

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

Roll was taken by Recording Secretary Camille Tullis: Pierce here, Crum here, Bradshaw here, Kanaga here, and Conrady here. Councilperson Rob Wilkerson, Councilperson Pat Ewert, and Councilperson Derrick Slocum were absent.

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

Mayor Ken Hampton led everyone present in the Pledge of Allegiance.

Under Presentation and Approval of Minutes, Mayor Ken Hampton presented for approval the Minutes of March 8, 2010.

Motion by Crum – Second by Kanaga

Mayor, if there's no discussion I'll go ahead and make a motion that we approve the minutes from March 8, 2010.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.

Motion declared carried.

There were no Citizens To Be Heard.

There were no Licenses and Bonds.

Under Introduction of Ordinances and Resolutions Mayor Ken Hampton presented for approval AN ORDINANCE CONCERNING THE AMENDMENT OF SECTIONS 11-1402, 11-1405 AND 11-1406 OF THE CITY CODE OF HAYSVILLE, KANSAS, IN CONNECTION WITH ENFORCEMENT OF THE PROVISIONS OF THE WEED CODE, ALL WITHIN THE CITY OF HAYSVILLE, SEDGWICK COUNTY, KANSAS.

Councilperson Michael Conrady asked why the new ordinance was allowing dwellings 12 inches and vacant lots 18 inches of weeds. City Attorney Alison McKenney-Brown stated a vacant lot means no one would be coming home every night so they would be unable to mow it until the weekend. Brown advised the 18 inches is a practicality because the owners might have another delay in mowing due to weather and needing larger equipment. Conrady asked how many vacant lots does the City have problems with weeds on a yearly basis. Chief of Police Mike McElroy stated most problems occur with larger lots. Conrady stated he was concerned with the height allowance because there was still a 5 day waiting period after contacting the owner.

Councilperson Steve Crum asked what the main changes would be in the new ordinance. City Attorney Alison McKenney-Brown stated there was only one major difference concerning lots that had been managed as agricultural lots; the other changes were technical. Brown stated these lots, like ones being managed for prairie hay, were to be on a mowing schedule. Brown advised there was a typographical error leaving out a

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reference that has been corrected. Brown stated there was a new line concerning a State Statute on how to deal with non-resident property owners. Brown said the response time had changed from 10 days to 5 days.

Motion by Bradshaw – Second by Crum

Mr. Mayor I'd make a motion that Council approve AN ORDINANCE CONCERNING THE AMENDMENT OF SECTIONS 11-1402, 11-1405 AND 11-1406 OF THE CITY CODE OF HAYSVILLE, KANSAS, IN CONNECTION WITH ENFORCEMENT OF THE PROVISIONS OF THE WEED CODE, ALL WITHIN THE CITY OF HAYSVILLE, SEDGWICK COUNTY, KANSAS.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.

Motion declared carried.

Mayor Ken Hampton presented for approval AN ORDINANCE CONCERNING ADDING SECTION 12-119 AND AMENDING SECTION 12-107 AND 17-356 OF THE CITY CODE OF HAYSVILLE, KANSAS, IN CONNECTION WITH ENFORCEMENT OF THE PROVISIONS OF THE PUBLIC PROPERTY CODE, ALL WITHIN THE CITY OF HAYSVILLE, SEDGWICK COUNTY, KANSAS. The Mayor advised this ordinance was in reference to security at the parks as previously brought up.

Councilperson Michael Conrady asked what the special supervision fee was for in the ordinance. City Clerk Beverly Rodgers stated the fee is in reference to Councilperson Steve Crum's request to have security at the band shell. Rodgers stated the fee is the recommendation by the Haysville Police Department to have two officers at an event as security. Conrady asked if the section included the Historic District. Rodgers stated the Historic District is included because it is considered a City park.

Councilperson Keith Pierce stated he was concerned because the ordinance was too broad by covering all outdoor entertainment events. Pierce stated by charging the fee he felt as though the Haysville parks would not be used as much. Pierce advised he could not support the ordinance because the wording was not specific.

Councilperson Steve Crum stated he agreed with Councilperson Keith Pierce. Crum stated the way the ordinance is worded it would cover someone who wanted to play music in the Historic District gazebo, which is not what he intended. Crum stated the only place that needs security is the band shell because that is the only problem area. City Clerk Beverly Rodgers stated if security was only implemented on the band shell, then patrons would start renting out other facilities that would not require security. Crum asked if the City could choose who could rent a facility if they tried to manipulate the rules by moving to a different facility. City Attorney Alison McKenney-Brown stated the ordinance does state the Chief of Police could refuse rental of a facility 48 hours prior to the event if the use was not appropriate. Brown stated the City could add in the ordinance that security was at the discretion of the Chief of Police because he is already required to review the situation. Crum asked if that meant the Chief of Police could look at who is

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renting the facility and for what purpose and then decide if they need security. Brown answered yes.

