

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, Kanaga here, Rardin here, Konkel here, and Pierce here. Councilperson Ewert was not present.

There was a moment of silence for prayer.

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

Under Special Order of Business, Mayor Ken Hampton presented Police Department Promotions.

Chief of Police Jeff Whitfield announced promotions of Master Police Officer Gregory Wright and Master Police Officer Leonard Adams to Sergeant.

Mayor Ken Hampton presented a Proclamation for Pink Heals Day on November 1, 2011. Mayor Hampton introduced Bob Conger to explain the Pink Heals Tour and Guardians of the Ribbon. Conger invited everyone out to see the fire truck on November 1st at City Hall.

Mayor Ken Hampton presented a Public Hearing for Petition Seeking Waiver of the Distance Requirements for the Sale at Retail of Cereal Malt Beverage.

Motion by Konkel- Second by Rardin

I move that we open a public hearing for the purposes of request to waiver from the provision of section 3-109 of the code of the City of Haysville, providing for the distance restrictions for the sale and dispense of retail of any cereal malt beverage.

Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried

Mayor Ken Hampton asked Council members if they had a conflict of interest with the petition. Council members stated they did not.

Mayor Ken Hampton asked if the City had received any written or electronic communications on the matter. Director of Governmental Services Carol Neugent stated they had not.

Director of Governmental Services Carol Neugent presented an application submitted by Dennis Free of DRD Enterprises. Neugent stated he is specifically looking at the northeast corner of Meridian and Grand. Free wishes to market his property to businesses such as CVS, Walgreen's and QuikTrip. Free stated he is finding that most of those places will only be interested if they are able to sell cereal malt beverages. Neugent advised the waiver is specifically for cereal malt beverage only and not for alcohol. Councilperson Seth Konkel asked if the waiver was because of location to a church or

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school. Neugent stated they have to be 200 feet from a church or school and in the case in question, there are two churches within that range. Councilperson Derrick Slocum asked if something similar to the waiver was done for Casey's General Store. Neugent advised when Casey's was built, they did request a waiver from City Council, but the waiver was denied at the time. Slocum asked if any other businesses have done a similar type of waiver. Neugent advised there was a similar waiver done with Mi Casa because of the proximity to the library and the waiver was granted. Slocum asked when Casey's waiver was denied. Neugent stated it was approximately 1998.

Mayor Hampton introduced Dennis Free, 225 Sarah Lane, stated he had tried to market the property several times and made direct calls to CVS and Walgreens, but was unable to get anyone interested without the sale of packaged beer or cereal malt beverages. Free stated he and his brother decided to be proactive and get the issue on the table and see if it can be fixed and be used as a marketing tool to bring companies in.

Mayor Hampton introduced Joe Farmer, 418 Van Arsdale, stated he had lived in Haysville for many years and is currently an elder at Haysville Christian Church. Farmer asked Council what the original intent of the ordinance was and if it was still viable. Mayor Hampton stated it was hard to say since none of the current members of Council were on Council at the time the ordinance was written. Councilperson Seth Konkel asked if this was a standard ordinance in most communities. Director of Governmental Services Carol Neugent stated it was pretty common to have distance requirements when it came to licensing and the ordinances like this one have been around since the 1960's. Councilperson Keith Pierce asked that staff do more checking by going through past records and minutes.

Dennis Free stated the schools are not within the 200 feet and also advised the Kwik Shop was right across from the Nazarene Church and they sell cereal malt beverages. Free stated he was trying to get some growth in Haysville and open up more marketing opportunities.

Mayor Ken Hampton introduced Richard Meyer, 214 Hungerford, stated he had lived in Haysville for many years and is also an elder at Haysville Christian Church. Meyer stated they would prefer not having promotion of alcoholic beverages going on so close to the church.

Motion by Rardin- Second by Konkel

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

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

Motion declared carried

Motion by Rardin- Second by Pierce

Mr. Mayor, I make a motion that we table this and have staff go back and research this, so we have a little more information before we make a decision on this.

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Councilperson Seth Konkel asked for a clarification what specifically they are looking for. Mayor Ken Hampton advised they are looking for the reason the restriction was set into place the first time. Konkel asked staff to check what other communities of our size in Sedgwick County have done and see if their distances are similar or if it is even still on the books. Councilperson Derrick Slocum asked if there was a way to address this through a zoning issue. Slocum stated the ordinance is inhibiting development and needs to be looked at. Councilperson Mike Kanaga advised he would like to know if the Nazarene Church does fall within that radius with Kwik Shop and when that ordinance was waived.

Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried

Mayor Ken Hampton stated the petition would be tabled until the first Council meeting in November.

Under Presentation and Approval of Minutes, Mayor Ken Hampton presented for approval the Minutes of October 11, 2011.

