

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 Rebecca Treadwell: Kanaga, here, Ewert, here, Slocum, here, Holub, here, Pierce, here, Wilkerson, here, Crum, here, Hampton here.

Invocation was given by Joe Edwards, Assistant Pastor, First Assembly of God.

Mayor Bruce Armstrong led everyone in the Pledge of Allegiance.

Under Special Order of Business Mayor Bruce Armstrong presented Tony Madrigal.

Tony Madrigal, Madrigal & Associates, stated he was presenting the City with a dividend check from Employers Mutual. Madrigal stated not all cities receive dividend checks. Madrigal stated last year the dividend check was \$23,757.80 and this year it is \$39,035.03. Madrigal stated the City of Haysville is part of 450 cities that are insured by Employers Mutual. Mayor Bruce Armstrong stated he appreciated it and hoped they could continue to do it. Madrigal thanked the City for their business. Armstrong stated the committee has met with them and will have a report at a later time about the changes in coverage that were talked about.

Mayor Bruce Armstrong presented for approval the Minutes of May 12, 2008.

Motion by Crum – Second by Hampton

Mr. Mayor, if there's no discussion, I'll go ahead and make a motion that we approve the minutes from May 12, 2008.

Kanaga yea, Ewert abstain, Slocum yea, Holub yea, Pierce yea, Wilkerson yea, Crum yea, Hampton yea.

Motion declared carried.

There were no Citizens to be Heard on the agenda.

There were no Licenses and Bonds on the agenda.

There were no Ordinances and Resolutions on the agenda.

Under Notices and Communications Mayor Bruce Armstrong asked for Governing Body Announcements.

Councilperson Steve Crum reminded everyone on Tuesday nights from 4 p.m. to 8 p.m. the Farmers Art Market and the Wire House Art Gallery were open in the Historic District. Crum stated the first Monday of the month is when Park Board and Tree Board meet. Crum stated Park Board still meets at 5:15 p.m. but it has

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been moved to the Public Works building. Crum stated Tree Board meets at approximately 6:30 p.m. following the Park Board meeting. Crum encouraged everyone to use the swimming pool and library for activities this summer.

Councilperson Keith Pierce encouraged everyone to use the swimming pool and the splash pad. Pierce stated the splash pad is getting a lot of use and appears to be enjoyed.

Mayor Bruce Armstrong presented the Probation Activity Report for April.

Mayor Bruce Armstrong presented the Court Activity Report for April.

Mayor Bruce Armstrong presented a Memorandum from Police Chief Mike McElroy Re: Grady Germany – Police New Hire.

Councilperson Ken Hampton stated they had hired an officer and he thought they were at full staff then. Hampton asked if that included Grady Germany coming in. Police Chief Mike McElroy stated commissioned officers were at full staff and this was a communications officer.

Mayor Bruce Armstrong presented a Memorandum from Public Works Director Randal Dorner Re: Rick Linebarger – Promotion.

Mayor Bruce Armstrong presented a Household Hazardous Waste Remote Collection Flyer.

Under Other Business Mayor Bruce Armstrong presented a Consideration of River Forest Water and Sewer Bids.

Rod Young, PEC, stated the bids were for River Forest which is the new addition east of the Senior Housing, Senior Center, and Railroad tracks. Young stated they took bids last Thursday just for the water and sewer. Young stated they received three bids. Young stated the low bidder was Nowak Construction for a total amount of \$204,808. Young stated it was well below the engineers estimate. Young stated it was a standard practice and Nowak has done quite a bit of work here and is a very reputable company. Councilperson Mike Kanaga asked if Young was bothered at all by the wide discrepancy between Nowak and the others. Young stated he wasn't; it wasn't that uncommon right now. Young stated prices are going higher because of petroleum economy but also offsetting that is because there is less work than there has been. Councilperson Derrick Slocum asked about some of the bids in regard to the erosion protection. Slocum stated the engineering estimate is over \$1,700 and the highest bid after that is \$600 from Nowak. Slocum asked what would be the explanation as to why there is such a discrepancy in that kind of bidding from what the estimate is from the engineer. Young stated the erosion protection is kind of a gamble based on how

