

The Regular Council Meeting was called to order by Mayor Bruce Armstrong at 7:00 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Chase Brizendine: Kanaga here, Ewert here, Slocum here, Holub here, Pierce here, Wilkerson here, Crum here, Hampton here.

Mayor Bruce Armstrong asked for a moment of silence.

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

Mayor Bruce Armstrong asked for a motion to add Lies Trash Service to Approval of Licenses and Bonds. Mayor Armstrong stated it was for renewal of their Refuse Haulers License.

Motion by Crum – Second by Hampton

Mr. Mayor I'd like to go ahead and make a motion that we, under item number 2-C we add a Refuse Haulers License for Lies Trash Service.

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

Motion declared carried.

Mayor Bruce Armstrong presented for approval the Minutes of December 8, 2008.

Motion by Hampton – Second by Wilkerson

Mr. Mayor I'll make a motion that we approve the Minutes of December 8, 2008.

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

Motion declared carried.

Under Citizens to be Heard Mayor Bruce Armstrong presented Andrew Cookson, 426 W. 4th Street Re: Smoking Ban.

Andrew Cookson introduced himself and stated he was going to speak on how to proceed with the discussion on the smoking ban. Cookson stated he is not for or against the smoking ban. Cookson stated he believed it was inappropriate for this item to be turned over to the public for a vote. Cookson went on to explain why he believed Council should be the ones to vote on the smoking ban.

Councilperson Joe Holub asked Andrew Cookson what he did for a living.

City Attorney Alison McKenney Brown stated Cookson was saying that Council had the legal authority to make the decision. Brown stated that Cookson may or may not have known that Council was not asking the public to make a binding vote but was asking for an advisory opinion.

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Under Approval of Licenses and Bonds Mayor Bruce Armstrong presented for approval Waste Connections, 2745 N. Ohio, Wichita, Kansas 67219, Refuse Haulers License for Renewal.

Motion by Hampton – Second by Ewert

Mr. Mayor I'll make a motion that we approve Waste Connections' Refuse Hauler License Renewal for Waste Connections, 2745 N. Ohio, Wichita, Kansas.

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

Motion declared carried.

Mayor Bruce Armstrong asked for approval, Waste Management, 4330 W. 31st St. So., Wichita, Kansas 67215, Refuse Haulers License for Renewal.

Motion by Hampton – Second by Kanaga

I'll make a motion that we approve the Waste Management located at 4330 W. 31st Street South for their Refuse Hauler License renewal.

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

Motion declared carried.

Mayor Bruce Armstrong asked for approval, Lies Trash Service, 4631 S. Palisade, Wichita, Kansas, Refuse Haulers License for Renewal.

Motion by Crum – Second by Hampton

I'll go ahead and make a motion that we approve the renewal of the Refuse Haulers License for Lies Trash Service at 4631 N. Palisade.

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

Motion declared carried.

There were no Introductions of Ordinances and Resolutions.

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

Councilperson Steve Crum stated there would not be a Park Board meeting in January. Crum stated the next meeting would be on February 2nd, 2009. Crum stated there will be no Tree Board meeting in January or February of 2009. Crum stated the next meeting would be the first Monday of March 2009. Crum gave updates on the Library's new website.

Councilperson Rob Wilkerson stated activities going on at the Senior Center for the following week.

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Councilperson Pat Ewert stated school started on January 5th, 2009

Mayor Bruce Armstrong presented Notices & Communications Regarding Advanced Municipal Finance Course from League of Kansas Municipalities.

Mayor Bruce Armstrong presented a Memorandum from City Clerk/Treasurer Beverly Rodgers Regarding New Hire, Jacquelin Stephenson.

Mayor Bruce Armstrong presented a Memorandum from Recreation Director Georgie Carter Regarding Resignation, April Knudson, Fitness/Wellness Supervisor.

Mayor Bruce Armstrong presented a Memorandum from Bruce Armstrong, Mayor Regarding David A. New, New Hire.

Mayor Bruce Armstrong presented a Letter from Cox Communications Regarding Channel Addition.

Under Other Business Mayor Bruce Armstrong presented for approval Consideration of New Color Copier Lease.

City Clerk/Treasurer Beverly Rodgers stated she contacted 7 different companies and gathered information from each regarding a new copy machine. Rodgers stated she brought what information she had to a Department Head meeting and 4 different companies were selected to get bids from. Rodgers stated when she began her research she was looking at black and white copiers, but learned throughout the process that the color copiers had dropped in price significantly. Rodgers stated only 3 bids were turned in and she was recommending the Konica Minolta C550. Rodgers stated the City had been working with this company for over 5 years now and they had a very good reputation with the City. Rodgers stated if Konica Minolta was chosen they would pay off the remaining 6 months on the old copy machine and also have it shipped back to Canon Financial Services. Rodgers stated the City would be entitled to a \$1,500.00 rebate if the lease was sign within 30 days.

