

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: Slocum here, Ewert here, Kanaga here, Rardin here, Konkel here, and Pierce here. Councilpersons Conrady and Kessler were not present.

Invocation was given by Pastor David Vetter of West Haysville Baptist Church.

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

There was no Special Order of Business.

Under Presentation and Approval of Minutes, Mayor Ken Hampton presented for approval the Minutes of September 26, 2011.

Motion by Ewert- Second by Rardin

I'd like to make a motion that we approve the Minutes for September 26, 2011.

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

Motion declared carried

Under Citizens to be Heard, Mayor Ken Hampton introduced Sandy Davis, ARC Community Manager, 1400 E. Kay Ave. Re: Revisit the Rezoning for Carports.

City Attorney Alison McKinney-Brown stated she had spoken with Planning/Community Relations Coordinator Jeana Morgan and they had come up with some recommendations. Brown stated they needed to send it back to Planning for some setback modifications that are specific to the areas in question. Morgan stated the request would have to go back to Planning for them to change some setbacks and said there may need to be some vacations of easements. Jeana advised that Planning could discuss the issue on November 10th, possibly holding a public hearing by December 8th and the issue could come back to Council for approval after that. Morgan stated she did not believe carports on Kay Ave. would be a possibility as homes were sitting in the setback already. Morgan stated some direction from Council would be helpful. Councilperson Derrick Slocum stated he agreed with Morgan's recommendation to go back to Planning. Councilperson Keith Pierce stated he believed it needed a good, hard look at everything and to see if there is a way to provide homeowners to make improvements.

Motion by Rardin- Second by Ewert

Mr. Mayor, I make a motion that we send this back to Planning.

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

Motion declared carried.

Resident Ed Pokorski, 175 Wire, stated he watched the Council meeting from last week on Channel 7 and saw that Council had passed the signalization of Grand and Meridian. Pokorski stated he did not agree with the project. Mayor Ken Hampton thanked him for his opinion on the matter.

There was no Approval of Licenses and Bonds.

Mayor Ken Hampton introduced AN ORDINANCE AUTHORIZING THE CITY OF HAYSVILLE, KANSAS TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS, SERIES 2011 (SLEEP INN AND SUITES PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$3,000,000 FOR THE PURPOSES OF ACQUIRING, CONSTRUCTING, FURNISHING AND EQUIPPING A HOTEL FACILITY; AUTHORIZING EXECUTION OF A BOND AGREEMENT BY AND BETWEEN THE CITY, HAYSVILLE LAND INVESTMENT, LLC, AS TENANT AND ROSE HILL BANK, ROSE HILL, KANSAS, AS PAYING AGENT; AUTHORIZING THE CITY TO LEASE SUCH FACILITY TO HAYSVILLE LAND INVESTMENT, LLC AND AUTHORIZING THE EXECUTION OF A LEASE BETWEEN SAID CITY AND HAYSVILLE LAND INVESTMENT, LLC; AND AUTHORIZING THE EXECUTION OF ADDITIONAL DOCUMENTS NECESSARY OR DESIRABLE TO EFFECT THE TRANSACTION CONTEMPLATED HEREBY

Mayor Ken Hampton introduced Theron Froggatte from Oppenheimer & Co. Froggatte advised they had privately placed the bonds with one of their banks and with Council action on the ordinance they will be able to proceed with closing and financing the hotel. Froggatte stated Sarah Steele with Gilmore & Bell was also present and she had prepared the legal documents for delivery of the bonds. Steele stated the City adopted a resolution of intent to issue up to \$3,000,000 of industrial revenue bonds in July of 2010. Steele advised that was conditioned upon property tax abatement being granted. Steele stated the project is getting a property tax abatement and a sales tax exemption on all of the materials that went into the hotel. Steele advised the abatement that was approved in 2010 is a six year abatement, with the first three years getting abatement at 100%, 75% on year four, 50% on year five and 25% on year six. Steele stated that was represented by a payment in lieu of tax agreement that was executed in 2010. Steele advised their abatement would run from 2012 through 2017. Steele stated they plan on closing the issue sometime between now and the end of the year.

