

MINUTES OF A MEETING
OF THE
GOVERNING BODY OF THE
CITY OF HAYS, KANSAS
HELD ON
JANUARY 13, 2005

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, January 13, 2005 at 7:30 p.m.

Roll Call: Present: Sunell Koerner
Kent Steward
Wayne Billinger
Henry Schwaller IV
Troy Hickman

Chairperson Koerner declared that a quorum was present and called the meeting to order.

2. MINUTES: There were no corrections to the minutes of the regular meeting held on December 23, 2004; they stand approved as written.

3. CITIZEN COMMENTS: There were no comments.

4. CONSENT AGENDA: Troy Hickman moved, Kent Steward seconded, that (A.) the following mayoral appointments be approved:

Ellis County/City of Hays Transportation Committee:

Allen Leiker (7th member added to the Committee)
Regina Borthwick (replacing Beverly Stafford)

And further that (B.) the City Manager be authorized to sign letters in support of Development Services of Northwest Kansas completing an application for funding in regard to Elderly/Disabled and Rural Public Transportation.

Vote: Ayes: Sunell Koerner
Kent Steward
Wayne Billinger
Henry Schwaller IV
Troy Hickman

NEW BUSINESS

5. ELLIS COUNTY COALITION FOR ECONOMIC DEVELOPMENT –

REPORT: Mike Michaelis, Executive Director of the Ellis County Coalition for Economic Development, presented an annual report of activities of the Coalition for the 2004 year.

Mr. Michaelis thanked the Commission for their contribution to the Coalition and support for the various projects the past year. He stated the goal of the Coalition is to create 2000 jobs over the next 10 years. Two hundred jobs were created from the N.E.W. Company, with a potential of 400 jobs. Home Depot will provide about 50 more jobs. Some local companies plan to expand their work force in 2005, and the Coalition continues to explore all business opportunities that surface.

6. CITYWIDE TRAFFIC STUDY – PHASES 2 & 3: City staff has proposed implementing some of the recommendations from Phases 2 and 3 of the Traffic Study submitted by HWS Consulting Group, Inc., Manhattan, Kansas. They include the installation of stop signs at several locations throughout the City, placement of lane edge markings on Fort and Ash, construction of a temporary bulbout at the southeast corner of 8th and Fort, installation of diagonal parking along the north side of 7th Street between Park and Elm Street, and placement of pavement markings at 6th and Riley.

Henry Schwaller IV moved, Wayne Billinger seconded, that stop signs be installed at specific locations throughout the City and stop controls be changed at 10 locations, at a cost of approximately \$5,000.

Commissioner Steward commented that these changes are being made after receiving input from the public and are based on the expert advice received from the consultants.

Vote: Ayes: Sunell Koerner
Kent Steward
Wayne Billinger
Henry Schwaller IV
Troy Hickman

Troy Hickman moved, Kent Steward seconded, that pavement markings be applied to Fort and Ash Streets.

Commissioner Schwaller stated that he did not feel pavement markings would solve the bigger problem that is speeding from 23rd Street north on Fort and Ash. Pavement markings will not slow down the traffic; the streets are very smooth and wide at this point and open. They are an invitation for people to drive faster. The intersections that have the controlled turns are confusing and troublesome.

Jack Messer, consulting engineer from HWS, stated that pavement markings are the least obtrusive type of improvement to narrow the driving lane in an attempt to slow down traffic.

Vote: Ayes: Sunell Koerner
Kent Steward
Wayne Billinger
Troy Hickman
Nay: Henry Schwaller IV

Troy Hickman moved, Kent Steward seconded, that a temporary bulbout be installed at the southeast corner of 8th and Fort Street.

The bulbout would alert southbound traffic in the left turn lane on Fort that they must turn left and cannot continue southbound on Fort past 8th Street.

Vote: Ayes: Sunell Koerner
Kent Steward
Wayne Billinger

Henry Schwaller IV

Troy Hickman

Troy Hickman moved, Sunell Koerner seconded, that diagonal parking be installed along the north side of 7th Street between Park and Elm Street in the 500 block of West 7th Street.

The raised concrete median on this block of 7th Street would be removed, and angle parking would be painted on the north side of the street. The parallel parking along the south side of the block would remain unaffected. This is an experiment for one block only. If the experiment were successful, the Commission could consider extending it to the 400 block of West 7th Street.

Commissioner Schwaller stated he is concerned about the crosswalk on Park. It is not easy to see now. This street has considerable traffic and angle parking leads to more accidents. He does not feel this would be an appropriate place to install angle parking.

Commissioner Billinger stated he is concerned about having two different types of parking on the street with only one lane in between to navigate.

Mr. Messer stated he has seen this type of parking in other areas, though not a lot. It is used in Manhattan near the college area and does slow traffic.

Commissioner Steward stated he agrees with Commissioner Schwaller and Billinger.

Public Works Director Brenda Herrman stated the reason this block was chosen was because the parking could be increased from eight to fourteen. Any other block could be chosen for the experiment.