Councilperson Steve Crum asked about additional costs in the purchasing of color ink/toner. Rodgers stated the costs were included in the costs per copy per month. Rodgers stated this would be a big savings for the City.

Motion by Crum – Second by Wilkerson

Mr. Mayor, if there is no more discussion, I'll make a motion that we allow Bev to go ahead and go into an agreement with Konica Minolta for their C550, with the saddle stitch for \$343.75 per month as well as the monthly maintenance fee as presented.

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

Motion declared carried.

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Mayor Bruce Armstrong presented for approval Consideration of Change Order Number 4 – Haysville Community Library.

Public Works Director Randy Dorner stated the Change Order was for some additional computer and electrical connections. Dorner said these were for flexibility when the Library moves things around so computers can be set up in different areas. Mayor Armstrong stated there would be no over runs at all. Councilperson Ken Hampton asked how much money was available in over runs. Mayor Armstrong stated it was somewhere between \$300,000 and \$400,000. Councilperson Joe Holub stated he would like to see a privacy fence along the east side of the property.

Motion by Hampton – Second by Ewert

Mr. Mayor I'll make a motion that we approve the Change Order for \$2429.00 for the 9 receptacles for the computer drops and the installation for 9 data drops also.

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

Motion declared carried.

Under Old Business Mayor Bruce Armstrong presented Discussion on How to Proceed with Smoking Ban.

Mayor Armstrong stated if the City were to put the Smoking Ban to a public vote it would be a binding decision because the Election Commission no longer allows advisory items to be put on the ballot. Council discussed further on whether or not Council should vote on the smoking ban and discussed having a more customized ordinance made for Council to vote on.

Motion by Pierce – Second by Holub

Mr. Mayor and Council I'll go ahead make a motion tonight that however this ends up the decision be made here at the Council bench and we not put this out for a ballot question.

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

Motion declared carried.

Mayor Bruce Armstrong presented Update on Hungerford and Sarah Lane Intersection Improvements.

There was quite a bit of discussion on the Hungerford and Sarah Lane Intersection improvements; however, it was stated this was decided at the last Council meeting to install the stop signs and the memo tonight was for informational purposes only. Councilperson Crum asked Public Works Director Randy Dorner how long it would take to get those signs up. Dorner stated they would have to call for locates, they had the stop signs in their inventory, the lights might take a little time, but they would try to get it up by the time school starts up again.

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Mayor Bruce Armstrong presented for approval Consideration of Parking Lot Petition.

Mayor Armstrong stated this petition replaces an earlier one and there were only a few changes. Councilperson Joe Holub asked if the City was paying a percentage of the total amount on the petition. Mayor Armstrong said there are no costs involved to the City.

Motion by Crum – Second by Hampton

Mr. Mayor I'll go ahead and make a motion that we accept this updated petition for the school district, for the parking lot improvements track A, the southeast quarter of the southwest quarter, of Section 31, T28S, R1E of the 6th Principal Meridian, except dedicated street rights-of-way.

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

Motion declared carried.

Mayor Bruce Armstrong asked for Department Reports.

City Clerk/Treasurer Beverly Rodgers reported on the final date of January 27th at Noon for filing for City office.

Chief McElroy introduced Officer Kasey Kielhorn as the visiting officer. Chief McElroy reported the fireworks could be set off Wednesday, December 31, 2008 from 6:00 p.m. until 1:00 a.m. on Thursday, January 1, 2009. McElroy asked that citizens do not shoot the fireworks in the streets and clean up their mess when they were finished. Councilperson Crum asked if an update on the K-9 program could be added to the Police Activity Reports. Chief McElroy stated the program was still in the initial phases and they were building their history now, but they had done some school checks already.

Public Works Director Randy Dorner announced their limb drop off would be closed from January 5th to February 1st for clean up and rearranging things. Dorner stated the Christmas tree drop off would be open until Friday, January 16th by the old Senior Center building. Councilperson Crum asked Dorner to have that listed in the Eagle with the other Christmas tree drop off sites and on KWCH.com. Councilperson Slocum asked Dorner about snow plowing. Dorner stated up to 6 inches they plow the main thoroughfares and intersections, which would be Grand Avenue from the water tower to the toll booth road and then North Main they cover the bridge and south. Dorner stated if it is over 6 inches they do Sarah Lane and 2nd Street also.