Motion by Kanaga- Second by Ewert

Mr. Mayor, I move that we adopt AN ORDINANCE AUTHORIZING THE CITY OF HAYSVILLE, KANSAS TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS, SERIES 2011 (SLEEP INN AND SUITES PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$3,000,000 FOR THE PURPOSES OF ACQUIRING, CONSTRUCTING, FURNISHING AND EQUIPPING A HOTEL FACILITY; AUTHORIZING EXECUTION OF A BOND AGREEMENT BY AND BETWEEN THE CITY, HAYSVILLE LAND INVESTMENT, LLC, AS TENANT AND ROSE HILL BANK, ROSE HILL, KANSAS, AS PAYING AGENT; AUTHORIZING THE CITY TO LEASE SUCH FACILITY TO HAYSVILLE LAND INVESTMENT, LLC AND AUTHORIZING THE EXECUTION OF A LEASE BETWEEN SAID CITY AND HAYSVILLE LAND INVESTMENT, LLC; AND

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AUTHORIZING THE EXECUTION OF ADDITIONAL DOCUMENTS NECESSARY OR DESIRABLE TO EFFECT THE TRANSACTION CONTEMPLATED HEREBY
Slocum yea, Ewert yea, Kanaga yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

Mayor Ken Hampton introduced A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2011, OF THE CITY OF HAYSVILLE, KANSAS.

Mayor Ken Hampton introduced Chuck Bouilly of George K. Baum & Company. Bouilly stated the resolution before Council is for the paving improvements around the new hotel. Bouilly advised Council had approved the final costs and levied assessments against the two lots paying for the costs. Bouilly stated the resolution before Council tonight will authorize George K. Baum & Company to proceed with the sale of the \$107,000 bond issue. Bouilly advised they would be sending out the bonds for bids to area bond dealers and to the local banks. Bouilly stated the resolution will authorize them to go out and solicit bids on the bonds.

Motion by Kanaga- Second by Rardin

Mr. Mayor, I move that we pass A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2011, OF THE CITY OF HAYSVILLE, KANSAS.

Slocum yea, Ewert yea, Kanaga yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

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

Councilperson Bob Rardin reminded everyone that Fall Festival was coming up and to watch out for people and have fun.

Councilperson Pat Ewert announced flu shots would be available Tuesday, October 18th at the Senior Center at 1:30. Ewert stated the Senior Breakfast would be October 22nd.

Mayor Ken Hampton advised of a new business license issued to Little Caesar's, 307 N. Main.

Mayor Ken Hampton advised of a new home business license (internet sales) issued to Sidepocket Comics, 560 Country Lakes.

Mayor Ken Hampton advised of a new business license issued to J & R Towing, 2300 Emmett.

Mayor Ken Hampton advised of a new business license issued to Tre'vo Nutritional Supplement Company, 1400 Jubilee.

Under Other Business, Mayor Ken Hampton presented a Consideration of Approval to Order Materials for the Meridian and Grand Signalization Project.

Public Works Director Randy Dorner stated they are waiting for all of the details from Westar Energy. Dorner advised they want to go ahead and order the supplies needed for the project and are hoping to have the signals in by late December or early January. Dorner stated they will be using LED lights and the bill for Main and Grand has been just about cut in half after switching to the LED lights. Dorner advised they are not yet asking for approval for street lights at this time. Dorner stated they are looking for approval for \$69,484.00 and will be coming back at a later date with a contractors price and then street lights.

Motion by Rardin- Second by Slocum

Mr. Mayor, if there is no more discussion, I make a recommendation that we authorize the buying of the materials from Gades Sales Co. Inc. for the amount of \$69,484.00 for the new intersection.

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

Motion declared carried.

Councilperson Seth Konkel asked if there was a reason that the Consideration was not going out for a bid. Public Works Director Randy Dorner stated the companies that sell the equipment in question all use the same distributor, so only the shipping costs would be different.

Mayor Ken Hampton presented a Consideration of Authorization to Purchase Hardware for RAS Pump.

Public Works Director Randy Dorner stated they were the internal parts of the waste/sludge pump, which has been in service for 12 years and have been worn down with normal wear and tear. Dorner asked for authorization to order the materials at \$2,968.00.