Councilperson Michael Conrady stated he also agreed with Councilperson Keith Pierce. Conrady asked if the City was able to shut down an event that was not initially required to have security, or add to security to the event. City Attorney Alison McKenney-Brown stated the language in the ordinance is intended for the Chief of Police to monitor the situation and bring in additional officers if needed.

Councilperson Sandy Bradshaw asked if the supervision fee section was intended to address the band shell. City Attorney Alison McKenney-Brown stated it was. Bradshaw stated she would support the ordinance if the supervision fee was required for large dances and concerts at the band shell. Brown stated, based off of Councilperson Keith Pierce's previous request, the ordinance was reworded to include all of the City of Haysville park system.

Chief of Police Mike McElroy stated he was concerned if the security requirement was restricted to the band shell, then they might move the concert to a shelter house. Councilperson Sandy Bradshaw stated that if a band wants to rent a picnic shelter it should be at the City's discretion to refuse rental. McElroy stated at the present time there is nothing to state that. City Clerk Beverly Rodgers stated at the time of rental the City might not know they plan to have a band. Bradshaw asked if the City would require a church or family playing guitars to have security as well. City Attorney Alison McKenney-Brown stated she did not know if the City would, but additional language could be added to the ordinance to clarify the issue. Bradshaw suggested that when someone comes in to get their permit then the City could decide if they needed security.

Councilperson Mike Kanaga asked if it was at the Chief of Police's discretion to have the event or to require the event to have security. City Attorney Alison McKenney-Brown stated the ordinance allows the Chief of Police to determine if the band shell is being rented out for an appropriate use and how many officers the event would need. Kanaga asked if there would be a problem with the City approving or disapproving certain events. Brown stated as long as the City did not violate the Equal Protection Clause there would be no problems.

Councilperson Steve Crum asked Chief of Police Mike McElroy if he would feel comfortable making decisions as stated in the ordinance. McElroy stated he would, but he felt some standards should be set. McElroy suggested amplified bands would be required to perform in the band shell and provide security and acoustic bands could perform in gazebos and park shelters with no security. Crum thanked staff for preparing the ordinance but requested to table it.

Motion by Crum – Second by Conrady

I'd like to make a motion that we go ahead and table this and have them look at maybe making some changes and bringing it back to us when they have done that.

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Mayor Ken Hampton requested to hold on the vote because once something is tabled there could be no more discussion.

Councilperson Keith Pierce stated he felt the ordinance needed to address the whole park system and different types of entertainment that could perform there. Pierce was concerned that the wording was too broad and did not feel it was fair for the Chief of Police to make all of the decisions.

Councilperson Michael Conrady stated he did not feel comfortable letting the Chief of Police make all of the decisions either because it could be considered profiling. Conrady asked City Attorney Alison McKenney-Brown if a large reunion or birthday party would be considered to require security as well. Brown stated it was intended for something considered an entertainment venue, but it could be interpreted more broadly.

Councilperson Sandy Bradshaw stated she felt the same as the other Council Members. Bradshaw stated she would like the language more specific in the ordinance and suggested that Council make decisions if an event would need security or not. Bradshaw stated she liked the idea of differentiating bands between electric and acoustic.

Councilperson Mike Kanaga pointed out most acoustic music uses sound support.

Mayor Ken Hampton asked City Attorney Alison McKenney-Brown if changes could be made by the next Council Meeting. Brown stated she would meet with staff and work on something to have by next meeting.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.
Motion declared carried.

Mayor Ken Hampton presented AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$4,055,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2010, 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. The Mayor presented the City Financial Advisor Chuck Bouilly, George K. Baum and Company.

City Financial Advisor Chuck Bouilly stated bids were opened at 2:00 p.m. today for \$4,055,000 general obligation bonds. Bouilly stated they received three bids outlined on a bid tab distributed to Council. Bouilly advised the low bid was from United Missouri Bank of Kansas City at a rate of 3.7944. Bouilly suggested Council approve the low bid.

Motion by Bradshaw – Second by Kanaga

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I make a motion that Council accept and approve the low bid of United Missouri Bank of Kansas City as shown.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.

Motion declared carried.

