the Contract of July 10th, 1996 in accordance with the roadway.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of RFP From the Joint Committee on Vandalism.

Mayor Bruce Armstrong advised that after looking back he could not find where there had been a vote on the RFP, therefore it was put back on the Agenda for Council to approve the RFP for the vandalism issue.

Councilperson Keith Pierce wanted to let Council know that what was in front of them was the actual RFP and that he would like a motion made to send it out for consideration. Pierce did want to advise that on page 2, "differed" was spelled incorrectly. Pierce stated that if a councilperson would make a motion to include that correction the committee would be satisfied. Councilperson Ken Hampton asked if Pierce knew who would be getting a copy of the RFP. Pierce advised that he had a list of four companies and that it could be run in the newspaper making the bid public.

Motion by Hampton – Second by Crum

Mr. Mayor I'll make a motion that we allow this RFP to be sent out on the vandalism issue with the exception of page 2, the misspelling of the word "differed."

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Discussion Of Recommendation On Distance Requirements.

Mayor Bruce Armstrong stated that the information given to Council was for review. Armstrong advised Council needed additional input and stated the item would be back for discussion at the next Council Meeting. Councilperson Steven Crum asked if the churches and schools would be notified. Armstrong stated the issue was on the Agenda to show recommendations. Crum stated he believed affected people should be notified if there were zoning changes.

Mayor Bruce Armstrong presented a Consideration of Resignation and Replacement of Councilmember Michael Streets – Ward IV.

REGULAR COUNCIL MEETING

DECEMBER 11, 2006

PAGE 8

Mayor Bruce Armstrong advised that Council had a copy of Councilperson Michael Streets' letter of resignation. Streets resigned from the Council due to a health concern. Streets was not in attendance, however Armstrong advised that a Plaque of Recognition would be sent to him for the time that he served on the Council. Armstrong read the Ordinance concerning the resignation of a Councilmember, stating that the vacancy should be filled by appointment of the remaining members of City Council within thirty days of said vacancy. That appointment would last until the April election when the seat would be voted on. Armstrong stated that in the past the Council had asked for resumes to be submitted, Council would then vote on the nominees. Councilperson Crum asked the City Attorney if the Ordinance meant thirty days from the resignation or from that council meeting. Armstrong stated that the ordinance stated thirty days from said vacancy and the resignation was effective December 1, 2006; he interpreted that council had thirty days from December 1st to fill the position. City Attorney Lee Parker advised that the ordinance was binding in that it does not state when the vacancy actually exists, or the resignation being accepted by the Governing Body, therefore he read it to be thirty days from the date of resignation. Armstrong asked that we publish for resumes. Armstrong stated that resumes needed to be delivered to the City building by December 27th at noon.

Motion by Crum – Second by Ewert

Mr. Mayor, I'll make a motion that we ask interested people to submit resumes to replace Mr. Streets in Ward IV. Such resumes should be at the City Building on or before noon, December 27, 2006. Councilperson Ken Hampton wanted to confirm that this appointment would only be until the April Election. City Clerk Carol McBeath stated that was correct.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong asked for a Motion to accept the resignation of Councilperson Michael Streets.

Motion by Hampton – Second by Pierce

I'll make the motion that we accept the resignation of Michael Streets on December 1, 2006.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath stated that the last Council Meeting of the year would be on Thursday, December 28th. Packets would be delivered to Council members on the 27th. McBeath advised that the positions up for Election were Ward I, Keith Pierce, Ward II Rob Wilkerson, Ward III Steven Crum, Ward IV Ken Hampton regular term, unexpired term Ward IV would be elected April 2007 and run until April 2009. McBeath advised the filing deadline for Elections was noon on January 23rd. McBeath advised that the resident at 209 Trout Avenue had been to court for high weeds, fines were handed down

REGULAR COUNCIL MEETING

DECEMBER 11, 2006

PAGE 9

in the amount of \$25.00 and court costs of \$50.00, both of which had been paid. McBeath stated that there was also a public nuisance fine of \$150.00 and court cost of \$50.00. Community service was allowed to replace \$75.00 of the fine and the resident had paid \$10.00. The property had been inspected by Code Enforcement Officer, Cale Topinka, and was not cleared. McBeath advised that the issue would be on the court docket for January 2, 2007. McBeath also introduced Misti Elliott as the City Clerk Administrative Secretary.

Director of Governmental Services Carol Neugent had nothing to report.

Police Chief Mike McElroy introduced visiting officer Brady Simmons currently assigned to Animal Control, however, Monday, December 18, 2006 he would leave for the State Academy and return as a Recruit Police Officer. Councilperson Ken Hampton asked if there would be a posting on hrepartners.com website for the Animal Control position. McElroy advised that there was an in house candidate that was being addressed.