Commissioner Schwaller stated he would be in favor of trying it between Ash and Walnut.

Vote: No: Sunell Koerner
Kent Steward
Wayne Billinger
Henry Schwaller IV
Troy Hickman

Kent Steward moved, Henry Schwaller IV seconded, that pavement markings be applied at 6th and Riley Street.

Vote: Ayes: Sunell Koerner

Kent Steward

Wayne Billinger

Henry Schwaller IV

Troy Hickman

7. CITYWIDE TRAFFIC STUDY – PHASE 4: City Manager Randy Gustafson recommended acceptance of the report. He also recommended acceptance of the high and medium priorities of the report with the understanding that all of these are fairly major projects that will have to be engineered and budgeted. They should all be dealt with individually. At the time the Commission considers these projects individually, it will be necessary to direct staff as to which solution to choose. Additionally, the citizens living in the affected areas should be given the opportunity to voice any concerns they may have.

HWS Consulting Group engineer Jack Messer addressed the Commission concerning what he considers high priority issues. Phase 4 was a specific study of the arterial and collector system. There are approximately 68 locations that HWS was tasked with looking at, and Mr. Messer addressed several of them in his presentation. High priority issues are something that presents a danger that is fairly immediate; the potential is there for some fairly serious results and the Commission should begin dealing with them very soon.

Mr. Messer identified the intersection of 26th, 27th, and Ash; the pedestrian crossing at 28th and Hall; East 27th Street between Plaza and Sherman; and a site distance issue as high priority. He suggested solutions for the Commission to consider. He briefly reviewed several medium priority issues and suggested possible solutions to those issues.

Kent Steward moved, Wayne Billinger seconded, that the Citywide Traffic Study – Phase 4 report from HWS Consulting be accepted, including their recommendations of priorities, and that City staff be directed to begin the process

of studying the solutions that have been suggested for further consideration by the Commission.

Commissioner Schwaller stated he would be voting no because he feels the priorities and staff direction should happen at a work session. He does not feel HWS has provided real solutions to the problems that haven't already been thought of.

Vote: Ayes: Sunell Koerner

Kent Steward

Wayne Billinger

Troy Hickman

No: Henry Schwaller IV

8. LARKS PARK OPERATION & MAINTENANCE: The City of Hays is paying on a loan that was taken out by Fort Hays State University (FHSU) for lighting improvements at Larks Park. As of January 3, 2005, the balance due on the loan was \$115,569.85. At the January 6, 2005 work session, FHSU President Edward Hammond made a request to the City to pay off the loan and transfer ownership of Larks Park to FHSU or continue to make yearly contributions to the maintenance and operation of the facility. FHSU has been operating Larks Park since 1990 and has expended over \$370,000 for improvements and repairs. At the work session, Chairperson Koerner and Commissioner Billinger stated they would not be in favor of transferring ownership to FHSU.

City Manager Gustafson stated the City could continue to pay off the loan over a period of years. The loan pays out in 2015, with approximate payments of \$20,000 per year. Two other options would be to accelerate the payment of the loan or pay off the loan in its entirety. The City Manager recommended paying it off in its entirety, because from an interest standpoint, the City would be paying much less over a period of years. He then recommended a new agreement be drawn up with FHSU in regard to a yearly management contract, which would be less than the \$26,000 the City budgets now.

Commissioners Steward and Billinger stated that since they are employees of FHSU, they have a conflict of interest and would not be discussing or voting on this item. They left the Commission Chambers.

Commissioner Hickman stated he is in favor of paying off the loan.

Troy Hickman moved, Wayne Billinger seconded, that the existing loan in the amount of \$115,569.85 be paid off and a new contract be drawn up with Fort Hays State University for yearly management of the facility.

Vote: Ayes: Sunell Koerner

Wayne Billinger

Troy Hickman

Not Voting: Kent Steward

Henry Schwaller IV

9. ARCHEOLOGICAL SURVEY: In 2005, funds are budgeted for the construction of new cart sheds at Fort Hays Municipal Golf Course. Before making this improvement, the Kansas State Historical Society has requested that the City pay for an archeological survey on the front-nine of the course. Two proposals for the survey were submitted for consideration. The low proposal from Burns and McDonnell for \$9,913 has been reviewed and approved by Bob Hoard, State Archeologist with the Kansas State Historical Society. City staff recommended approval of the bid.

Henry Schwaller IV moved, Troy Hickman seconded, that the proposal submitted by Burns and McDonnell for an archeological survey to be conducted at the Fort Hays Municipal Golf Course at a cost of \$9,913 be accepted.

Vote: Ayes: Sunell Koerner

Kent Steward

Wayne Billinger

Henry Schwaller IV

Troy Hickman

10. LAND PURCHASE FROM THE STATE OF KANSAS: The City is requesting to purchase a tract of land from the State of Kansas to build additional golf cart sheds. The State has agreed to sell the land to the City for \$4,305.33.

