



**MINUTES**  
**THE REGULAR MEETING OF THE ROSE HILL**  
**CITY COUNCIL MONDAY, MAY 1, 2017 – 7:00 P.M.**  
**ROSE HILL CITY HALL/COUNCIL CHAMBERS**

**Call to Order**

The regular meeting of the Rose Hill City Council was called to order at 7:00 p.m. by Mayor Beth Pompa. Councilmembers present, Roger Perryn, Lionel Diamond, Bill Baker and Kevin Mohr. Ross Chappell was absent with prior notice. Administration and staff present: Austin Gilley, City Administrator; Kelly Mendoza, City Clerk, and Andrew Marino, City Attorney.

**Invocation and Flag Salute**

Pastor Robert Varner, Rose Hill Bible Church gave the invocation, followed by the flag salute.

**Consent Agenda**

Councilmember Perryn made motion seconded by Councilmember Diamond to approve the 4/17/2017 consent agenda as presented. Motion carried 4-0.

**Citizen Forum**

Steve Huckaby, 243 Tiffany, voiced his concerns regarding the NRP extension ordinance. John Eskeli, 256 W. Young, voiced his concerns regarding the Planning Commission.

**Approval of Agenda**

Councilmember Perryn made motion seconded by Diamond to approve the agenda as presented. Motion carried 4-0.

**Resolution to confirm Mayor's Appointments**

Councilmember Perryn made motion seconded by Mohr to approve resolution #575 confirming Mayor's annual appointments. Motion carried 3-1. Councilmember Baker opposed.

**Ordinance to amend the annual timing of Mayoral appointments**

Councilmember Perryn made motion seconded by Mohr to approve ordinance #658 amending the annual timing of Mayoral appointments. Motion carried 3-1. Councilmember Baker opposed.

**Ordinance to authorize a tax rebate and utility credit for select properties as an extension of the City's Neighborhood Revitalization Program**

Councilmember Perryn made motion seconded by Diamond to approve ordinance #659

authorizing a tax rebate and utility credit for select properties as an extension of the City's Neighborhood Revitalization Program. Motion carried 3-1. Councilmember Baker opposed.

**Resolution to authorize sewer improvement projects and financing**

Councilmember Perryn made motion seconded by Diamond to approve Resolution #576 authorizing sewer improvement projects and financing. Motion carried 4-0.

**Approval of work order 17-04 for Sanitary Sewer Evaluation and Priority 1 Improvements**

Councilmember Perryn made motion seconded by Mohr to approve work order 17-04 for Sanitary Sewer Evaluation and Priority 1 Improvements. Motion carried 4-0.

**Approval of service agreement for Acoustic Testing Services**

Councilmember Perryn made motion seconded by Mohr to approve the service agreement for Acoustic Testing Services. Motion carried 4-0.

**Approval of service agreement for GPS locating City's Sanitary Sewer Infrastructure**

Councilmember Perryn made motion seconded by Mohr to approve the service agreement for GPS locating City's Sanitary Sewer Infrastructure. Motion carried 4-0.

**Approval of service agreement for Ranson Financial to assist with SRF loan process**

Councilmember Perryn made motion seconded by Diamond to approve the service agreement for Ranson Financial to assist with SRF loan process. Motion carried 4-0

**Approval of work order for 17-03 for Master Park Planning**

Councilmember Perryn made motion seconded by Mohr to approve work order for 17-03 for Master Park Planning. Motion carried 4-0.

**Discussion of work order for 17-01 for Green Waste Site Planning**

Council agreed by consensus to direct the Administrator to draft official correspondence on behalf of the City.

**City Attorney's report to county Attorney regarding Council email communication**

Councilmember Perryn made motion seconded by Diamond to approve including the email communications in the minutes.

Motion carried 3-1. Councilmember Baker opposed.

From: Ross Chappell  
To: Andrew Marino  
Cc: Austin Gilley, Beth Pompa, Bill Baker, Lionel Diamond, Kelly Mendez, Kevin Mohr, Roger Perry  
Subject: Re: FOLLOWING-UP  
Date: Tuesday, April 25, 2017 6:07:34 AM

Well I just saw Andrew's response...write what I said and I will just leave it as "No"

Sent from my iPhone

- On Apr 24, 2017, at 3:01 PM, Andrew Marino <amarino@gh-ks.com> wrote:
- All,
- The only response should be whether you would like it as an agenda item.
- DO NOT discuss the underlying issue or give an opinion on the issue via return email. That should be done only in a council meeting.
- Andrew Marino  
Gililand & Hayes, LLC  
301 N. Main, Suite 1300  
Wichita, KS 67202  
Phone: 316-264-7321  
Fax: 316-264-8614  
amarino@gh-ks.com
- The information contained in this message is PRIVILEGED information, intended only for the use of the individual or entity to whom it is addressed. Anyone receiving this message other than the named addressee, or an employee or agent thereof, should immediately notify the sender by return electronic mail. The inadvertently received electronic message should be immediately deleted.

- Original Message
- From: Austin Gilley <austin.gilley@cityofrosehill.com>
- Sent: Monday, April 24, 2017 2:31 PM
- To: Andrew Marino; Beth Pompa; Bill Baker (billbaker@powerdcoz.com); Kelly Mendez; Kevin Mohr; Lionel Diamond (lionel420@aol.com); Roger Perry; Ross Chappell
- Subject: FW: FOLLOWING-UP
- Dear Mayor and City Council,
- Below and attached is the response from KPTS President Victor Hopton regarding Mr. Chappell's request for ratings information.
- Would any of you like to sponsor this as an agenda item at a future meeting?
- Thank you,
- Austin Gilley  
City Administrator  
City of Rose Hill  
121 W. Rosewood  
Rose Hill, KS 67133  
austin@cityofrosehill.com
- Original Message
- From: Victor Hopton <victor.hopton@kpts.org>
- Sent: Monday, April 24, 2017 10:40 AM
- To: Austin Gilley <austin.gilley@cityofrosehill.com>
- Subject: RE: FOLLOWING-UP
- Good morning, Austin,
- We do not subscribe to Arbitron, since it is for radio and not television.
- However, we do get some Nielsen (for TV) information that shows that we have over 350,000 weekly viewers and do most popular programs.