Public Works Director Randal Dorner advised that Public Works and the Utility Committee had been working together on a Design Standards booklet. Dorner stated that the standards would include paving and drainage, sanitary sewer, and water main projects. Dorner stated that the booklet would state the City standards on driveways, drainage, water pipe size, and commercial parking lots, and would be given to new developers. Dorner advised that the booklets would also assist in Engineering. Dorner asked that Council review the booklets for changes and later approve the booklets as the standard for the City of Haysville. Councilperson Ken Hampton asked if there would be any extensive cost changes. Dorner advised that anything built in Haysville would meet the standard. Dorner also addressed the action request at 209 Sunset Avenue regarding a truck on jacks and a refrigerator left on the property. Dorner advised that ten days after a hanger was left at the residence, the property was inspected again; the refrigerator had been moved, however, the truck remained; a certified letter was then sent and picked up by the resident on December 8, allowing thirty days to correct the action. Dorner stated that if that had not been resolved by January 8, 2007, it would go to court. Dorner also wanted to remind everyone to drive safely around City trucks clearing the roads of snow.

Recreation Director Georgie Root reminded everyone of the Middle School Dance on Friday December 22nd at the Haysville Activity Center and that all students must have identification to enter. Root also advised that reservations were still being taken for Winter Break Camp taking place December 26th through December 29th for Elementary School Students, registration would be mandatory to attend. Root stated that Gift Certificates were being offered through the Haysville Activity Center for memberships and programs for last minute Christmas gifts.

There was no Executive Session on the Agenda.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the First Half of December.

REGULAR COUNCIL MEETING

DECEMBER 11, 2006

PAGE 10

Motion by Hampton – Second by Crum

Mr. Mayor, if there are no questions, I'll make a motion that we pay the bills for the first half of December 2006.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

Mayor Bruce Armstrong presented the Consent Agenda, but there was nothing to address.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Keith Pierce asked Public Works Director Randal Dorner if the RV Dump Station and the Skate Park were peacefully co-existing. Dorner stated they were. Mayor Bruce Armstrong asked if the RV Dump Station was operable. Dorner advised it was.

Councilperson Steven Crum asked that when the Conceal and Carry Law goes into effect, if the City would need to do anything to discourage weapons in or on city property. Police Chief Mike McElroy advised that there would be information available at the next Council Meeting.

Mayor Bruce Armstrong asked for a motion for Adjournment.

Motion by Pierce – Second by Hampton

Mr. Mayor, I move we adjourn tonight's meeting.

Hampton yea, Crum yea, Pierce yea, Holub yea, Ewert yea.

Motion declared carried.

The Regular Council Meeting adjourned at 7:49 p.m.

Carol McBeath, City Clerk

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Misti Elliott: Hampton here, Crum here, Wilkerson here, Pierce here, Holub here, Youngers here, Ewert here.

Invocation was given by Craig Mead, Saint Mark's Presbyterian Church.

Mayor Bruce Armstrong led everyone present in the Pledge of Allegiance.

Under Special Order of Business Mayor Bruce Armstrong presented the Seating of a New Council Member.

City Clerk Carol McBeath stated that there were four candidates for the Ward IV Council position, and asked if Council had any questions for the candidates. Councilperson Keith Pierce asked for a brief overview from each candidate. McBeath introduced the candidates.

Tom Gibson, 247 Ranger Ave., stated that he would answer any questions. Councilperson Bill Youngers asked if Gibson intended to file for re-election in April. Gibson advised that he probably would not.

Vicki Nunn, 628 Chatta, advised that she was a longtime citizen of Haysville. Nunn stated that she has a Master's in Business Law and a Bachelor of Science in Business Management. Nunn asked for questions. Councilperson Bill Youngers asked if she found a replacement for her position on the Park Board if she were elected. Nunn stated that she would. Youngers also asked if Nunn intended to run for re-election in April. Nunn stated that she was unsure at that time.

Danny Walters, 728 Chatta, stated that he was in the military for twenty years and moved to Haysville in 1999. Walters stated he was a Quality Engineer for seven years and was currently a Director of the Substance Abuse Prevention Center for Sedgwick County. Walters advised he has a Master's in Counseling and is working on a Doctorate in Adult Education. Councilperson Joe Holub asked if Walters had any experience in City Government. Walters advised that he did not. Councilperson Bill Youngers asked if Walters planned to run for re-election in April. Walters stated that it would depend on how well he served with the other Council members, and how that related to the citizens of the City.

Mike Kanaga, 1308 West 4th St., advised that he was a lifelong resident of Haysville. Kanaga stated that he was currently on the Planning Commission, and was a Machine Shop and Tooling Manager. Councilperson Bill Youngers asked if Kanaga planned to run for re-election in April. Kanaga advised that he probably would, if not, he would finish out his term on the Planning Commission.

**REGULAR COUNCIL MEETING
DECEMBER 28, 2006
PAGE 2**

City Clerk Carol McBeath asked if Council would like to make nominations or if they wanted to vote on all four candidates. Mayor Bruce Armstrong advised that each candidate should be voted on. McBeath asked for those in favor for Tom Gibson to raise their hand. Gibson received two votes. There were no votes in favor of Vicki Nunn. There was one vote in favor of Danny Walters, and four votes in favor of Mike Kanaga.