These new sheds will be used to replace old sheds that are in poor condition. It will also allow others who are on a waiting list to receive sheds.

Wayne Billinger moved, Troy Hickman seconded, to approve the purchase of land adjacent to the Fort Hays Municipal Golf Course from the State of Kansas at a cost of \$4,305.33 for the construction of golf cart sheds.

Commissioners Steward and Schwaller did not vote because they are employees of the State of Kansas.

Vote: Ayes: Sunell Koerner

Wayne Billinger

Troy Hickman

Not Voting: Kent Steward

Henry Schwaller IV

11. ANNEXATION AGREEMENT – 1521 COMMERCE PARKWAY: The proposed annexation agreement has been requested by the owner of the property at 1521 Commerce Parkway. The owner wishes to tie a single family residence onto the City of Hays public water system that extends along Commerce Parkway.

Wayne Billinger moved, Troy Hickman seconded, that the Annexation Agreement of public water use at 1521 Commerce Parkway be approved.

Vote: Ayes: Sunell Koerner

Kent Steward

Wayne Billinger

Henry Schwaller IV

Troy Hickman

12. ANNEXATION OF A PORTION OF THE FRONTIER CITY ADDITION: The owners of two lots in the Frontier City Addition located on the west side of Hays along Highway 183 Alternate have requested by petition and consent in writing to have the two lots annexed into the city limits of Hays. The property is contiguous with current city limit boundaries. Approval of Ordinance No. 3674 is contingent upon the property owner paying for the installation of a fire hydrant.

Troy Hickman moved, Kent Steward seconded, that Ordinance No. 3674, being an ordinance annexing land to the City of Hays, Kansas, be approved.

Commissioner Schwaller, as owner of the property, left the Commission Chambers during the discussion and vote.

Vote: Ayes: Sunell Koerner

Kent Steward

Wayne Billinger

Troy Hickman

Not Voting: Henry Schwaller IV

13. KANSAS DEPARTMENT OF TRANSPORTATION (KDOT) CITY/STATE

AGREEMENT: In July 2004, KDOT approved a Corridor Management Grant for the improvement of 55th Street from US-183 (Vine Street) east to the proposed Reverse Access Road (General Hays Road). The Grant covers 2/3 of the cost of construction and right of way costs.

Troy Hickman moved, Wayne Billinger seconded, that the Agreement with the Kansas Department of Transportation for improvements to 55th Street be approved.

Vote: Ayes: Sunell Koerner

Kent Steward

Wayne Billinger

Henry Schwaller IV

Troy Hickman

14. DEVELOPMENT AGREEMENT: This is basically a housekeeping item on the Agreement that was passed by the City in December. The section with regard to the personal property tax was only for one year, while the intent was for the 10-year period to refund the personal property taxes. This agreement corrects that error.

Troy Hickman moved, Wayne Billinger seconded, that the Development Agreement with the Heart of America Development Corporation in reference to the N.E.W. Customer Service Company, Inc. project be approved.

Vote: Ayes: Sunell Koerner

Kent Steward
Wayne Billinger
Henry Schwaller IV
Troy Hickman

15. COMMISSION INQUIRIES AND COMMENTS: Commissioner Hickman requested staff input on the idea of removing the concrete barriers in the middle of West 7th Street and replacing them with pavement markings.

Commissioner Schwaller requested an update on snow removal on sidewalks in the City.

City Manager Gustafson stated that last winter the Commission requested staff enforce the ordinances requiring that snow be removed on sidewalks 24 hours after a snow storm. City staff, with the approval of the City Commission, embarked on an education program in October. The program informed citizens they are responsible for the sidewalks adjacent to their homes and businesses, reminding them they are responsible for any accidents that may occur on their property.

The City Manager reported that after last week's storm, staff put door hangers on approximately 470 properties that had not visibly complied with the ordinance. This week staff revisited those properties and 99 letters of warning were sent out. The letters indicated that this was a warning and at the next snowfall, if the snow is not cleared, a citation would occur. City staff fully understands the problem of removing the snow with the layer of ice underneath.

City Manager Gustafson also mentioned that residential streets will only be plowed when the snow reaches a depth of six inches. The major and secondary snow routes are the primary concern.

Commissioner Schwaller stated there are City owned properties that have not had the snow cleared. If the City hasn't done its job within 24 hours, he did not think it is appropriate for the City to demand that of citizens. He would like to review the snow removal ordinance.

City Manager Gustafson stated the ordinance the City follows is almost universal with cities across the country.

City Attorney John Bird stated he is looking for an ordinance that would allow for discretion on the part of staff to look at the actual physical situation as it occurs.

The City Manager felt that an ordinance such as the one suggested by the City Attorney would be hard to enforce; however he would not object to finding some type of solution to the problem.

Commissioner Billinger suggested the City look into changing the City logo to something that is a little simpler and easy to read when shrunk down.

Thereupon the Governing Body adjourned.

Submitted by: _____

City Clerk