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much you have to go back and maintain it. Young stated if there is calm weather and no rainfall, there is not a lot of maintenance afterwards. Young stated it was okay to look at unit prices but the main thing to look at is the bottom line because they will shift money around. Mayor Bruce Armstrong stated they would still have to meet all of the standards even though they may have a low bid. Councilperson Steve Crum stated last time they did one of these south of town, they ran into an old oil well that was capped. Crum asked if there was any chance they would run into anything there. Young stated there is always a chance. Young stated they did find two wells on this site and they have platted around them. Crum asked what that area would be used for. Young stated they would use some for green space. Crum asked if there was going to be any kind of problem with drainage. Young stated they were going to dig a big hole and the dirt would be used for fill. Councilperson Keith Pierce asked if this was the area where an old abandoned pump station was. Public Works Director Randal Dorner stated it was still there and it would be in the project with the storm water drain and streets lot grading. Pierce asked if this was the development they were talking about when they were going to hold off demolition of that until this development got going. Dorner stated that was correct. Dorner stated this was where the drainage from North Main and Karla Street drains over under the tracks and goes out into the field and backs up. Dorner stated with the pond in there all the water will run through the pond. Pierce asked if they were going to tear that station down or will that be part of it. Dorner stated it was in the middle of the drainage way so it will have to come out. Councilperson Ken Hampton asked if they had a generator pumping over to Baughman Street. Dorner stated they were not pumping into Baughman anymore; they were pumping out into River Forest.

Motion by Hampton – Second by Pierce

If there's no other questions, I'll make a motion that we approve the bid from Nowak Construction company for \$204,808 for the sanitary sewer and water line improvements to serve River Forest 2nd Addition Phase 1.

Kanaga yea, Ewert yea, Slocum yea, Holub yea, Pierce yea, Wilkerson yea, Crum yea, Hampton yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Intersection Improvements – Clinton and Sarah Lane.

Public Works Director Randal Dorner stated in the area, if they constructed it back like it was, there would only be four inches of fall in one hundred feet. Dorner stated there was a storm sewer just below that intersection so they are going to take advantage of the storm sewer and put an inlet there, slope everything to drain and they will gain from that four inches almost eight to ten inches of slope across there. Dorner stated also instead of it being eight feet wide in the valley gutter; they went ahead and improved it to twenty four feet. Dorner stated that gives it a little bit of an apron so cars can stop there without

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shoving the asphalt in that area. Dorner stated the box that is to be in there, the inlet, it will be three to four weeks before it's delivered. Councilperson Keith Pierce asked if Dorner was comfortable with twenty four feet since most of them have been one hundred feet. Dorner stated there was a drive and a parking lot there. Dorner stated if he went much further he would be getting into it. Dorner stated one hundred foot would be great but with everything in that area twenty four looks good. Pierce asked if this would survive any improvement that they may do at some time. Dorner stated it would. Dorner stated by going to the twenty four feet, if they do put a sidewalk in there, that gives a good concrete apron for the sidewalk to be on.

Motion by Hampton – Second by Pierce

If there are no other questions, I'll make a motion that we approve the proposed project for Sarah Lane and Clinton intersection for Helmers with the total being \$9,220.

Kanaga yea, Ewert yea, Slocum yea, Holub yea, Pierce yea, Wilkerson yea, Crum yea, Hampton yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Consideration of Bids for Sewer Pipes Force Main Project – South Hampton.

Public Works Director Randal Dorner stated this is just from the park to where it ties in down on Turkle Street. Dorner stated this was just the materials only. Dorner stated PEC has done the engineering on it. Dorner stated it will be delivered and stored at Public Works to prevent vandalism and theft, and as the project progresses it will be delivered out to the site.