Mike Kanaga was sworn in as Ward IV Councilperson at 7:11 p.m. by City Clerk Carol McBeath, and Mr. Kanaga took his seat at the Council bench.

Mayor Bruce Armstrong wanted to thank all the candidates for their interest in serving on City Council and wanted to remind everyone that January 23, 2007, was the filing date to run for the Ward IV Seat in April. Councilperson Steven Crum wanted to thank everyone also and stated that there were four good resumes from people that do a lot for the City. Councilperson Keith Pierce asked if the candidates had access to the Council packet prior to the meeting. Armstrong advised that they were not. City Clerk Carol McBeath stated that there was not enough time to distribute the packets.

Mayor Bruce Armstrong presented for approval the Minutes of December 11, 2006.

Motion by Crum – Second by Hampton

Mr. Mayor, if there is no discussion, I make a motion that we approve the minutes of the meeting of December 11, 2006.

Hampton yea, Crum yea, Wilkerson abstain, Pierce yea, Holub yea, Youngers abstain, Ewert yea, Kanaga abstain.

Motion declared carried.

Mayor Bruce Armstrong presented the Citizens To Be Heard.

DeAnn Konkol, Sedgwick County Emergency Management advised that she was passing out information on the National Incident Management System. Konkol stated that NIMS was a result of September 11, 2001 and is training for first responders to respond to disasters and large emergencies. Konkol advised that there would be Federal funding that is tied to the training if the agency was in compliance with the responders in the community. Konkol stated that at the time, disaster funds were not tied to the funding or that elected Officials were mandated to take the training but that it was highly encouraged. Konkol invited the Council to NIMS 402 training for elected officials on January 27, 2007 at 9:00 a.m. at the Sedgwick County Extension Office. Konkol advised that it would be an introductory class, a basic overview of the NIMS Program and Incident Command System, but that she also recommended that elected officials take other courses in the training. Konkol advised that the courses could be taken online at the FEMA website. Konkol stated that the class on January 27, 2007 was not a certificate issued class because it was an introductory course, however, the classes offered online issued tests and certificates were given. Konkol advised that the responders in Haysville have received most of the training, but that she was going to all small communities and inviting each to the training. Konkol stated that some of the online classes may be offered

REGULAR COUNCIL MEETING

DECEMBER 28, 2006

PAGE 3

in classroom settings, and if that happens, she would let those interested know. Crum asked how long the online classes were. Konkel stated that it would depend on the person.

Under Licenses and Bonds Mayor Bruce Armstrong presented for approval Diamond Shamrock, 115 W. Grand, Haysville, KS Re: License To Sell Retail Cereal Malt Beverages - Renewal.

Motion by Hampton – Second by Crum

I'll make a motion that we allow Diamond Shamrock to renew their Cereal Malt Beverage License.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval Homeland, 201 N. Main Haysville, KS Re: License To Sell Retail Cereal Malt Beverages. – Renewal.

Motion by Hampton – Second by Pierce

I make a motion that we allow Homeland to renew their Cereal Malt Beverage License.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval Kwik Shop, 424 W Grand, Haysville, KS Re: License To Sell Retail Cereal Malt Beverage – Renewal.

Councilperson Steven Crum asked that if Kwik Shop builds the new building, would the license come back before Council because of the new address. City Clerk Carol McBeath advised that it would come back because they would have to fill out new applications and pass fire, health, and city inspections.

Motion by Hampton – Second by Pierce

I make a motion that we allow Kwik Shop to renew their Cereal Malt Beverage License.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval Mini-Stop, 7200 S. Broadway, Haysville, KS Re: License To Sell Retail Cereal Malt Beverage License - Renewal.

Motion by Hampton – Second by Crum

I make a motion that we allow Mini-Stop to renew their Cereal Malt Beverage License.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

**REGULAR COUNCIL MEETING
DECEMBER 28, 2006
PAGE 4**

Motion declared carried.

Mayor Bruce Armstrong presented for approval the renewal of Refuse Haulers License for Lies Trash Service 4631 South Palisade, Wichita, Kansas.

Councilperson Ken Hampton asked if the Refuse Haulers all had at least two trucks as stated in the Code. Carol McBeath stated that all but Waste Connections had 2 trucks. Hampton asked if they had a backup plan. McBeath stated that she would have to check.

Motion by Hampton – Second by Crum

If there are no other questions, I'll make a motion that we allow Lies Trash Service to renew his Refuse Haulers License.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers nay, Ewert yea, Kanaga yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the renewal of Refuse Haulers License for Waste Management, 4330 West 31st Street South, Wichita, Kansas.

Motion by Hampton – Second by Crum

Mr. Mayor, I'll make a motion that we allow Waste Management to renew their Refuse Hauling License.

