

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 Ginger Cullen: Crum here, Benner here, Ewert here, Kanaga here, Kessler here, Rardin here, Konkel here, Pierce here.

Invocation was given by Pastor Phyllis Provost-Saas of the Haysville United Methodist Church.

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

Under Special Order of Business, Mayor Bruce Armstrong presented a Public Hearing for Waiver of the Distance Requirement for the Sale of Cereal Malt Beverage. Armstrong requested a motion to open the Public Hearing.

Motion by Konkel – Second by Pierce

I move that we enter into a Public Hearing for a Waiver of the Distance Requirement for the Sale of Cereal Malt Beverage.

Crum yea, Benner yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

Mayor Bruce Armstrong stated he would read from a script. Armstrong gave details of the request and asked Council if any conflicts of interest existed. Seeing none, Armstrong asked staff if they had received any comment from citizens regarding the issue. Chief Administrative Officer Will Black stated he received a call from Clem Dickerson, who was not in favor of a beer garden at the Haysville Fall Festival. Armstrong stated the proposed site plan for the requested event was in the Council packet. Armstrong asked for comment from Council. Councilperson Steve Crum asked if the school district had been advised that the waiver had been requested. Black stated the Notice of Public Hearing was posted at the City Building and on the City's website, as required, but the school district had not been directly notified. Crum stated he was in favor of the beer garden, but he did not like the proposed location of the beer garden, as people who drink may also smoke, exposing other festival-goers to second-hand smoke. Crum stated he would like the garden moved as far away from the main festivities as possible. He also stated the drinking time on Saturday of 11:00 a.m. was too early and suggested changing the start time to 12:00 noon. Crum stated in the future he would like to see potentially affected churches or schools notified specifically.

Mayor Bruce Armstrong asked if anyone representing Haysville Fall Festival, Inc. had information to present. **Kenneth Swart, 710 Karla Ct.**, President of Haysville Fall Festival, Inc. came forward to explain the reason for the beer garden location in the submitted site plan was due to the location of electricity.

Mayor Bruce Armstrong asked if anyone from the public would like to speak. No one came forward.

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Mayor Bruce Armstrong requested a motion to close the Public Hearing.

Motion by Konkel – Second by Pierce  
I move that we close the Public Hearing.

Crum yea, Benner yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea,  
Pierce yea.

Motion declared carried.

Mayor Bruce Armstrong asked for a motion to approve or deny the waiver request.

Motion by Kessler – Second by Pierce

I make a motion that we waive the distance requirements for the sale of cereal malt beverage on this Fall Festival application.

Crum nay, Benner yea, Ewert yea, Kanaga nay, Kessler yea, Rardin yea, Konkel yea,  
Pierce yea.

Motion declared carried.

Councilperson Steve Crum stated for the record he voted no because the school district had not been notified.

Under Special Order of Business, Mayor Bruce Armstrong presented a Special Event Cereal Malt Beverage License for Haysville Fall Festival, Inc. at Riggs Park.

Motion by Konkel – Second by Kessler

I move that we approve the Special Event Cereal Malt Beverage License for the Haysville Fall Festival in Riggs Park.

Crum yea, Benner yea, Ewert yea, Kanaga nay, Kessler yea, Rardin yea, Konkel yea,  
Pierce yea.

Motion declared carried.

Under Special Order of Business, Mayor Bruce Armstrong presented Consideration of Approval of Haysville Fall Festival, Inc. Temporary Special Event Permit Application for Sale and Consumption of Cereal Malt Beverages on Premises.

Motion by Crum – Second by Pierce

I'd like to make a motion that we approve the Temporary Special Event Permit Application for Fall Fest with a change to the sale time of beer on October 18 to be 12:00 noon to 10:00 p.m., instead of 11:00 a.m. to 10:00 p.m.

Before the vote was called, Councilperson Seth Konkel stated he would not support the motion as it isn't what the applicant requested. Councilperson Mike Kanaga stated situations like this are why he is opposed to the process. Councilperson Russ Kessler asked if he could provide a substitute motion. Mayor Bruce Armstrong advised a motion can be amended if the original maker of the motion allows it. Armstrong referred to City

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Attorney Alison McKenney-Brown, who stated that Haysville's general procedure was to offer a second motion if the original motion were to fail. Kessler stated he would like to amend the motion to reflect what was requested on the application. Crum declined to approve the amendment. After no other comment from Council, Mayor Bruce Armstrong called the question.

Crum yea, Benner yea, Ewert nay, Kanaga nay, Kessler nay, Rardin nay, Konkel nay, Pierce yea.

Motion declared failed.

Motion by Konkel – Second by Kessler

I move that we approve the Haysville Fall Festival Special Event Permit Application for Sale and Consumption of Cereal Malt Beverage on the premises of Riggs Park as presented.

Crum yea, Benner yea, Ewert yea, Kanaga nay, Kessler yea, Rardin yea, Konkel yea, Pierce nay.