Mayor Ken Hampton asked for a motion to approve the issuance of the bonds.

Motion by Crum – Second by Conrady

Mayor I'll go ahead and make a motion that we approve AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$4,055,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2010, 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.

Councilperson Mike Kanaga stated he was concerned that citizens would be upset that Council passed this ordinance and then they would have to pay specials they were not warned about. City Financial Advisor Chuck Bouilly stated everyone was notified of a hearing on the special assessments and they received notification on what their specials would be. Bouilly advised one person had already paid their specials.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.

Motion declared carried.

Mayor Ken Hampton asked for a motion to approve A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF \$4,055,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2010, 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.

Motion by Crum – Second by Bradshaw

Mr. Mayor I'll go ahead and make a motion that we approve A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF \$4,055,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2010, 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.

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Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.
Motion declared carried.

Mayor Ken Hampton presented A RESOLUTION SETTING FORTH CERTAIN FINDINGS OF FACT AND DECLARING THAT NUISANCE CONDITIONS EXIST ON PROPERTY KNOWN AS 6534 S. Mabel, AND PROVIDING FOR ABATEMENT AND ASSESSMENT OF ALL COSTS RELATED THERETO.

Director of Public Works Randy Dorner stated on November 19, 2009 the Code Enforcement Officer made an inspection at 6534 S Mabel finding it a nuisance and blight to the neighborhood. Dorner advised the residence was given a door hanger, sent a registered letter, a title search was completed to find the actual owner, and then a letter was taped to the door. Dorner presented pictures showing the trash and junk in the yard. Dorner stated the owner of the home is the sole owner.

Councilperson Steve Crum asked why the abatement has taken four months. Director of Public Works Randy Dorner stated it had taken that long because of due process and the holidays. Dorner stated the registered letter took twenty days until it was received back from the time it was sent. Crum asked if there was anything deemed a health hazard at the property. Dorner stated there was not.

City Attorney Alison McKenney-Brown stated this code had been recently made compliant to the new changes to the State Statute. Brown advised State law now allows City governments to make this process proceed faster. Brown explained because of the new laws Council would probably not be seeing any more of these types of resolutions come before them. Brown said this resolution was before them because the process was started on the home before the new code was adopted.

Motion by Crum – Second by Pierce

I'd like to go ahead and make a motion that we approve A RESOLUTION SETTING FORTH CERTAIN FINDINGS OF FACT AND DECLARING THAT NUISANCE CONDITIONS EXIST ON PROPERTY KNOWN AS 6534 S. Mabel, AND PROVIDING FOR ABATEMENT AND ASSESSMENT OF ALL COSTS RELATED THERETO.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.
Motion declared carried.

Under Notices and Communications Mayor Ken Hampton asked for Governing Body Announcements.

Councilperson Steve Crum stated when the Haysville Public Library was first opened thirty years ago Betty Cattrell was named the Librarian. Crum announced Cattrell was receiving the Duane Johnson Library Leadership Award this year, which was the highest award a community librarian could receive. Crum stated the award would be given on

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Wednesday, April 7. Crum encouraged citizens to congratulate Cattrell the next time they were in the library.

Mayor Ken Hampton presented the Court Activity Report for February.

Under other business Mayor Ken Hampton presented the Consideration of Contract Agreement with BLACK EAGLE MARTIAL ARTS.

Recreation Director Georgie Carter explained the contract was updated because one of the four owners was leaving the business and the name was changed.

Councilperson Steve Crum asked if the contract was the same other than the name change. Recreation Director Georgie Carter explained City Attorney Alison McKenney-Brown reviewed the updated contract and found only wording changes in addition to the owner change.

Motion by Crum – Second by Kanaga

I'll go ahead and make a motion that we go into a contract with BLACK EAGLE MARTIAL ARTS to instruct Tae Kwon Do classes at the Activity Center.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.

Motion declared carried.

Mayor Ken Hampton presented Authorization to Purchase an Evidence Cage for the Police Department.

Chief of Police Mike McElroy explained they received three prices from suppliers as shown in the Council packet. McElroy stated they were requesting approval to purchase the Evidence Cage from WireCrafters LLC in the amount of \$4,931.00 to be paid from Federal Law Enforcement Forfeiture Account. McElroy said because the Police Department would be moving into a new building they would need a new evidence cage. McElroy presented pictures to Council showing what the cage would look like. McElroy stated the size would be fifteen feet by twenty feet with concrete walls on two sides.

