

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 Ginger Cullen: Kessler here, Walters here, Rardin here, Ewert here, Benner here, Crum here, Thompson here. Councilperson Janet Parton was not present.

Invocation was given by Pastor Kurt Henson from Haysville Christian Church.

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

Under Special Order of Business, Mayor Bruce Armstrong introduced a Public Hearing for Petition Seeking Waiver of Distance Requirements for the Sale of Alcoholic Liquor. He advised that he would be reading from a script and asked for a motion from Council to open the Public Hearing.

Motion by Crum – Second by Benner

I make a motion that we open the Public Hearing for Petition Seeking Waiver of Distance Requirements for the Sale of Alcoholic Liquor.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.

Motion declared carried.

Mayor Bruce Armstrong declared the Public Hearing open and asked if Council had received any outside communication regarding the case. None had received communication regarding the case. Mayor Armstrong asked if any Councilperson had a conflict of interest regarding the case. No Councilperson came forward. Mayor Armstrong asked if City staff had received any communication regarding the case. Staff answered in the negative. Mayor Armstrong asked if an agent of the business was present. Cecilia Marchan introduced herself as the owner of Xcaret Mexico and advised she was requesting the distance requirements regarding churches and schools for sale of alcoholic liquor be waived. Mayor Armstrong opened the floor for questions from Council. Councilperson Danny Walters asked what the precedence is regarding Council's approval or denial of waiver requests. Mayor Armstrong could not recall any waiver requests being denied previously, except for Casey's General Store, whose request was regarding sale but not consumption. Mayor Armstrong opened the floor for comments from the audience. No one came forward. Mayor Armstrong asked for a motion to close the Public Hearing.

Motion by Benner – Second by Ewert

I'll make a motion that we close the Public Hearing.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.

Motion declared carried.

Mayor Armstrong declared the hearing closed and opened the floor for comments from Council. Councilperson Steve Crum asked for clarification regarding which churches and schools received notice of the waiver request hearing. City Clerk Janie Cox advised

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she spoke personally with Dr. Burke from USD 261 and Dr. Yeung from WSU Haysville to verify that they received notice. Cox advised Dr. Yeung had no issue with the request. Crum asked if the language of the ordinance required notice be sent to colleges or universities in an affected area, or if notice was only required for primary schools. Chief Administrative Officer Will Black advised the ordinance only says school, so notice was sent to any school in the affected area. Mayor Armstrong asked for a motion to approve or deny the request.

Motion by Ewert – Second by Rardin

Since the proximity of the establishment is not adverse to public welfare or safety, I move that Council approves the request to waiver from the distance requirements of section 3-402(a) of the code of the City of Haysville.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.
Motion declared carried.

Under Presentation and Approval of Minutes, Mayor Bruce Armstrong presented for approval the Minutes of September 9th, 2019.

Motion by Benner – Second by Ewert

I make a motion we approve the minutes of the September 9th, 2019 business meeting.

Kessler abstain, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.

Motion declared carried.

Under Citizens to be Heard, Mayor Bruce Armstrong called for the Sedgwick County Fire Department. Captain Dustin Goetz reviewed the calls received in August, advising 94 calls were received. He also advised the Fire Department would continue doing hydrant testing, and October would be Fire Prevention Month.

There were no Licenses or Bonds for Approval.

Under Introduction of Ordinances and Resolutions, Mayor Bruce Armstrong introduced AN ORDINANCE PROVIDING RULES REGARDING PUBLIC DOG PARKS WITHIN THE CITY OF HAYSVILLE, KANSAS. Mayor Armstrong and Deputy Administrative Officer Georgie Carter were available to answer questions from Council.

Motion by Kessler – Second by Ewert

I'll go ahead and make a motion to approve the ORDINANCE PROVIDING RULES REGARDING PUBLIC DOG PARKS WITHIN THE CITY OF HAYSVILLE, KANSAS.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.
Motion declared carried.

Under Introduction of Ordinances and Resolutions, Mayor Bruce Armstrong introduced AN ORDINANCE AMENDING THE DEFINITION OF "RUNNING AT LARGE" IN

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CHAPTER 2, ARTICLE 1, SECTION 2-101 OF THE CODE OF THE CITY OF HAYSVILLE TO PROVIDE AN EXCEPTION FOR DOGS AT CITY OWNED DOG PARKS WITHIN THE CITY OF HAYSVILLE, KANSAS.