Motion by Konkel- Second by Kanaga

If there is no questions, I move that we approve the minutes for October 11, 2011.

Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried

There were no Citizens to be Heard.

There was no Approval of Licenses and Bonds.

Mayor Ken Hampton introduced AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2011, 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 THERE TO.

Mayor Ken Hampton introduced Chuck Bouilly of George K. Baum and Company, advised two bids came in for the bond issue, one from Cooper Malone McClain with a net interest cost of \$65,456.25 and a true interest cost rate of 4.77942%, with the other bid coming from Commerce Bank with a net interest cost of \$66,944.79 and a true interest cost of 4.8624%.

Motion by Kanaga- Second by Rardin

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Mr. Mayor, I move that we accept the bid of Cooper Malone McClain for a true interest cost of 4.77942%.

Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried

Motion by Kanaga- Second by Rardin

Mr. Mayor, I move that we pass the ordinance as just stated.

Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried

Mayor Ken Hampton introduced A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2011, OF THE CITY OF HAYSVILLE, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 981 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEROF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

Motion by Kanaga- Second by Rardin

Mr. Mayor, I move that we pass the resolution as stated.

Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

Mayor Ken Hampton introduced A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF THE MAKING OF A CERTAIN INTERNAL IMPROVEMENT IN THE CITY OF HAYSVILLE, KANSAS, UNDER THE PROVISIONS OF K.S.A. 12-6a01 ET SEQ., AS AMENDED AND SUPPLEMENTED; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID HEARING (STREET IMPROVEMENTS/COUNTRY PLAZA VILLAS ADDITION).

Director of Governmental Services Carol Neugent advised that in July of 2000, the City entered into an agreement with certain property owners within Country Plaza Villas. Neugent stated the agreement was based on the fact the owners wanted water and sewer from the City. The City agreed to provide those services if the property owners agreed to be annexed, and then within 10 years, the owners were to submit a petition for street improvements. Neugent stated that since they have not submitted a petition, the City is acting on the agreement to do the street improvements. Chuck Bouilly of George K. Baum and Company advised the resolution noted earlier authorizes a notice for a public hearing to be published for two consecutive weeks, with the hearing to be held on November 28th. Bouilly advised the property owners would have 20 days to either petition for or against it, with 51% being majority and if no petition is made, authorizations for improvements will be made.

Motion by Kanaga- Second by Rardin

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Mr. Mayor, I move that we pass the resolution as just read.
Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried

There was nothing under Notices and Communications.

Under Other Business, Mayor Ken Hampton presented Information Re: Fire Station Presented by Bob Lamkey, Director of Public Safety and Gary Curmode, Fire Chief (Sedgwick County)

Sedgwick County Public Safety Director Bob Lamkey stated Sedgwick County looked at a fire station relocation plan seven years ago, which at that time did not include the station that services Haysville. Lamkey stated Haysville does have one of the lowest ISO ratings in the state, which makes for cheaper fire insurance. Lamkey advised there was an improvement plan put into the CIP for the renovation of that station for the amount of \$1.1 million dollars. Lamkey stated that with the growth in the City, it was determined that it would be more beneficial to have a more centrally located fire station. Lamkey stated Fire Chief Gary Curmode and himself would be going before the Board of County Commissioners on November 2, 2011 asking for an amendment to the previous CIP to build a fire station centrally located in the City of Haysville. Lamkey stated the project would only be made possible by three things, first that Haysville City Council provide beneficial land use for the fire station, second, that Fire Chief Curmode will hold a number of positions for a few years, so that the five year financial plan can support that and third, County Commissioner Tim Norton has been a very strong advocate of this process. Fire Chief Gary Curmode advised there will be several benefits being more centrally located in Haysville. Curmode stated it would decrease response times and would help with the ISO (Insurance Services Organization) rating, with Haysville being a class II city right now. Curmode advised it will also add 373 residences to the five mile area that will decrease their fire insurance rates. Curmode stated it will be up to the citizens to contact their insurance company to reduce their rates. Curmode advised it would also give quicker response to the Kansas Turnpike and will help with car wrecks. Curmode stated there are approximately 8,000 citizens within five miles of 71st and West Street, and when they move to a more centralized location, there will be approximately 14,000 citizens within the five mile radius.

Director of Governmental Services Carol Neugent advised the City's zoning ordinance does not call out for locations of fire stations and at this time does not have any property zoned that way. Neugent requested that City Council send to Planning Commission to revise our zoning ordinance to mirror what other communities in the area are doing for conditional uses in residential and allowed usage in other areas.

Motion by Konkel- Second by Rardin
I would move that we do as requested.
Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

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Mayor Ken Hampton presented a Consideration of Farm Lease between City of Haysville and Albert Vanderhoff.