Motion by Kanaga – Second by Ewert

Mr. Mayor, I'll make motion that we approve the purchase of the pipe from HD Supply Waterworks Limited for \$32,076.

Kanaga yea, Ewert yea, Slocum yea, Holub yea, Pierce yea, Wilkerson yea, Crum yea, Hampton yea.

Motion declared carried.

Mayor Bruce Armstrong presented a Memorandum from Alison McKenney Brown, City Attorney, Re: Kansas Open Meetings Act.

Alison McKenney Brown stated she made a typographical error in stating that two people can now be three people. Brown stated for this Governing Body it can be five people. Brown stated they got rid of the language majority of a quorum and made it an actual quorum. Brown stated more people can speak without it violating open meetings act but limits the ways in which you can speak. Brown stated she thought they intended to tighten it up but in some ways they loosened it up and other ways they tightened up. Mayor Bruce Armstrong stated they still

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wanted to make sure they did everything in public. Councilperson Steve Crum asked if they were supposed to have a workshop on it. Brown stated they would have some workshop. Brown stated that is why she sent this memo out because they are required as part of the new state law to show there was some training to all the Governing Body members because violating this is a crime and you can be prosecuted by the District Attorney. Brown stated none of it goes into effect for one year but just to protect everybody, everyone is required to have some training. Brown stated even though in some ways it's harder to violate Kansas Open Meetings Act, it is never hard to have the appearance of impropriety. Brown stated to always do it as publicly as possible.

Mayor Bruce Armstrong presented a Consideration of Improvements to Blue Slide at Pool.

Recreation Director Georgie Carter stated when doing yearly maintenance the blue slide is always something they have to work on. Carter stated the slide was installed in 1997 and it was supposed to be coated every eight to ten years. Carter stated over time the joints contracts and expands and the fiberglass gets worn down. Carter stated every year they have to caulk those joints to make them safe. Carter stated they could probably baby it and make it through this season, but didn't know if it would make it all the way through. Carter showed pictures of the slide. Carter stated she contacted the manufacturer and they gave a bid and a warranty of three years. Councilperson Ken Hampton asked how they knew that was a good bid if they didn't get any other fiberglass company. Carter stated the only other people she could get a bid for, as far as a slide, is a slide manufacturer. Carter stated she went with the people who installed the slide. Carter stated she thought that was the best person to get it done since it was their product. Hampton stated if they had other slide companies available to get bids, shouldn't they have done that. Carter stated it would be a different company as far as the slide, and she didn't know if it would be the exact product to use on this slide since different slide manufacturers do different things. Hampton stated he thought they should get another bid from someone else. Councilperson Joe Holub stated he agreed with Mr. Hampton. Holub stated it seemed like they keep having single source bids and he would like another bid. Councilperson Keith Pierce stated he agreed with Hampton and Holub although he understands Carter's thought process. Pierce stated Carter did her homework and this is a big draw to the pool. Pierce stated he was inclined to move forward with it. Councilperson Steve Crum asked if leaving it a month like it is would leave the City open to problems. Carter stated she thought it would do that. Carter stated there was a pretty good bump on the slide. Mayor Bruce Armstrong asked if they were going to open the slide at all. Carter stated they hadn't opened it yet because they didn't spend the expense of the caulking and using the wax. Carter stated they would have to do that to get it open. Carter stated if they do wait they will run into the problem of people that have rented the pool and want the slide; they won't be able to have it. Councilperson Derrick Slocum asked how

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long it would take to get more bids and would that be delaying the amount of time that the slide would be open. Slocum stated he wouldn't want anyone to take any chances and be responsible for people getting hurt. Slocum stated going with the people who did it before made sense to him and he didn't have a problem going ahead and approving it at this time. Armstrong stated they could compromise and have Carter call and if the bids come in higher she could go ahead with this one. Hampton stated he would agree with that.