Hampton yea, Crum yea, Wilkerson nay, Pierce yea, Holub nay, Youngers yea, Ewert nay, Kanaga yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval the renewal of Refuse Haulers License for Waste Connections, 2745 North Ohio, Wichita, Kansas.

Mayor Bruce Armstrong stated that Waste Connections had not yet made application and that it was put on agenda in anticipation of that. Armstrong stated that Council should table the renewal until application was made. Councilperson Ken Hampton asked if Stutzman Refuse Disposal had applied for a license. City Clerk Carol McBeath stated that they had applied but were not ready at that time. Councilperson Joe Holub asked when the deadline was for Waste Connections to make application. McBeath advised December 31, 2006. Holub asked that if application was not made by then, would they have to discontinue hauling. Armstrong stated that he believed so, and in that case they would be contacted and told that they could not pick up trash. McBeath stated that she would contact the City Attorney if an application was not made.

Motion by Crum – Second by Holub

I'd like to make a motion that we table Waste Connections Refuse Hauler License until they turn in the paperwork that needs to be turned in.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

**REGULAR COUNCIL MEETING
DECEMBER 28, 2006
PAGE 5**

Motion declared carried.

Mayor Bruce Armstrong presented for approval A RESOLUTION DEFINING THE CITY LIMITS AND BOUNDARIES OF THE CITY OF HAYSVILLE, KANSAS.

Councilperson Joe Holub asked if they were the correct boundaries. Professional Engineering Consultant Rod Young stated that there had been updates and when there was a new annexation, the boundaries are modified accordingly. Mayor Bruce Armstrong asked if the new tract was added. Young advised that it was. Holub asked if the map was correct. Young advised that it was close.

Councilperson Steven Crum asked if Park Avenue Estates and Peachwood Manor would be able to do business on January 1, 2007, if their application were not in. City Attorney Alison McKenney Brown stated that they would be fined a daily fine, as long as they continue to do business.

Councilperson Steven Crum asked if there were mistakes in the wording of the Resolution, if they were bound by those mistakes. Brown stated no, that there would have to be a regular annexation.

Motion by Crum – Second by Wilkerson

Mr. Mayor I make a motion that we approve the Resolution defining the City Limits and Boundaries of the City of Haysville, as presented.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

Motion declared carried.

Mayor Bruce Armstrong presented for approval A CHARTER ORDINANCE EXEMPTING THE CITY OF HAYSVILLE, KANSAS, FROM THE PROVISIONS OF THE WATER POLLUTION CONTROL ACT, K.S.A. 12-3101 THROUGH K.S.A. 12-3107, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS RELATING TO THE ESTABLISHMENT, OPERATION, MAINTENANCE, IMPROVEMENT, AND REGULATION OF SEWER SYSTEMS, INCLUDING BUT NOT LIMITED TO, PROTECTION WORKS, AND TO THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING FOR THE PROPERTY AND IMPROVEMENTS NECESSARY FOR ALL ASPECTS OF THE MANAGEMENT OF THESE SYSTEMS.

Mayor Bruce Armstrong advised that it was a Charter Ordinance needed to move to the next step of a Storm Water Utility. Councilperson Ken Hampton asked if the ordinance could be tabled for a month to review it and to determine whether there were still questions. Armstrong stated that he believed that was the direction they were moving, and that they had prepared as well as they could. Armstrong stated that by passing the Charter Ordinance, they were not passing the Storm Water Utility, that was only the next step in the process. Councilperson Keith Pierce stated that he had remaining questions about finances and procedure. Armstrong advised that the next step would be to establish

REGULAR COUNCIL MEETING

DECEMBER 28, 2006

PAGE 6

a Storm Water Management Program and that the Charter Ordinance would have to be passed to allow the City to establish that program. Pierce asked that if by passing the Charter Ordinance, there would be a timeframe to finish the next portion of the procedure. Armstrong advised it would not. Councilperson Steven Crum wanted to verify that it would take several steps to implement the Storm Water Utility and believed Hampton was concerned that he would not have time to ask questions and discuss the process. Crum asked if at anytime Council wanted to stop the process, they could. City Attorney Alison McKenney Brown stated that was correct. Brown stated that to do anything further with Storm Water Utility the City needed to get out from under certain regulations of the State Statute, and by passing the Charter Ordinance the City would avoid a long process with KDHE. Brown stated that by passing the Charter Ordinance, the City was only advising it would control storm water at the local level. Brown advised that anything further would have to be done by regular ordinance. Hampton asked if Council could find different ways to fund the project. Brown stated they could. Councilperson Joe Holub asked if the actual Storm Water Utility would be implemented sixty-one days after publication. Armstrong advised that only the Charter Ordinance would go into effect. Pierce asked if the funds could only be used for Storm Water Management. Brown stated that was correct, and that the section referred to stated that before any funds were gathered, the Governing Body would have to decide the methods by which such funds were gathered and where that money would go. Brown stated that the City would still have to determine how Storm Water was dealt with and that there would have to be a separate ordinance set up for each phase, which was all work that could not be started for sixty-one days. Crum asked about the wording of the Charter Ordinance. Brown stated that there was a format that had to be used or it would not be a lawful Charter.