Councilperson Seth Konkel asked what the land was used for. Public Works Director Randy Dorner advised it is used as a back up for sludge dumping.

Motion by Konkel- Second by Slocum

Mr. Mayor, if there is no questions, I move that we approve the farm lease between the City of Haysville and Albert Vanderhoff.

Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

Mayor Ken Hampton presented a Consideration of Collection Agency Agreement.

Motion by Konkel- Second by Rardin

I move that we approve the agreement with the collection agency as presented.

Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

Mayor Ken Hampton presented a Consideration of Approval of Repair of Timberlane North Pond Over Flow Drain.

Public Works Director Randy Dorner advised the water level has gone down because of leaks in the line. Dorner stated replacement costs were twice the amount of repair. Dorner advised they will send a crew to grout the pipe from the inside out to increase its water retention. Dorner requested authorization to accept the bid from Utility Maintenance Contractors for \$11,880.00.

Motion by Konkel- Second by Rardin

I move that we accept the low bid with Utility Maintenance Contractors in the amount of \$11,880.00 for the repair of Timberlane North Pond.

Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

Mayor Ken Hampton presented a Consideration of Approval of Rehabilitation of Manholes on North Main Street & Emmett Wet Wall Rehabilitation.

Public Works Director Randy Dorner advised the manholes are on north Main Street. Dorner stated the hydrogen sulfide gas is destroying the bricks inside of the manholes. Dorner advised by lining the manholes, it will strengthen it and hold the bricks in place. Dorner stated the wet well is in the Industrial Park and the lift station will be replaced with the CIP and the manhole needs to be rehabilitated before a new wet well is set. Dorner advised the newer manholes are lined and made of concrete so there has not been

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an issue with those. Dorner requested authorization for Air Specialties to perform the work at \$18,942.04.

Motion by Konkel- Second by Rardin

If there is no questions, I move that we approve the low bid from Air Specialties for \$18,942.04 for the wet well and manhole rehabilitation.

Conrady yea, Slocum 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.

City Clerk Janie Cox stated the Senior Center would have game night on Tuesday, October 25th and commodities would be distributed on Wednesday, October 26th at 1:00 p.m.

Governmental Services Director Carol Neugent reminded everyone there would be an open house on the South Broadway Corridor Plan on Thursday, November 3rd from 7:00 p.m. to 7:45 p.m. with a formal presentation from 8:00 p.m. to 8:30 p.m.

Chief of Police Jeff Whitfield advised that on Saturday, October 29th from 10:00 a.m. to 2:00 p.m. the Haysville Police Department in conjunction with the Drug Enforcement Agency will give the public an opportunity to dispose of unwanted or expired prescription drugs.

Public Works Director Randy Dorner advised Broadway Court is completed with all signage in place. Dorner stated the hotel should be opening around the first of January. Dorner also stated the slurry seal project was completed and there was slurry seal that was placed on Riggs Park parking lot free of charge. Dorner advised the relcamite on Alexander was completed as well and the crack filling would begin in a couple of weeks. Councilperson Seth Konkel if it was ok to clean up the gravel left in the street after the slurry seal was laid down. Dorner advised the gravel was safe to stay but was laid down to protect the drives, but could be swept up by the street sweeper with leaves.

Recreation Director Georgie Carter advised the Halloween Parade would be in the Historic District on Thursday, October 27 starting at 6:15 p.m. with candy and game stops throughout. Carter stated youth basketball registrations from kindergarten through sixth grade were going on with the deadline being Saturday, November 5th.

Mayor Ken Hampton presented Wanda Gilmer, 322 Hungerford for Historic District Committee.

Motion by Rardin- Second by Konkel

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Mr. Mayor, I make a motion that we allow you to place Wanda Gilmer of 322 Hungerford to the Historic District Committee.

Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

There were no Off Agenda Citizens to be Heard.

There was no Executive Session.

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

Motion by Konkel- Second by Rardin

Mr. Mayor, I move that we approve the bills for the second half of October.

Conrady yea, Slocum yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

Under the Consent Agenda, Mayor Ken Hampton presented a Thank You Card from Rex Elementary Third Graders.

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

There were no Council Action Request Updates.

Under Council Concerns, Councilperson Rardin stated there is vandalism going on in the Historic District gazebo and if anyone knows anything about it, please come forward.

Councilperson Russ Kessler thanked all of the volunteers for the Fall Festival.

Councilperson Mike Kanaga stated he heard some complaints about lack of signage during the slurry seal process. Kanaga advised the City should put more signs out during construction to make it safer for citizens.

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, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

The Regular Council Meeting adjourned at 8:01 p.m.

Janie Cox, City Clerk