Motion by Pierce – Second by Wilkerson

I'll go ahead and, Mr. Mayor and Council, make a motion that we allow Georgie to go ahead and pursue repair of the pool for an amount not to exceed, the pool slide, for an amount not to exceed \$11,650 contingent upon her doing some due diligence and checking with at least two other vendors to insure that this the best bid.

Councilperson Derrick Slocum asked how long it would take to get those other bids. Recreation Director Georgie Carter stated she would be calling tomorrow and hoping pretty quickly. Carter stated it took her three days, once she knew the problem and how bad it was, to get this one. Councilperson Steve Crum stated if she called and someone has a lower bid but they don't have as good of warranty, he would not consider that a better bid.

Kanaga yea, Ewert yea, Slocum yea, Holub yea, Pierce yea, Wilkerson yea, Crum yea, Hampton yea.

Motion declared carried.

There was no Old Business on the agenda.

Under Department Reports Mayor Bruce Armstrong presented the City Clerk Activity Report for April.

Mayor Bruce Armstrong presented the Governmental Services Activity Report for April.

Mayor Bruce Armstrong presented the Police Activity Report for April.

Police Chief Mike McElroy introduced visiting officer Brady Simmons. McElroy gave updates on Council Action Requests. McElroy reminded everyone of the curfew times. McElroy stated they were in the middle of their special traffic enforcement program. McElroy stated they would be conducting a safety check lane on May 30th from 2 p.m. to 4 p.m. on North Hungerford checking seat belts and drivers licenses. Councilperson Steve Crum stated there was a house that had a throw rug that caught on fire and the Police put it out before the Fire Department got there. Crum asked what that would be listed under on the Activity Report. McElroy stated it would be under incidents. Crum stated there was an

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accident on Freeman the other night when all the ball games were going on and there was always concern whether or not an ambulance or fire trucks could get down those roads. Crum asked if McElroy knew if there were any problems. McElroy stated he did not. Councilperson Ken Hampton asked, with the price of gas, if the Police Department was doing fine on the budget. McElroy stated they would have to slow down their mileage to make it within their numbers. McElroy stated they could over run fuel and oil, as long as they don't over run the bottom line of their budget. McElroy stated it was something they were watching. Hampton stated, in looking at other municipalities in what they are doing to reduce the cost on gasoline, some of them have gone to smaller cars or some went to hybrids. McElroy stated he wasn't sure how they were going to put their officers in a smaller car with the equipment they have in the cabs at this time. McElroy stated to his knowledge, the Crown Victorias are the largest patrol vehicle made at this time and he knows they have some personnel at this time that are tight in those vehicles. McElroy stated it was something they could start looking into. Councilperson Keith Pierce asked if McElroy could talk about the vacation home service they provide. McElroy stated if someone is going to be away from their home for a period of time and would like to have it checked, they can call dispatch and they will take the information and the officers, as best as they can depending on the call load, will try to get by and do a minimum of a visual. McElroy stated if they have more time they will check a little further. McElroy stated this way they have contact numbers so if there is a problem they have emergency contact information and can get in touch with people. Pierce stated certain instructions were on the form; if no one should be there and the officer notices someone there they will get out of the car and check it out. McElroy stated it lets them know of things that are supposed to be stopped.

Public Works Director Randal Dorner gave updates on Council Action Requests. Dorner stated at the last Council meeting it was brought up that the merry go round at Riggs Park had a security fence around it. Dorner reported one of the boards was starting to crack so they barricaded it off, put new boards on it and reopened it. Dorner stated the hole around the pipes on Alexander was still under water. Dorner stated East Grand Avenue traffic has been switched to the south lanes. Dorner stated they were supposed to start today on the storm drain work but with all the rain they called the day off. Dorner stated it might be a few days before they can start. Dorner stated schedule wise they are right on schedule even though they have lost a few days due to weather. Councilperson Ken Hampton asked for an update on the salt and sand building and asked if there was anyway they could go ahead and order. Dorner stated they poured the footings several weeks ago and they poured the walls last Friday. Dorner stated they had to let that cure out for fourteen days and they will be putting the floor in at that time. Dorner stated the suggestion of the engineers at PEC was twenty eight days after the last concrete has been poured to let it cure completely before the salt is put on it. Dorner stated that puts them at the end of July. Dorner stated they have contacted Hutchinson and they are starting to release salt now. Dorner

