

**Council Meeting****Regular****March 11, 2013**

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 Jessica Chilcote: Conrady here, Slocum here, Ewert here, Kanaga here, Kessler here, Rardin here, Konkel here, and Pierce here.

Pastor David Vetter of West Haysville Baptist Church led everyone in prayer.

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

Mayor Ken Hampton welcomed Sam Morris from Boy Scout Troop 363. Mayor Hampton stated Morris was attending for his Communications Merit Badge.

Under Presentation and Approval of Minutes, Mayor Ken Hampton presented for approval the Minutes of February 25, 2013.

Motion by Kanaga- Second by Konkel

Mr. Mayor, I move that we approve the minutes of the February 25, 2013 Council meeting.

Conrady yea, Slocum yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

Under Citizens to be Heard, Mayor Ken Hampton introduced Helen Wait, Oz Bicycle Club of Wichita.

**Helen Wait, Oz Bicycle Club of Wichita**, passed out brochures for the event to Council members and the Mayor. Wait advised the brochure was one they mail out to all prospective riders. Wait stated Wicked Wind was a ride that was put on every year to celebrate Oz Bicycle Club's birthday. Wait advised this would be the club's 40<sup>th</sup> birthday. Wait stated the club was preparing to mail out 625 brochures. Wait advised there were 384 riders that attended Wicked Wind in Haysville last year. Wait stated they are hoping to have a larger number of attendees this year. Wait advised this was a two day event, May 18 and 19. Wait explained the routes the riders could take and the swap meet. Wait stated the event would be stationed in the Community Building in the Historic District. Councilperson Seth Konkel asked what has brought the club to Haysville. Wait stated the club was trying to introduce the ride to communities around Wichita. Wait advised they usually stay in one location for a couple of years and then move on to another community. Wait stated next year's ride would be at Lake Afton. Wait also stated they try to move around, to bring bicycling to all communities in and around Wichita.

Motion by Kanaga- Second by Rardin

Mr. Mayor, I move that we waive the fees for the Community Building this year.

Conrady yea, Slocum yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

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There was no Approval of Licenses and Bonds.

There were no Introduction of Ordinances and Resolutions.

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

Mayor Ken Hampton announced a New Business- De's Maid Service, 230 W. Summey.

Mayor Ken Hampton announced a New Business- Cookson Enterprises, 426 W. 4<sup>th</sup>.

Under Other Business, Mayor Ken Hampton presented Proposed Changes to Door to Door Sales Code.

Chief Administrative Officer Will Black advised the City was looking to give clear guidelines to the Chief of Police for denial or approval of door to door permits. Black stated it turned in to an extensive rewriting of the code, with the proposed changes in the Council packet. Black advised the main changes were for pricing and timeframe of the permits. Black stated the door to door permit was done annually, but there are now a 30 day permit, a six month permit, and a year permit. Black also stated the prices have been changed to stay in line with surrounding cities. Black advised another change makes it easier for the Chief of Police to revoke door to door permits if necessary. Black asked for approval to make the changes to the code. Black stated if Council passes the proposed changes, the ordinance will be brought back to the next Council meeting. Councilperson Seth Konkol asked if there was a way for a citizen to check the validity of the door to door permit. Black stated anyone that receives a permit is required to carry it with them at all times, so if a citizen questions the individual, they should be able to show their permit. Black advised that if the individual does not show a permit when asked, citizens should immediately lock the door and call the police. Councilperson Mike Kanaga stated he had spoken with City Attorney Alison McKenney-Brown about adding language to the ordinance to include that a person would not be able to solicit at a house that has a "no solicitation" sign. McKenney-Brown stated a line could be added within the code, stating that signs stating "no solicitation" should be respected by business owners. Konkol asked what measures were being taken so that a person could not forge a door to door permit, or use an expired permit. Black stated Chief of Police Jeff Whitfield has a list of current permit and a citizen could call and check. Konkol advised he would like to see something posted to the website that identifies the process of validating or verifying the permit.

Motion by Slocum-Second by Rardin

If there aren't any more questions, I move to approve the changes with the addition of adding language regarding no solicitation signs.

Conrady yea, Slocum yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkol yea, Pierce yea.

Motion declared carried.

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Mayor Ken Hampton presented Proposed Special Events Procedures.

Chief Administrative Officer Will Black stated the item stemmed from two groups that had contacted the City, wishing to have 5k races within the City of Haysville on City streets. Black advised City staff would like to have guidelines be put in place, so when groups ask to host races in the future, staff will have more detailed information and an application for special events. Black stated the application for special events will cover 5k and 10k races, as well as other special events. Black advised if the applications are filled out, administration can look at it. Black stated the application also states the permittee shall furnish a certificate of insurance with the City as an additional insured for \$500,000.00 combined single limit per occurrence. Black advised it would help reduce liability for the City. Black stated the requested event will be run by different departments as well. Black advised if approved, the ordinance would be brought back to Council.