Motion by Crum – Second by Hampton

I make a motion that we approve A CHARTER ORDINANCE EXEMPTING THE CITY OF HAYSVILLE, KANSAS, FROM THE PROVISIONS OF THE WATER POLLUTION CONTROL ACT, K.S.A. 12-3101 THROUGH K.S.A. 12-3107, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS RELATING TO THE ESTABLISHMENT, OPERATION, MAINTENANCE, IMPROVEMENT, AND REGULATION OF SEWER SYSTEMS, INCLUDING BUT NOT LIMITED TO, PROTECTION WORKS, AND TO THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING FOR THE PROPERTY AND IMPROVEMENTS NECESSARY FOR ALL ASPECTS OF THE MANAGEMENT OF THESE SYSTEMS.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

Motion declared carried.

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

Mayor Bruce Armstrong presented the Governmental Services Activity Report for November.

**REGULAR COUNCIL MEETING
DECEMBER 28, 2006
PAGE 7**

Mayor Bruce Armstrong presented the Police Department Activity report for November.

Mayor Bruce Armstrong asked for any Governing Body Announcements.

Councilperson Ken Hampton wanted to thank those who had put in applications for the Ward IV seat and encourage those still interested to apply before January 23, 2007.

Councilperson Steven Crum wanted to thank the staff for the work done over the past year and said that the City was looking better than ever. Crum also thanked the volunteer groups.

Councilperson Rob Wilkerson announced that Main Street Place Senior Residence was having a New Year's Bash. Wilkerson also wanted to thank Director of Public Works Randal Dorner and his staff, and all of the city staff for the hard work done over the year that has improved the look of the city.

Councilperson Keith Pierce wanted to thank Tom Gibson and the Pride Committee for their hard work this year.

Councilperson Bill Youngers wanted to thank the staff and the citizens of Haysville for volunteering and doing what they could to improve the city.

Councilperson Mike Kanaga was welcomed to Council by Mayor Bruce Armstrong. Kanaga had nothing to announce.

Councilperson Ken Hampton announced that Professional Engineering Consultant Rod Young was elected to the Board of Directors of Professional Engineering Consultants.

Mayor Bruce Armstrong presented a letter From the League of Municipalities Re: Municipal Leadership Academy Registration.

Mayor Bruce Armstrong presented a letter from Sarah Kauffman, Cox Communications Re: Possible Channel Line-up Changes.

Mayor Bruce Armstrong presented a letter from Sarah Kauffman, Cox Communications Re: Addition of ESPN2 HD.

Mayor Bruce Armstrong presented a Memorandum from the Kansas Department of Commerce Re: General Recertification Test Scores, Angela Millspaugh.

Mayor Bruce Armstrong presented a Memorandum from Public Works Director Randal Dorner Re: Full Time General Maintenance Worker Alex Brooks – New Hire.

**REGULAR COUNCIL MEETING
DECEMBER 28, 2006
PAGE 8**

Under Other Business Mayor Bruce Armstrong presented for approval a Memorandum from Planning/Community Relations Coordinator Angela Millspaugh Re: Final Plat of Country Lakes 2nd Addition to Haysville, Sedgwick County, Kansas.

Councilperson Joe Holub was concerned about the cul-de-sac off of Country Lakes to the west. Holub asked if the owners of the adjoining land were giving the city a temporary easement to build the temporary cul-de-sac as it appeared on the map. Planning/Community Relations Coordinator Angela Millspaugh advised that the land in question was a piece of a sketch plat that enclosed more property to the west that would be included in the Country Lakes Addition in future phases. Millspaugh stated that the land was owned by the developer. Holub asked if the cul-de-sac would be gravel or paved. Millspaugh stated that she had not had any discussions on the plan for the cul-de-sac but that it would have to meet the specifications for the improvements. Public Works Director Randal Dorner was asked the same question by Holub and stated that the road would just end with enough area to turn around for the Fire Department and it would be made of whatever waste material was left from the building of the road. Holub asked if the land to the west of the cul-de-sac was farmland. Millspaugh advised that she believed it was. Holub asked if the cul-de-sac would be gravel. Dorner advised that it would probably be crushed concrete. Dorner stated that the cul-de-sac was a lead-in for a future road to be developed as the addition expands. Millspaugh stated that Planning was recommending approval.

Motion by Hampton – Second by Wilkerson

I'll make a motion that we approve the Final Plat of Country Lakes 2nd Addition.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub nay, Youngers yea, Ewert yea, Kanaga yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Memorandum from Police Chief Mike McElroy Re: Concealed Carry Handguns.