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stated they will try to have on hand enough salt to last a winter to a winter and a half. Councilperson Rob Wilkerson reported he had a citizen come to his house stating they were getting their house roofed, they had a contractor there, the contractor went out of town so this person went ahead and roofed his house and doesn't have a permit. Wilkerson asked what they were going to do for the person. Mayor Bruce Armstrong asked City Attorney Alison McKenney Brown if this was something that needed to be discussed in open Council. Brown stated this was not a matter appropriate for Council because there is the possibility of legal action. Councilperson Steve Crum asked if the Senior Center was weathered in. Dorner stated it was; they have begun sheet rocking, taping, and mudding. Dorner stated they should have the doors and windows in by next week. Crum asked how the library was going. Dorner stated they were going to try and finish the building pad. Dorner stated the basement was poured. Dorner stated they were going to close off Hays street for a couple of days, move the material out, work the parking lot over and get some drainage going. Dorner stated it would be several days, if not the week, to get it dried up. Councilperson Ken Hampton stated they moved a house from the area months ago and the foundation is still sitting there. Hampton asked when they were planning on moving that. Dorner stated it would be soon.

Recreation Director Georgie Carter announced swimming lessons would begin on June 2nd. Carter stated there were four sessions in the morning and one in the evening. Carter advised all registrations were now being taken at the pool.

There were no Appointments on the agenda.

Mayor Bruce Armstrong asked for any Off Agenda Citizens to be Heard.

Johnna Crawford, 1318 Cottonwood, stated the Hometown Market is struggling. Crawford stated if it weren't for Friends of the Library and the Historic District having booths, there were only two other vendors signed up for the summer. Crawford stated last year people said they lost money so they were not coming back. Crawford stated they are already losing money. Crawford stated the people on the committee are doing everything they possibly can. Crawford stated they had many ideas on what they would like to do to bring people down there. Crawford stated they need more signs, not in the Historic District, but around town. Crawford stated they were looking for support from Council and the City to hear their ideas. Mayor Bruce Armstrong stated the Historic District needed to be working with the staff. Armstrong stated they knew it was a problem getting people, that is why it was changed from Saturday to Tuesday to try and get more people there. Councilperson Steve Crum asked if this was something they needed to look at and maybe change again. Recreation Director Georgie Carter stated they had been trying to do more advertising. Armstrong stated this was not a problem for Council to be dealing with; staff needs to be working with committees and committees need to be working with staff on these matters.

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Armstrong stated they did their homework; this is something that has not been looked at lightly. Armstrong stated it was not something that was not being advertised. Armstrong stated it was something that needed to be brought back through staff. Crawford asked if the Governing Body could announce it in their announcements.

Mayor Bruce Armstrong presented for approval an Executive Session for Attorney/Client Privilege – 15 minutes.

Motion by Hampton – Second by Pierce

Mr. Mayor, I'll make a motion that we have an executive session attorney client privilege not to exceed fifteen minutes to include the Council, Mayor, and City Attorney.

Kanaga yea, Ewert yea, Slocum yea, Holub yea, Pierce yea, Wilkerson yea, Crum yea, Hampton yea.

Motion declared carried.

Council went into Executive Session at 7:57 p.m.

Council returned from Executive Session at 8:13 p.m. Mayor Bruce Armstrong announced there was no binding action taken.

Mayor Bruce Armstrong presented for approval the Bills to be Paid for the last half of May.