Motion by Konkel-Second by Rardin

Hearing no questions, I move that we approve the rules and regulations for running events held on public roadways.

Conrady yea, Slocum yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

Chief Administrative Officer Will Black asked for approval, contingent on the meeting of the guidelines and the application, for the two upcoming 5k races. Black advised the dates of the two races would be April 6 and April 13.

Motion by Kanaga-Second by Rardin

Mr. Mayor, I move that we approve the two 5k races, contingent on them meeting the requirements of the regulations.

Conrady yea, Slocum yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

Mayor Ken Hampton presented a Consideration of 2013 Pool Manual.

Recreation Director Georgie Carter stated the changes were highlighted in red in the packet, and were previously approved by Council. Carter advised most of the changes were dates. Councilperson Bob Rardin stated the pool manual had the old police number of 529-5911 and needed to be changed to 911. Carter stated she would make that change.

Motion by Rardin-Second by Kessler

I make a motion that we approve the pool manual.

Conrady yea, Slocum yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

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Motion declared carried.

Mayor Ken Hampton presented an Authorization to Purchase New Cardio Equipment.

Recreation Director Georgie Carter stated money has been being placed in the equipment reserve fund to purchase new equipment. Carter advised after a recent survey of members, they requested an AMT and a rowing machine. Carter asked for authorization to purchase the two pieces of equipment.

Motion by Konkel-Second by Rardin

I move that we approve the purchase of two pieces of equipment from Mid States Fitness Equipment in the amount of \$8,094.00.

Conrady yea, Slocum yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

Mayor Ken Hampton presented a Consideration of Agreement with PEC.

City Engineer Joe Hickle stated the contract with PEC was to prepare and file the required documents for a notice of intent permit with the State of Kansas, for the proposed road improvements to Turkle Street. Hickle advised the contract is for the lump sum amount of \$1,200.00, plus a \$60.00 filing fee, for a total of \$1,260.00. Hickle stated the permit is required because the size of the project is over one acre.

Motion by Kanaga-Second by Ewert

Mr. Mayor, if there are no questions, I move that we approve the agreement on Turkle Street improvements with PEC in the amount of \$1,260.00.

Conrady yea, Slocum yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

There was no Old Business.

Mayor Ken Hampton asked for Department Reports.

Chief Administrative Officer Will Black had nothing to report.

City Clerk Janie Cox was not present.

Chief of Police Jeff Whitfield advised the Kansas Highway Patrol would be having seatbelt enforcement, specifically targeting younger people and would be out around some of the schools, including Campus High School. Whitfield stated the Haysville Police Department had started using a service called Nixle. Whitfield explained that Nixle is a community notification system that will be used for emergency notifications and is a subscriber based service. Whitfield stated citizens can sign up for text message or

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email notifications. Whitfield advised to sign up, go to nixle.com or text 888777 with haysvilleks to receive alerts. Whitfield stated it would be used for emergency closings and alerts, but will not include weather updates. Whitfield stated information would also be on the City website. Councilperson Mike Conrady asked if there was a charge for the service. Whitfield stated you will only be charged what a cell phone provider will charge. Mayor Ken Hampton asked if the City building would be unlocked for severe weather. Whitfield stated yes, City Hall basement is a storm shelter.

Public Works Director Randy Dorner stated the bids for the new fire station have been opened and they will go through a review committee, which could take 30 to 45 days before it is presented to the commission. Dorner advised once commission approves it, it could take 15 to 20 days before they announce the start date and ground breaking. Dorner stated the old Diamond Shamrock gas station was being cleaned up to turn it over to the property owners. Dorner advised they are still on schedule for the Turkle Street project completion date of July 4.

Recreation Director Georgie Carter stated there would be a middle school dance at the Haysville Activity Center on March 15. Carter advised the annual Shamrock Shuffle 5k would be on March 16 starting at 9:00 a.m. at City Hall. Carter stated Spring Break Camp would be the week of March 18-22 for kindergarten through fifth grade. Carter advised the Easter egg hunt would be March 24 at 3:00 p.m. in the Historic District for ages 10 and under.

There were no Appointments.

There were no Off Agenda Citizens to Be Heard.

There was not an Executive Session.

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

Councilperson Russ Kessler asked what the payments for the neighborhood revitalization were for. Chief Administration Officer Will Black stated the money goes to businesses that are in the neighborhood revitalization program. Black advised the money going out now was for businesses that paid their full tax bill in December. The County and the school district send their portion of the rebate to the City and it is rebated to the participants along with the City's portion. The amount they get depends on the year they are in the program. Kessler asked about a \$50.00 payment for the Economic Development Directors dues to the Chamber of Commerce. Kessler stated he didn't think the City should pay for that right now, since the City did not currently have a person to fill that position. Black stated they could hold off on paying the \$50.00 payment.