Recreation Director Georgie Carter announced they would be starting new programs of Gentle Yoga, Belly Dancing and Power Yoga.

Under Appointments Mayor Bruce Armstrong presented for approval Debbie Coleman, 149 S. Wayne Re: Appointment to Historic Committee.

Motion by Crum – Second by Hampton

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Mr. Mayor I'll make a motion that we allow you to appoint Debbie Coleman, 149 S. Wayne to the Historic Committee.

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

Motion declared carried.

Mayor Bruce Armstrong presented for approval Barbara Pacheco, 136 Champion Re: Appointment to Historic Committee

Motion by Crum – Second by Hampton

Mr. Mayor I'll make a motion that we allow you to appoint Barbara Pacheco, 136 Champion to an Appointment to the Historic Committee

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

Motion declared carried.

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

Andrew Cookson, 426 W. 4th Street recommended looking into an ordinance regarding obstructions on windows of vehicles and also recommended looking into having a police officer watch the intersection.

Under Executive Session Mayor Bruce Armstrong asked for a motion for an executive session.

Motion by Pierce – Second by Crum

Mr. Mayor and Council I move that we retire into an Executive Session for the purpose of Attorney Client Privilege for a time frame not to exceed 15 minutes, those in attendance to be the Mayor, Council, our City Attorney, and the Director of Governmental Services.

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

Motion declared carried.

Council went into and Executive Session at 7:50 p.m.

The meeting was called back to order at 8:06 p.m.

Mayor Bruce Armstrong stated there was no binding action taken in the Executive Session.

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

Motion by Crum – Second by Hampton

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Mr. Mayor I'll go ahead and make a motion that we pay the bills for the last half of December.

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

Motion declared carried.

Mayor Bruce Armstrong presented for approval Year End Encumbrances.

Mayor Armstrong stated the City had an amount of excess funds over and above what their revenue and expenses were. Mayor Armstrong recommended that Council encumber \$78,000.00 just in case the City lost the jail fees case.

Motion by Hampton –Second by Crum

Mr. Mayor I'll make a motion that we approve all year end encumbrances as presented before us tonight.

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

Motion declared carried.

Mayor Bruce Armstrong presented for approval Authorization to Reimburse Petty Cash on December 31, 2008.

Motion by Crum – Second by Wilkerson

Mr. Mayor I'll go ahead and make a motion that we do authorization to reimburse any petty cash that's due on or before December 31, 2008.

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

Motion declared carried.

Mayor Bruce Armstrong presented for approval Authorization to Pay Any Unanticipated Invoices Dated 2008 and Received after Year End.

Motion by Crum – Second by Ewert

Mr. Mayor I'll go ahead and motion that we give authorization to pay any unanticipated invoices dated 2008 and received after year end.

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 the Council Action Request Updates.

Under Council Concerns Mayor Bruce Armstrong presented Council Concerns Update.

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On the Council Concerns Update, Councilperson Crum said when he asked about the vicious dog ordinance, Alison mentioned there was another ordinance we were looking at that had something about it. City Attorney Alison McKenney Brown stated the City already had it last summer and actually modified it. Brown said they were looking at a criminal action they could file and that was added last summer and approved.

Councilperson Hampton asked if any inquiries had been sent out to insurance companies. City Clerk/Treasurer Beverly Rodgers stated no, the insurance was not due until April 2009.

Councilperson Ewert advised Randy Dorner that some of the people on Turkle were wondering when the work would begin on that street. Dorner stated with the way the weather had been, the actual street work would be done in the spring.

Councilperson Slocum stated last meeting they had a lot of discussion about school crossing walks. Slocum said the City could put up signs but the main thing is people out there driving should pay attention to what is going on. Slocum urged citizens to just think if it was their child out there and to drive safely.

Councilperson Holub mentioned the \$500.00 fine for failure to yield and stated it may be a good idea to get people to slow down.

Councilperson Crum asked if the City had heard anything from Westar about the lights on Seneca. Randy Dorner stated the lights were gone and had been gone about six weeks. Crum asked if the City had heard anything on the grant on Sarah Lane for sidewalks. Mayor Armstrong stated we heard negative.

Mayor Bruce Armstrong presented for approval Adjournment.

Motion by Pierce – Second by Ewert

Mr. Mayor and Council I move that we adjourn this last meeting of the year.

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

Motion declared carried.

Meeting Adjourned at 8:16 pm.

Beverly Rodgers, City Clerk