Motion by Pierce – Second by Ewert

Mr. Mayor, if there's no question or comment, I move that we approve the bills to be paid for the last half of May.

Kanaga yea, Ewert yea, Slocum yea, Holub yea, Pierce yea, Wilkerson yea, Crum yea, Hampton yea.

Motion declared carried.

Under Consent Agenda Mayor Bruce Armstrong presented a Thank You Card from David Schmeilder and the Leadership Class.

Mayor Bruce Armstrong presented a Thank You Card from Chamber of Commerce Expo Committee to Carol and City Staff.

Mayor Bruce Armstrong presented a Thank You Card from Chamber of Commerce Expo Committee to Georgie.

Mayor Bruce Armstrong presented a Thank You Card from Haysville Community Library.

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Mayor Bruce Armstrong presented a Thank You Card from St. Cecilia Catholic School.

Mayor Bruce Armstrong asked for Council Concerns.

Councilperson Mike Kanaga asked if they could get an update on the storm water ordinance regarding lawn waste. Public Works Director Randal Dorner stated it was a violation to mow a lawn and intentionally blow the clippings out into the street. Dorner stated if you do blow it out into the street, you are to get it back into your yard. Dorner stated they have talked with the professional lawn services and told them the regulations. Dorner stated they all follow the regulations. Dorner stated they have run some public service announcements on Channel 7 stating it is a violation to intentionally blow your grass into the street. Dorner stated they have gone to seminars and have information and are setting up for the contractors to borrow what the City's requirements are to give them the education. Dorner stated if someone intentionally dumps oil or any hazardous materials in the street, that is a violation also. Dorner stated anyone can be cited if they are caught in the act.

Councilperson Joe Holub asked Community Development Director Larry Powell if he knew what the successful bidders of the Pizza Hut building were planning to do with it. Powell stated he didn't, as they wanted to wait until closing to discuss any of their plans, which is June 15th. Powell stated it will be in the hands of a local owner.

Councilperson Keith Pierce stated they approved a new City logo a couple of years ago and wondered why all of the City vehicles didn't have the logo on them yet. Pierce stated at one of the last utility committee meetings he made the comment about putting public works phone number on the vehicles. Pierce stated it was explained to him they didn't want to open themselves up to a lot of phone calls from everybody on the street. Pierce stated the more he thought about it he thinks it would be a step in the right direction, improve the City's visibility and let people know that public works is no further than their finger tip. Pierce asked what the per unit price was on synthetic oil. Dorner stated it was almost twice as expensive but they run it three times as long.

Councilperson Rob Wilkerson asked where they were at on having a meeting about the streets. Mayor Bruce Armstrong stated he was waiting on a list of streets that need repaired. Armstrong stated once they got that they would be able to sit down and have a meeting. Armstrong stated if Council has picked out any streets, they need to be gathered.

Councilperson Steve Crum reminded everybody about the City Wide clean up. Crum stated the first week is June 7th on the west side of the tracks and the east side of the tracks is on the 14th. Crum stated the certificates were sold at the

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library and True Value. Crum asked Public Works Director Randal Dorner to give an update on the household hazardous materials waste day. Dorner stated it was on May 31st at the Vickers building from 8 a.m. to noon. Dorner stated there would be flyers available at City Hall and Public Works. Crum thanked Police Chief Mike McElroy for the information on curfew times and encouraged everyone to follow it. Crum asked that everyone keep our town looking clean by cleaning your own area and to get out and support activities around town.

Mayor Bruce Armstrong asked for a motion to adjourn.

Motion by Pierce – Second by Ewert

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

Kanaga yea, Ewert yea, Slocum yea, Holub yea, Pierce yea, Wilkerson yea, Crum yea, Hampton yea.

Motion declared carried.

The Regular Council Meeting adjourned at 8:24 p.m.

Beverly Rodgers, City Clerk