Motion by Bradshaw – Second by Crum

I would just make a motion that we approve the purchase of an Evidence Cage from the company recommended by the Chief, WireCrafters LLC for the amount of \$4,931.00.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.

Motion declared carried.

Mayor Ken Hampton presented Consideration of New Insurance Policy Premium. The Mayor stated this was an option to reduce the current premium by increasing the deductible from \$1,000 to \$3,000 only on property. The Mayor explained this plan would put the City out ahead if the City had two events or less, and would break even with three events. The Mayor advised the City has not had over three events in the past five years.

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Mayor Hampton stated Tony Madrigal of Madrigal and Welch was present to answer questions.

Councilperson Steve Crum asked if the policy would be per building or per event. Tony Madrigal stated it would be per event.

Motion by Crum – Second by Conrady

Mr. Mayor I'll go ahead and make a motion that we go ahead and do this premium change, changing our deductible on the City properties.

Councilperson Keith Pierce asked City Attorney Alison McKenney-Brown if the motion was okay without a dollar amount. Brown answered she recommended the motion be amended to show more specificity.

Councilperson Steve Crum advised he would amend the motion to state the City would be going from a \$1,000 deductible to a \$3,000 deductible on property.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.
Motion declared carried.

There was no old business.

Mayor Ken Hampton asked for Department Reports.

The City Clerk Activity Report for February was presented. City Clerk Beverly Rodgers had nothing to report.

The Governmental Services Activity Report for February was presented. Director of Governmental Services Carol Neugent presented a commercial on the remodel project created by the Multimedia Specialist Chase Brizendine.

The Police Activity Report for February was presented. Chief of Police Mike McElroy had nothing to report.

Director of Public Works Randy Dorner had nothing to report.

Recreation Director Georgie Carter announced the Easter Egg Hunt would be held Sunday, March 28 at 3:00 p.m. in the Historic District. Carter announced April 1 the Haysville Activity Center would start pool sales and summer camp registrations.

There were no Appointments.

There were no Off Agenda Citizens To Be Heard.

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Under Executive Session Mayor Ken Hampton asked for a motion to enter into an Executive Session for Attorney Client Privilege and asked to add Land Acquisition (Not to Exceed 20 Minutes) to include the Governing Body, Governmental Services, Public Works, and City Attorney.

Motion by Bradshaw – Second by Crum

Mayor I make a motion that Council go into Executive Session for the purpose of Attorney Client Privilege/Land Acquisition to include Council, Mayor, Carol Neugent, Randy Dorner, and City Attorney for a period of time not to exceed 20 minutes.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.

Motion declared carried.

Council went into an Executive Session at 8:06 p.m. and reconvened the meeting at 8:26 p.m. Mayor Ken Hampton requested a motion to be made for Land Acquisition.

Motion by Bradshaw – Second by Crum

Mr. Mayor I would make a motion that the City of Haysville, Council approve a Real Estate Purchase Contract this day 22 of March of 2010 by and between Meyer Development, hereinafter referred to as “Seller”, and the City of Haysville, Sedgwick County, Kansas, hereinafter referred to as “Purchaser”.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.

Motion declared carried.

Mayor Ken Hampton presented Bills to be Paid for the Last Half of March.

Motion by Kanaga – Second by Pierce

Mr. Mayor I move that we pay the bills for the last half of March.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.

Motion declared carried.

Under Consent Agenda Mayor Ken Hampton presented a Thank You Letter from Zimmerman Properties Construction on the Bridgewater Apartments.

Mayor Ken Hampton presented the Council Items and asked for comments or new Council concerns.

Councilperson Steve Crum asked what would happen to the electronic sign that was in front of City Hall. Director of Public Works Randy Dorner stated the sign would move to the corner of Grand and Campbell.

Councilperson Sandy Bradshaw asked for information on the Barking Dog Ordinance because she was contacted by a citizen.

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Councilperson Mike Kanaga stated he was also contacted by the same citizen. Kanaga asked who the person was in charge of barking dogs. Chief of Police Mike McElroy stated he brought some information and would speak with them after the meeting.

Councilperson Michael Conrady asked for a status update from City Attorney Alison McKenney-Brown on the red box issue. Brown stated she had not worked on the project the last two weeks; but it was a priority.

Mayor Ken Hampton presented for approval Adjournment.

Motion by Pierce – Second by Crum

Mr. Mayor and Council I move that we adjourn tonight's meeting.

Pierce yea, Crum yea, Bradshaw yea, Kanaga yea, Conrady yea.

Motion declared carried.

Meeting Adjourned at 8:31 p.m.

Beverly Rodgers, City Clerk