From: Ross Chappell  
To: Andrew Marino  
Cc: Austin Gilley, Beth Pompa, Bill Baker, Lionel Diamond, Kelly Mendez, Kevin Mohr, Roger Perry  
Subject: Re: FOLLOWING-UP  
Date: Tuesday, April 25, 2017 6:06:19 AM

My apologies for mixing up the rating entity. (my father had both radio and tv ratings that he managed as I was growing up)

So if I am reading correctly none of the Nielsen ratings show any type of "young family" programming. This isn't necessarily an indication of demographics of WHO watches what (that info was available at one time).

I still stand by my opinion and that KPTS draws a significantly older audience (I just don't think they compete without Govt support with Nick, Nick Jr and all the Disney channels available on Cable for our Target Audience. As a father of young children even Parents indirectly watch what our kids watch and pay attention to the commercials.

I will not be willing to sponsor a motion.

Sent from my iPhone

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City Administrator  
City of Rose Hill  
121 W. Rosewood  
Rose Hill, KS 67133  
austin@cityofrosehill.com

From: Lionel Diamond  
To: Ross Chappell; Austin Gilley  
Cc: amarcro@gh-ks.com; Beth Pompa; billbaker@powerdcoz.com; Kelly Mendez; Kevin Mohr; Roger Perry  
Subject: Re: FOLLOWING-UP  
Date: Monday, April 24, 2017 11:30:57 AM

Younger families have young children who most likely if they are at home during the day watch KPTS whose morning programming is dedicated to young children. Then again at 3:00 p.m. when the younger children awake from their naps, or the older children arrive home from school, KPTS again dedicates their programming to children. My daughters watched KPTS when they were children. Now their children, my grandchildren, watch afterschool programming when they get off the bus at my home. I personally have financially supported KPTS for 30 years, more now than when my children were small. We are a much smaller community than Derby so naturally we cannot support a \$2,500 contribution, but I think at least a \$500 gift would be appropriate.

Lionel

Original Message

From: Ross Chappell <rchappell@cityofrosehill.com>

To: Austin Gilley <austin.gilley@cityofrosehill.com>

Cc: Andrew Marino <amarino@gh-ks.com>; Beth Pompa <Beth@cityofrosehill.com>; Bill Baker (billbaker@powerdcoz.com) <billbaker@powerdcoz.com>; Kelly Mendez <kmendez@cityofrosehill.com>; Kevin Mohr <kmohr@cityofrosehill.com>; Lionel Diamond (lionel420@aol.com) <lionel420@aol.com>; Roger Perry <rperry@cityofrosehill.com>

Sent: Sat, Apr 22, 2017 10:55 am

Subject: Re: FOLLOWING-UP

Here is what I suggest. Get the Arbitron rating information. This will break down the demographics of who watches KPTS. I asked the question of how many households in the area that KPTS reaches and I believe he said about 300k. Considering most people have Cable or Satellite TV that reaches a pretty big area of Kansas and Northern Oklahoma. In the grand scheme of things 300k starts to appear a little smaller. Then if you break that number down my guess is the vast majority of those viewers are older and either retired or close to retirement and probably not too interested in re-locating.

Since we are wanting to attract "young families" to Rose Hill I'm not sure if this is money well spent.

The rating demographics could prove otherwise but I'm guessing I might be pretty close.

Sent from my iPhone

- On Apr 21, 2017, at 4:09 PM, Austin Gilley <austin@cityofrosehill.com> wrote:
- Dear Mayor and Council,
- I have not received a response from my email last week regarding the partnership request with KPTS.
- I also thought I would share this article linked below about the City of Derby on this issue. To me, it begs a fundamental question: Why is the City Manager assertive about this issue (at least as represented in the article) yet the City Administrator is more passive about this issue? I will be explaining the differences between a Manager and Administrator at next week's pre-candidate forum at 6:30 p.m. Tuesday, April 25, at City Hall...hope to see you there!
- [http://www.derbyinformer.com/news/derby\\_news/city-kpts-look-common-freuenoy/article\\_fb483c14-2480-11e7-8073-bb4f983e652a.html](http://www.derbyinformer.com/news/derby_news/city-kpts-look-common-freuenoy/article_fb483c14-2480-11e7-8073-bb4f983e652a.html)

**Executive Session for attorney client privilege**

Councilmember Perryn made motion seconded by Diamond to move into executive session @ 7:43 p.m. and to include Mayor, City Council and City Administrator for a period of 10 minutes to discuss attorney client privilege. Motion carried 3-1. Councilmember Baker opposed.

\*\*Regular meeting reconvened @ 7:53 p.m. with no binding action being taken.

**Donation to KPTS (Diamond)**

Councilmember Diamond made motion to donate \$500.00 to KPTS. Motion failed due to lack of a second.

**Staff Reports**

Administrator Gilley updated the Council with the latest status report. No action was taken.

**Adjournment**

Councilmember Perryn made motion seconded by Councilmember Diamond to adjourn the meeting at 7:57 p.m. Motion carried 4-0.

Respectfully submitted:

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Kelly Mendoza City Clerk