Motion by Kessler-Second by Rardin

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Mr. Mayor and Council, I make a motion that we pay the bills as presented, with the exception of the \$50.00 payment to the Haysville Chamber of Commerce for the Economic Development Director position.

Conrady yea, Slocum yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce nay.

Motion declared carried.

There was nothing under the Consent Agenda.

Under Council Action Request Updates, Mayor Ken Hampton stated the Council Action Request on Hydraulic Court had been taken care of.

Under Council Items, Mayor Ken Hampton asked for any Council concerns.

Councilperson Bob Rardin stated there were several people that showed up for a zoning issue last Council meeting that he knew nothing about. Rardin stated mail outs went out for the zoning issue and he began getting calls. Rardin advised he found out the process had been ongoing without Council having any knowledge of the issue. Rardin stated the property in question is in his Ward and he needed to know about issues. Rardin also stated he had no knowledge and therefore no answers for the citizens calling him. Rardin stated Councilperson Ewert and himself should have been notified. Mayor Ken Hampton stated they would try to keep everyone better informed.

Councilperson Seth Konkel stated he would like to see something drafted if Council agrees, that authorizes the Chief Administrative Officer to handle some issues before coming to Council. Konkel also stated he felt that purchases that come before Council for less than \$10,000.00 is unnecessary. Konkel advised he would like to see the policies rewritten to allow the authorization by staff. Konkel stated he would like to see negotiations go through staff as well, rather than coming to Council. City Attorney Alison McKenney-Brown asked if Council would like to review the purchasing policy. Mayor Ken Hampton advised the issue could be put on the agenda for the next Council meeting. Councilperson Keith Pierce stated he was not opposed to raising the discretionary amount up to the \$10,000.00.

Councilperson Keith Pierce asked if there were any updates on the Kwik Shop on Meridian and Grand. Public Works Director Randy Dorner advised no permits were requested yet. Dorner stated locates had been done and a sewer line put in. City Engineer Joe Hickle advised the corporate office was still deciding on the size and type of building. Pierce asked if the pool entrance on Clinton would be replaced for the summer. Dorner advised they had not yet scheduled a contractor, but it will be done before the pool opens. Pierce stated he supports the funding and the operation of Haysville Forward.

Councilperson Mike Kanaga stated he did not disagree with what Councilperson Keith Pierce said, but feels that it is proper for the Mayor to be the head of Haysville Forward. Kanaga advised it seems there are two economic entities in the City that include the

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Chamber of Commerce and Haysville Forward. Kanaga stated if the Chamber is headed by business and community leaders, he thinks Haysville Forward should not be as well. Kanaga also stated if the City gives funding to both, it seems proper that one should be led by business and community leaders and one to be led by the City, as it has always been the case since its inception.

Councilperson Bob Rardin stated that after receiving several phone calls, he was quite concerned with how things happened. Rardin also stated he felt the issue had given the City a bad name. Rardin advised in his opinion it shouldn't matter if the City gives Haysville Forward the money, which Council approved, there are bylaws that state every year new members will be elected. Rardin stated there were things said that disturbed him. Rardin advised he read in the paper that the Mayor had given permission for Haysville Forward to continue meeting at City Hall, but that Chief Administrative Officer Will Black and Administrative Secretary Jessica Chilcote would no longer be attending the meetings. Rardin stated he believed Haysville Forward was set up with people from the community, business owners, the City, and educators. Rardin also stated he believed Haysville Forward was set up for everyone, and should continue to be. Rardin advised he thought Black and Chilcote needed to continue to attend the meetings. Rardin stated City staff should still be allowed to attend meetings, regardless of what happened. Mayor Ken Hampton stated it was an unfortunate meeting, and things could have been said differently. Mayor Hampton advised that the City 100 percent funds Haysville Forward, provides the facilities, provides staff and agendas, but they did not want the City to provide leadership. Mayor Hampton stated he felt that was wrong. Mayor Hampton advised Haysville Forward would be allowed to meet at City Hall and would provide Chilcote to take notes. Mayor Hampton stated he hoped Haysville Forward would use the money the City provided in a good way, and any future funds will have to go through Council.

Councilperson Mike Kanaga stated he wanted to clarify his statement from before when he said the Mayor should be the head of Haysville Forward, he meant this Mayor or any future Mayor.

Councilperson Seth Konkel stated Mayor Ken Hampton agreed to allow Administrative Secretary Jessica Chilcote to attend the meetings, but did not respond to Chief Administrative Officer Will Black being able to go. Mayor Hampton advised he and Black would decide on their own if they wanted to attend the meetings. Konkel asked if Mayor Hampton would decide for Black or if Black would decide for himself. Mayor Hampton advised Black could decide for himself.

Mayor Ken Hampton presented for approval Adjournment.

Motion by Pierce-Second by Rardin

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

Conrady yea, Slocum yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

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Motion declared carried.

The Regular Council Meeting adjourned at 7:47 p.m.

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Janie Cox, City Clerk