Motion by Crum – Second by Rardin

If there's no discussion, I'll go ahead and make a motion that we approve the ORDINANCE AMENDING THE DEFINITION OF "RUNNING AT LARGE" IN CHAPTER 2, ARTICLE 1, SECTION 2-101 OF THE CODE OF THE CITY OF HAYSVILLE TO PROVIDE AN EXCEPTION FOR DOGS AT CITY OWNED DOG PARKS WITHIN THE CITY OF HAYSVILLE, KANSAS.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.
Motion declared carried.

Under Introduction of Ordinances and Resolutions, Mayor Bruce Armstrong introduced AN ORDINANCE AMENDING CHAPTER 17, ARTICLE 3, SECTION 17-320 OF THE CODE OF THE CITY OF HAYSVILLE TO PROVIDE FOR FINES FOR VIOLATIONS OF DOG PARK RULES AND REGULATIONS. Councilperson Steve Crum asked which city employees had authority to issue citations and enforce the policies regarding the dog park. Chief Jeff Whitfield advised representatives of the Police Department and the Animal Control Officer are the only employees authorized to issue citations. Councilperson Crum asked if the Public Works Code Enforcement Officer should also have that authority. Chief Whitfield and City Attorney Josh Pollak discussed reasons why giving non-Police the ability to issue citations would be unwise. Whitfield explained that if anyone from Public Works should witness someone committing a citable offense at the dog park, they can report it and stand as a complaining witness in court.

Motion by Benner – Second by Ewert

I make a motion we approve the ORDINANCE AMENDING CHAPTER 17, ARTICLE 3, SECTION 17-320 OF THE CODE OF THE CITY OF HAYSVILLE TO PROVIDE FOR FINES FOR VIOLATIONS OF DOG PARK RULES AND REGULATIONS.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.
Motion declared carried.

Under Notices and Communications, Mayor Bruce Armstrong called for Governing Body Announcements. Councilperson Steve Crum discussed upcoming events at the Haysville Community Library, initiatives by Haysville Healthy Habits, and news from the school district. Mayor Armstrong advised of upcoming events at the Senior Center. He also advised there would be a community meeting for residents of the Sunset Fields Addition, on October 8th at 6:00 p.m., in order to discuss the City's efforts to receive a Community Development Block Grant for the funding of street paving in the addition.

Under Notices and Communications, Mayor Bruce Armstrong presented the K-State Research and Extension First Impressions Report and a Memo to Council Regarding New Business.

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There was no Old Business.

Under Other Business, Mayor Bruce Armstrong presented Consideration of Date Change for Final Council Meeting of 2019.

Motion by Kessler – Second by Ewert

I make a motion we move the last Council meeting of the year to December 30th.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.

Motion declared carried.

Under Other Business, Mayor Bruce Armstrong presented Consideration of Bids for Senior Center Expansion. Mayor Armstrong advised bids were received from Accel and Commerce. Councilperson Steve Crum asked what the City had budgeted for the project. Mayor Armstrong advised the City had not created a budget, as the expense would be combined with the Police Department remodel and be bonded, rather than being funded outright. Councilperson Bob Rardin pointed out that Accel is who built the Activity Center, and asked if the City had issues with them. Deputy Administrative Officer Georgie Carter advised that there were issues, but nothing that couldn't be resolved.

Motion by Crum – Second by Ewert

I make a motion that we approve the bid for the Senior Center expansion with Accel Construction for \$269,000.00.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.

Motion declared carried.

Under Other Business, Mayor Bruce Armstrong presented Consideration of Agreement with PEC for Dewatering Facility Design. Public Works Director Tony Martinez advised Nicole Franken from PEC was present. He then presented information about the City's current bio-solid processing procedure, as well as a comparison of various options for updating the process. Martinez recommended adding a dewatering facility, and requested authorization to enter into an agreement with PEC for design of the facility at a cost of \$142,020.00, an expenditure which was budgeted for 2019. Martinez and Franken then stood for questions from Council.

Motion by Crum – Second by Ewert

I make a motion that we approve the plan as presented, the scope of study on the new bio-solid application methods, to approve the contract with PEC.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.

Motion declared carried.

Under Other Business, Mayor Bruce Armstrong presented Consideration of Bids for 7th Street Waterline Replacement. Public Works Director Tony Martinez reviewed details of the request, advising that the engineer's estimate for the project was just over \$269,000.00. He stated the low bid was received from Mies Construction, in the amount

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of \$264,977.00, advising they are the company that replaced water lines on German Avenue last year. Martinez was available to answer questions from Council.

Motion by Ewert – Second by Rardin

If there isn't any more questions, I'll make a motion that we will take the bid from Mies Construction, Inc. for \$264,977.00.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.

Motion declared carried.

Mayor Bruce Armstrong asked for Department Reports.