Police Chief Mike McElroy stated that the Memorandum outlined the locations that are prohibited by State Law for Concealed Carry. McElroy also included in the Memorandum locations in the city that were not included in the State Statute. McElroy recommended to standardize all city properties, that concealed weapons be restricted on all properties that are owned or controlled by the city, and that fines be enforced as required by the Kansas Administrative Regulation. Mayor Bruce Armstrong asked if an ordinance needed to be passed for the properties that were not included in the State Law. City Attorney Alison McKenney Brown stated that she would include any additional areas that the Governing Body instructed her to include within the ordinance, and that it would be in effect at once. Armstrong asked Council to prepare an ordinance allowing the city to prosecute anyone carrying concealed weapons in a prohibited area. Armstrong stated at that point anyone who was arrested for carrying a concealed weapon in prohibited areas of Haysville would be prosecuted in District Court, and by creating that ordinance, the Municipal Court of Haysville would prosecute. Councilperson Steven Crum asked if the Community Building was included in the Historic District. McElroy

REGULAR COUNCIL MEETING

DECEMBER 28, 2006

PAGE 9

advised that it was, and that the city would have to spell out completely what was to be included. McElroy stated that if the ordinance were worded that all properties owned or controlled by the city prohibited concealed weapons, it would address the issue. Crum asked if the Hike and Bike Trail was included in Parks, Public Works Director Randal Dorner advised that there were parts of the trail that were on easements and it would be a legal question if an easement where the trail lies would be considered city property because easements are technically owned by the developer or owner of that property. Brown stated that she believed there would need to be a separate statement in the ordinance because the trail was a recreational area under easement to the city and the wording should reflect that. Brown asked what type of easement it was. Dorner advised that some were drainage easements, others were dedicated Hike and Bike Trail easements. Brown stated that she would have to look at the specific kinds of easements. Crum felt that signs should be posted on the Hike and Bike Trail. Councilperson Keith Pierce stated that he felt that all city properties should be included. Councilperson Joe Holub asked if the Skate Park was included in Parks. McElroy stated that it was. Councilperson Bill Youngers commented that those people that intended to do harm, would do so whether signs were posted or not. Youngers stated that it made sense to restrict the guns but that it was probably not necessary. Armstrong asked for a motion to create an ordinance restricting concealed weapons on all city owned properties and easements pertaining to recreation facilities and have it come back to Council for approval. Councilperson Ken Hampton commented that he didn't feel that the city needed to restrict the citizens anymore than what the State already does. Hampton stated that citizens had the Conceal Carry Permit for protection, and that he did not feel that those people needed to be restricted any more than the State Statute required.

Motion by Crum – Second by Pierce

Mr. Mayor, I make a motion that we ask the City Attorney to draw up an ordinance to include the areas listed in the recommendation by the staff as well as the Hike and Bike Trail and any other easements that may be used for recreational purposes.

Hampton nay, Crum yea, Wilkerson yea, Pierce yea, Holub nay, Youngers nay, Ewert yea, Kanaga nay.

Mayor Bruce Armstrong voted yea to break the tied vote.

Motion declared carried.

Councilperson Steven Crum asked Police Chief Mike McElroy where business owners could get the information needed to post the signs. McElroy stated that the signs and the information was available on the Kansas Attorney General's Website.

Mayor Bruce Armstrong presented for approval a Consideration of Code Updates and Changes.

Councilperson Ken Hampton asked if there was a law restricting the carrying of weapons that were not concealed, and if not, did council need to pass an ordinance that covered that. Police Chief Mike McElroy stated that he believed that the current Uniform Public Offense addressed that issue, but that he would double check. Councilperson Rob

**REGULAR COUNCIL MEETING
DECEMBER 28, 2006
PAGE 10**

Wilkerson showed everyone present the sign that was to be posted and asked if that was the actual sign that was to be used. McElroy advised that it was and that it was the sign approved by the Attorney General.

City Clerk Carol McBeath presented the changes to the code. McBeath advised that ordinances passed in 2006 were reflected and that there were changes in the Electrical Section and the speed limit on Meridian, but that most of the other changes were minimal and concerned page numbering and typos. Councilperson Bill Youngers asked if the changes had to be approved by the end of the year or if the consideration could be tabled to the next meeting to give Councilperson Mike Kanaga a chance to get acquainted with the Code. McBeath stated that it could be tabled.

Motion by Kanaga – Second by Holub

I would move that we table this, if that is agreeable to the Council.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk Carol McBeath asked to be authorized to balance petty cash on December 29, 2006.

Motion by Crum – Second by Hampton

I make a motion that we allow them to settle out petty cash tomorrow at the end of the business day.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

Motion declared carried.

City Clerk Carol McBeath asked for authorization to pay the remainder of the bills that come in after the end of the month with money budgeted for 2006 rather than money budgeted for 2007.

Motion by Crum – Second by Wilkerson

Mr. Mayor, I'd like to make a motion that we allow City to pay bills out of the 2006 Budget that come in after 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

Motion declared carried.

City Clerk Carol McBeath reminded everyone present that the filing date for re-election was January 23, 2007, at noon.