Motion declared carried.

Under Presentation and Approval of Minutes, Mayor Bruce Armstrong presented for approval the Minutes of September 8<sup>th</sup>, 2014.

Motion by Konkel – Second by Rardin

I move that we approve the minutes from the September 8<sup>th</sup>, 2014 meeting.

Crum yea, Benner yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

Under Presentation and Approval of Minutes, Mayor Bruce Armstrong presented for approval the Minutes of September 15<sup>th</sup>, 2014 Special Meeting.

Motion by Konkel – Second by Pierce

I move that we approve the minutes from the Special Meeting on September 15<sup>th</sup>, 2014.

Crum abstain, Benner yea, Ewert yea, Kanaga abstain, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

Under Citizens to be Heard, Mayor Bruce Armstrong stated Sedgwick County Fire Department was on the agenda, but as they were not present, they could be heard if they arrive later.

There were no Licenses or Bonds.

There were no Ordinances or Resolutions

Under Notices and Communications, Mayor Bruce Armstrong asked for Governing Body Announcements. Councilperson Steve Crum gave details of upcoming events at the

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Haysville Public Library. Councilperson Pat Ewert gave details of the Gathering at the Gazebo, scheduled for September 27<sup>th</sup>, 2014 at 6:00 p.m. in the Historic District.

Under Old Business, Mayor Bruce Armstrong introduced Consideration of Sanitary Sewer Manhole Rehabilitation Bids. Public Works Director Randy Dorner gave details of the request. Councilperson Steve Crum asked if the state of Kansas would reimburse any work done under Broadway Street, as it isn't owned by the City. Dorner advised they would not be reimbursed as it is our system and it is sanitary sewer, not storm water.

Motion by Konkel – Second by Pierce

I move that we approve the Sanitary Sewer Manhole Rehabilitation with Mayer Specialty Services in the amount of \$48,606.50

Crum yea, Benner yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

Under Other Business, Mayor Bruce Armstrong presented Consideration of Purchase of GPS Survey Unit. Public Works Director Randy Dorner gave details of the request.

Motion by Konkel – Second by Pierce

I move that we approve the GPS Survey Unit from Laser Specialist, Inc., in the amount of \$19,900.

Crum yea, Benner yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

Under Other Business, Mayor Bruce Armstrong presented Quarterly Economic Development Update. Economic Development Director James Oltman announced Immediate Medical Care of Wichita has purchased the Schneider Clinic on Broadway and will be turning the building into an Immediate Medical Care Center. They are expected to open sometime in November. Oltman went on to give updates on other Economic Development Topics, including new and pending business applications, increase in new home construction, WABA Fall Parade of Homes details and amount of money the City has given in incentives.

Mayor Bruce Armstrong asked for Department Reports.

Chief Administrative Officer Will Black had nothing to report.

City Clerk Janie Cox advised due to Columbus Day the next Council meeting would be on October 14<sup>th</sup>, which is a Tuesday. Cox also advised the General Election is on November 14<sup>th</sup> and the deadline to register to vote is October 14<sup>th</sup>.

Police Chief Jeff Whitfield advised citizens to be aware of potential traffic delays at 2:00 near Meridian and Grand, and near Main and Grand, on Thursday, September 25<sup>th</sup>, for

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the Campus Homecoming Parade. Whitfield advised of a Drug Take Back event on Saturday, September 27<sup>th</sup> at the Police Department from 10:00 a.m. until 2:00 p.m. He also advised the visiting officer was Master Police Officer Chad Case.

Public Works Director Randy Dorner gave updates on the East Grand Reconstruction Project.

Recreation Director Georgie Carter advised there would be an S.O.S. day on Friday, September 26<sup>th</sup> and Friday, October 10<sup>th</sup>, as school was not in session. Registration for youth basketball is ongoing. Carter also gave details of the 10<sup>th</sup> Annual Midwest Bike Fest from 10:00 a.m. to 4:00 p.m. and advised the disc golf course in Riggs Park would be closed on Sunday, September 28<sup>th</sup> for the event.

There were no Appointments.

There were no Off Agenda Citizens to be Heard.

There was no Executive Session.

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

Motion by Ewert-Second by Konkel.

I'd like to make a motion that we allow you to pay the last half of September bills.

Crum yea, Benner yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

There was nothing under the Consent Agenda.

Under Council Items, Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Steve Crum thanked Police Chief Jeff Whitfield for helping with a traffic and safety issue at the Nelson crosswalk on East Grand. Crum asked Public Works Director Randy Dorner if improvements to Alice Street are figured in to the street maintenance/ repair plan. Dorner answered in the affirmative.

There were no Council Action Request Updates.

Mayor Bruce Armstrong presented for approval Adjournment.

Motion by Pierce-Second by Ewert

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

Crum yea, Benner yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

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The Regular Council Meeting adjourned at 7:36 p.m.

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Janie Cox, City Clerk