Chief Administrative Officer Will Black introduced Deputy Administrative Officer Georgie Carter, who advised the Hometown Market and Cruisin Days would hold their final events of the season on September 28th.

City Clerk Janie Cox advised the General Election would be held on November 5th, and citizens had until October 15th to register to vote. She also advised City offices would be closed on October 14th for Columbus Day, which meant the Council meeting would be on Tuesday, October 15th.

Police Chief Jeff Whitfield advised the visiting officer was Police Officer Cory Pierce. Chief Whitfield advised Coffee with a Cop would be on September 26th from 7:15 to 8:15 a.m. at Campus High School. He stated the Campus High School Homecoming Parade would be on Friday, October 4th, beginning at 2:00 p.m. at Haysville West Middle School. He advised the parade would go east on Grand to Main Street and would end at Cash Saver.

Public Works Director Tony Martinez advised previously approved slurry seal projects began this week, and should be completed by September 30th, depending on the weather. He advised that instead of doing one side of the street at a time, the contractor will do both sides at the same time.

For the Recreation Department, Deputy Administrative Officer Georgie Carter had nothing to report.

Under Appointments, Mayor Bruce Armstrong presented Robert Wethington, 309 W. 6th Regarding Appointment to the Board of Zoning Appeals for a three year term.

Motion by Crum – Second by Ewert

I'll make a motion that we allow you to appoint Robert Wethington, 309 W. 6th to the Board of Zoning Appeals for a three year term.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.

Motion declared carried.

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Under Appointments, Mayor Bruce Armstrong presented Bruce Cloyd, 220 Timberlane Ct. Regarding Appointment to the Board of Zoning Appeals for a two year term.

Motion by Crum – Second by Ewert

Allow you to appoint Bruce Cloyd, 220 Timberlane Ct. to the Board of Zoning Appeals to a two year term.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.

Motion declared carried.

Under Appointments, Mayor Bruce Armstrong presented David Straub, 809 W. Grand Ave. Regarding Appointment to the Board of Zoning Appeals for a three year term.

Motion by Crum – Second by Benner

I make a motion to allow the appointment of David Straub, 809 W. Grand Ave., to the Board of Zoning Appeals to a three year term.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.

Motion declared carried.

Under Appointments, Mayor Bruce Armstrong presented Phil Harris, 302 Ranger Regarding Appointment to the Board of Zoning Appeals for a one year term.

Motion by Crum – Second by Ewert

Make a motion to approve the appointment of Phil Harris, 302 Ranger to the Board of Zoning Appeals for a one year term.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.

Motion declared carried.

Under Appointments, Mayor Bruce Armstrong presented Patty Cox, 149 Timberlane Regarding Appointment to the Board of Zoning Appeals for a two year term.

Motion by Ewert – Second by Walters

I'd like to give you permission to appoint Patty Cox, 149 Timberlane to the Board of Zoning Appeals for a two year term.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.

Motion declared carried.

There were no Off Agenda Citizens to be Heard.

There was no Executive Session.

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

Motion by Ewert – Second by Rardin

I'd like to make a motion to pay the Last Half of September Bills.

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Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.
Motion declared carried.

There was nothing under the Consent Agenda.

Under Council Items, Mayor Bruce Armstrong asked for Council Concerns. Councilperson Steve Crum advised that he has received three emails and three phone calls from citizens missing the laundromat. He asked if staff could try pursuing another laundromat owner. Mayor Armstrong advised that staff could try sending a letter to laundromat owners around Wichita. Councilperson Pat Ewert reminded citizens that there is no school on Friday, September 27th. Councilperson Russ Kessler asked if there was an update on when the roof of the Police Department should be repaired. Police Chief Jeff Whitfield advised a construction meeting was held earlier in the day, and they are hoping the repair will be complete by mid-November. He stated that in the meantime, the contractor is looking at some temporary solutions to reduce the damage caused each time it rains.

Under Council Items, Mayor Bruce Armstrong presented Council Action Request Updates. The one request, submitted by Councilperson Dan Benner, was in regards to a cracked slide at Riggs Park. Deputy Administrative Officer Georgie Carter advised the cracked portion was replaced the same day the request was submitted and the case was considered closed.

Mayor Bruce Armstrong presented for approval Adjournment.

Motion by Kessler – Second by Ewert

Mr. Mayor and Council, I make a motion we adjourn tonight's meeting.

Kessler yea, Walters yea, Rardin yea, Ewert yea, Benner yea, Crum yea, Thompson yea.
Motion declared carried.

The Regular Council Meeting adjourned at 7:52 p.m.

Janie Cox, City Clerk