Governmental Services had nothing to report.

REGULAR COUNCIL MEETING

DECEMBER 28, 2006

PAGE 11

Police Chief Mike McElroy introduced visiting Police Officer Paul Schmidt who was assigned to Patrol Section and worked the morning shift in the latter half of the week. Councilperson Bill Youngers asked about the status of the police vehicles to be auctioned. McElroy stated that the gathering of information was complete, however in that process he found a fee to be paid that he was not aware of. McElroy advised that he was in the process of resolving that issue and that it should be set for auction in late January or early February. Youngers asked how long the auction would take. McElroy believed it would be at least a couple weeks.

Public Works Director Randal Dorner presented a Council Action Request Form for 209 Sunset, a truck on jacks. Dorner advised that a certified letter was sent to the resident and it was received. Dorner stated that he did inspect the property and that some progress was made but that if he didn't make the deadline it would go before court. Dorner presented a second Council Action Request Form for a complaint about rock from a gravel parking lot that was in the sidewalk and driveway area. Dorner stated that the owner was contacted and advised it would be taken care of right away, they were given ten days and the problem was still not resolved. Dorner advised that a certified letter was sent on December 21, 2006 and that there had not yet been enough time to get the receipt. Dorner stated that if it was not cleaned up, that issue would go before the court system. Dorner addressed the construction on South Main. Dorner stated that the base lift was put on that day and that they were going to try to finish the first lift in the coming days, weather permitting. Dorner said that there was still concrete work to be done before the surface lift could be completed and that was also weather permitting. Dorner advised that the completion of the project was dependant on the weather. Dorner also wanted to advise that the Christmas Lights would be taken down in first week in January. Councilperson Ken Hampton asked if the truck at 209 Sunset was still on jacks. Dorner advised that it was. Hampton stated that there were a lot of kids in the area and wanted to know what the deadline was. Dorner stated that it could run into mid January. Councilperson Steven Crum asked if there was something that could be done if it was a public safety issue. Mayor Bruce Armstrong advised that it could be declared a Nuisance and that would speed up the process. Armstrong asked City Attorney Alison McKenney Brown if it could be declared a nuisance at that point. Brown stated that if it was an immediate danger, she believed the code allowed Council to go back and declare it an immediate nuisance. Brown advised that she believed the code allows Public Works to go in and secure the area to insure to the best of our ability that no one goes into that area. Armstrong asked if there needed to be a resolution before Council or if there could be a motion from the bench at that time. Brown stated that she believed it was by motion.

Motion by Hampton – Second by Crum

Mr. Mayor, I would like to make a motion that we declare the truck on jacks a safety concern for the surrounding area and the children that play there.

Mayor Bruce Armstrong wanted to confirm that it was under the Nuisance Code. Councilperson Rob Wilkerson asked how high off the ground the truck was. Public Works Director Randal Dorner advised two feet. Councilperson Keith Pierce asked if the

REGULAR COUNCIL MEETING

DECEMBER 28, 2006

PAGE 12

truck was also blocked. Dorner stated the jacks were under the front seat area and the entire front end was suspended and levered out. Dorner advised that the back end was blocked but that the truck was on jack stands.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

Motion declared carried.

Councilperson Steven Crum asked if there would be a Christmas tree drop again this year. Public Works Director Randal Dorner advised that it was already in operation. Crum asked about the state of Grand Avenue at Meridian. Dorner stated that Public Works filled all of the pot holes in town earlier that day. Crum asked what happened to the road. Dorner stated that West Grand was falling to pieces. Dorner said that the intersection was due to be replaced in several years, but that there had been discussion about repairing that section prior to that. Wilkerson asked if the Christmas decorations on the street poles that were not lit at night had lights or if they were just not lit. Dorner advised that those poles did not have power to run lights. Dorner advised Westar will not replace those without putting a meter in front of each pole at a cost to the city. Councilperson Joe Holub asked if the surface lift would be placed on South Main the next day, weather permitting. Dorner stated that the base lift would be finished but that the surface would have to wait for warmer weather. Mayor Bruce Armstrong stated that it may be a question if KDHE allows the street to open. Dorner advised it would be a KDOT determination. Councilperson Bill Youngers if there was progress on the pro seal street issue. Dorner stated that the contractor had been out several times and that they were waiting for a good time to start the project.

Recreation Director Georgie Carter reminded everyone that school did not go back into session until January 4, and that there was School's Out Service available for elementary school students. Carter advised that the Winter/Spring Brochures were available and to call the Activity Center to have one mailed.

Mayor Bruce Armstrong presented Off Agenda Citizens To Be Heard.

Howard Cook, 323 South Twin Pines wanted to advise Public Works that there was a wire down in the east driveway of Hometown Bingo. Cook was concerned that children would start playing with the wire. Director of Public Works Randal Dorner advised that he would look into it.

Mayor Bruce Armstrong presented for approval the bills to be paid for the last half of December.