Motion by Konkel- Second by Rardin

If there is no questions, I move that we authorize the purchase of hardware for the RAS pump.

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

Motion declared carried.

Under Old Business, Mayor Ken Hampton presented an Authorization to Change Order for Slurry Seal.

Public Works Director Randy Dorner stated the bid for scrub seal went way over budget, so they added streets set for scrub seal to the slurry seal list. Dorner advised by adding

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these streets, they would receive a volume discount on the oils used. Dorner advised he was asking for authorization for \$69,664.00 to South Central Sealing to do the slurry seal.

Motion by Kanaga- Second by Rardin

Mr. Mayor, if there is no more discussion, I would move that we approve increasing the bid from South Central Sealing for the slurry seal to \$69,664.00.

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

Motion declared carried.

Mayor Ken Hampton presented an Authorization to Change Order for Street Patching.

Public Works Director Randy Dorner stated they had added the water repairs and the patch on Willow. Dorner advised the contractor that worked on Willow has also agreed to pay a portion to get it repaired. Dorner stated he was asking for an increase of \$426.93 from APAC for a total bid cost of \$7,622.15.

Motion by Rardin- Second by Ewert

Mr. Mayor, if there is no further discussion, I make a recommendation that we approve the authorization and accept the additional cost to APAC for total bid of \$7,622.15.

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

Motion declared carried.

Mayor Ken Hampton asked for Department Reports.

City Clerk Janie Cox had nothing to report.

Governmental Services Director Carol Neugent had nothing to report.

Chief of Police Jeff Whitfield stated the 911 transfer was complete on October 5th all dispatching responsibilities have been switched to the County dispatch unit. Whitfield stated they are still working out a few bugs. Whitfield also stated citizens need to call 911 for emergencies but can call 529-5912 for non-emergency calls. Whitfield advised with the Fall Festival coming up to be safe, enjoy the festival and have fun. Whitfield reminded everyone no alcohol was allowed on any City property and it might be best to leave all pets at home.

Public Works Director Randy Dorner advised that Broadway Court has been completed and reopened. Dorner stated the hotel should be open by the end of the year. Dorner also stated crews would start slurry sealing around the park.

Recreation Director Georgie Carter advised there would be a new Zumba session starting Wednesday, October 12th and will run Monday and Wednesday evenings. Carter stated there would be no school October 14th, 20th and 21st. Carter advised registration for SOS days are being taken at the HAC.

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There were no Appointments.
There were no Off Agenda Citizens to be Heard.

Mayor Ken Hampton presented an Executive Session for Attorney/Client Privilege and Non-Elected Personnel Not to Exceed 45 Minutes.

Motion by Kanaga-Second by Slocum

Mr. Mayor, I move that we retire into executive session for attorney/client privilege and non-elected personnel for a period not to exceed 45 minutes, to include the Mayor, Council, City Attorney and Governmental Services Director.

Slocum yea, Ewert yea, Kanaga yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

Council went into Executive Session at 7:33 p.m. and reconvened at 8:19 p.m.

Motion by Slocum-Second by Rardin

I move that we have staff respond in the affirmative to the memo from Kansas Department of Transportation.

Slocum yea, Ewert yea, Kanaga yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

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

Motion by Ewert- Second by Konkel

If there's no questions, I would like to make a motion that we pay the first half of October bills.

Slocum yea, Ewert yea, Kanaga yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

Under the Consent Agenda, Mayor Ken Hampton presented a Thank You Card from Beverly Rodgers.

Under Council Items Mayor Ken Hampton asked for comments or new Council concerns.

There were no Council Action Request Updates.

Under Council Concerns, Councilperson Kanaga stated the comments made earlier about the Meridian and Grand Signalization were the first negative comments he had heard on the subject, but has had many comments from people saying there should be a light there.

Mayor Ken Hampton presented for approval Adjournment.

Motion by Pierce- Second by Ewert

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

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

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Motion declared carried.

The Regular Council Meeting adjourned at 8:22 p.m.

Janie Cox, City Clerk