Motion by Hampton – Second by Pierce

Mr. Mayor, I make a motion that we pay the bills for the last half of December 2006.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers abstain, Ewert yea, Kanaga abstain.

Motion declared carried.

**REGULAR COUNCIL MEETING
DECEMBER 28, 2006
PAGE 13**

Mayor Bruce Armstrong presented for approval the 2006 Encumbrances.

Mayor Bruce Armstrong stated that at the end of each year, there were bills that were not in and items that had been ordered for encumbrances out of 2006 budgeted funds. Councilperson Joe Holub asked about the December Gas bill for the Dog Pound. Police Chief Mike McElroy stated that it was an encumbrance amount for whatever may come in, and if it was not spent it would be released back to the fund.

Motion by Pierce – Second by Wilkerson

Mr. Mayor I make a motion that we approve the 2006 Encumbrances.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga abstain.

Motion declared carried.

Mayor Bruce Armstrong presented Transfers.

Motion by Crum – Second by Hampton

Mr. Mayor, if there is no discussion, I make a motion that we approve the Transfers as presented.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga abstain.

Motion declared carried.

Under Consent Agenda Mayor Bruce Armstrong presented a Thank You letter from the Haysville Alternative High School Leadership Class.

Mayor Bruce Armstrong asked for any Council Concerns.

Councilperson Steven Crum wanted to mention that Councilperson Mike Kanaga was a member of the Planning Commission, and asked if there would be another opening on the Planning Commission. Mayor Bruce Armstrong advised that there would be a four month position dependant on if Mr. Kanaga ran again in April. Crum also wanted to thank Tom Gibson and the Pride Committee for funding, as much as could be, the Christmas decorations in town. Crum stated that there was so much vandalism to Christmas decorations in Riggs Park that the Pride Committee was fixing decorations everyday, and eventually the Committee had to give up trying to decorate Riggs Park. Crum said that the Pride Committee decided to not decorate Riggs Park and to move the decorations to areas in town that were more visible to decrease the vandalism. Crum stated that he didn't think people understood how bad the problem was, and that if anyone had any information about who was vandalizing the park to please call the police. Crum apologized to Tom Gibson for having to go through what he and the Pride Committee went through during the year. Crum stated that if cameras could be put in place at Riggs Park and citizens started to come forward, the vandalism would stop.

**REGULAR COUNCIL MEETING
DECEMBER 28, 2006
PAGE 14**

Councilperson Bill Youngers asked if it would be possible to change the wording of the Charter Ordinance on the Reappointment of Vacancies on Council to give more time to fill vacancies in the future. Mayor Bruce Armstrong advised they would have to amend the Charter Ordinance to state that the vote would take place thirty days from the first meeting after the resignation. Youngers asked what needed to be done for that to happen. City Attorney Alison McKenney Brown advised that Council would need to rescind the existing Charter Ordinance and pass a new Charter Ordinance setting forth the new standards. Armstrong stated that there should be a motion to draw a new Charter Ordinance and bring it back to Council for consideration.

Motion by Youngers – Second by Wilkerson

I would like to make the motion that we rewrite the Charter Ordinance to give us thirty days from the first council meeting after the resignation of a council member to fill that position.

Councilperson Steven Crum suggested that the wording be “two council meetings from the meeting that accepted the resignation” instead of “thirty days from the meeting that accepted the resignation” to allow for times when there are three weeks between meetings and there would not be a time in between meetings when the seat had to be filled. Mayor Bruce Armstrong stated that the City Attorney would have to look at it, and that it could be done. Armstrong advised there was a motion to redraw the Charter Ordinance to allow for the meeting to take place the second meeting after the resignation was received.

Councilperson Keith Pierce asked if it was necessary to change the Charter Ordinance or if a Special Council Meeting could be convened within the timeframe to vote in the new member. City Attorney Alison McKenney Brown stated that was a policy decision. Mayor Bruce Armstrong asked if there was a Charter Ordinance setting the procedure, how the council could go outside that Charter Ordinance by calling a special council meeting. Brown advised that she could redraft the charter as directed by the motion or redraft the charter for thirty days and if it didn't fit within the thirty days to call a special meeting. Armstrong stated that either way the charter would be redrafted.

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

Motion declared carried.

Councilperson Mike Kanaga thanked everyone for the opportunity to serve on the Planning Commission and encourage anyone in Ward IV who would like to serve to consider that. Kanaga also thanked the Council for the opportunity to serve with them.

Mayor Bruce Armstrong asked for a motion for adjournment.

Motion by Pierce – Second by Ewert

I make a motion that we adjourn tonight's meeting.

**REGULAR COUNCIL MEETING
DECEMBER 28, 2006
PAGE 15**

Hampton yea, Crum yea, Wilkerson yea, Pierce yea, Holub yea, Youngers yea, Ewert yea, Kanaga yea.

Motion declared carried.

The Regular Council Meeting adjourned at 8:31 p.m.

Carol McBeath, City Clerk