

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON MAY 13, 2010

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, May 13, 2010 at 6:30 p.m.

Roll Call: Present: Christopher Channell
Barbara Wasinger
Troy Hickman
Henry Schwaller IV
Ron Mellick

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

2. MINUTES: There were no corrections or additions to the minutes of the regular session held on April 22, 2010; the minutes were approved as presented.

3. CITIZEN COMMENTS: There were no comments.

4. CONSENT AGENDA: Henry Schwaller IV moved, Barbara Wasinger seconded, that the following be approved:

A. Business Resolution No. AR-05, Series of 2010, being a resolution expressing appreciation to Mark Pechanec and Marvin Rack for establishing a new business, Northwest Signs and Awards, in the city of Hays.

B. A Cereal Malt Beverage License for Hays Area Chamber of Commerce for an event to be held at Doerfler's Harley-Davidson Motorcycles.

Vote: Ayes: Christopher Channell
Barbara Wasinger
Troy Hickman
Henry Schwaller IV
Ron Mellick

NEW BUSINESS

5. HIDDEN HEROES PRESENTATION: Hidden Heroes is a Kansas Youth Leadership program paying particular attention to students who have yet to discover their leadership skills due to lack of opportunities, family environment, and/or lack of financial resources. Through a partnership with local community members and with funding from the City of Hays Special Alcohol Tax Fund, the Hidden Heroes program provides opportunities for these students to develop the underlying leadership skills they are unaware of possessing.

Chairperson Channell presented Hidden Hero certificates to the following:

Cheyenne Liester	Rebecca Stegman	RaeLynn Williams
Laurel Hageman	Max Stieben	Brandon Wise
Rylie Rowland	Quinlan Brungardt	Allyson Flax
Colton Johnson	Emily Peckham	Kristina Herl
Colton Scoby	Tanner Bodde	Lauren Orth
Gordan Huynh	Dusti Befort	Keynan Hysten

Alexis Campbell

6. AGREEMENT WITH LOUIS WETTA AND DELPHINE WETTA FOR SMOKY HILL WATERLINE PROJECT: As part of the Smoky Project, the City purchased several tracts of land on which it was making lease payments. The Agreement with Louis Wetta and Delphine Wetta is for the purchase of land occupied by the City's Smoky Hill Booster Station, which is connected to the City's water transmission line and SCADA radio tower. The purchase price is \$28,620.

Ron Mellick moved, Henry Schwaller IV seconded, that the Agreement between the City of Hays and Louis Wetta and Delphine Wetta for the Smoky Hill Waterline Project, be approved.

Vote: Ayes: Christopher Channell
Barbara Wasinger
Troy Hickman
Henry Schwaller IV

Ron Mellick

7. VIDEO SERVICES AGREEMENT WITH NEX-TECH: Nex-Tech obtained a statewide video service authorization from the Kansas Corporation Commission under the 2005 Video Competition Act. Nex-Tech plans to provide cable television services to the residents of Hays by the end of 2010. Before they can move forward, a Video Services Agreement with the City for use of public right-of-way needs to be adopted.

Ron Mellick moved, Henry Schwaller IV seconded, that a Video Service Agreement between the City of Hays and Nex-Tech for the use of public right-of-way for the construction of video services infrastructure, be approved.

Jeff Wick, Chief Operating Officer of Nex-Tech, presented an overview of the project.

Vote: Ayes: Christopher Channell
Barbara Wasinger
Troy Hickman
Henry Schwaller IV
Ron Mellick

8. REPLAT OF KING'S GATE FIRST ADDITION: At the March 11, 2010 Commission meeting, the final plat of King's Gate First Addition was approved. The developer has requested a replat in order to combine lots in three different areas for an increased lot size. The replat will contain three fewer lots than the original plat. Due to a miscalculation by the developer, some of the lots along the radiuses were smaller than they intended, and consequently, they cannot build homes on those lots because of their smaller size. The Planning Commission recommended approving the replat.

Henry Schwaller IV moved, Troy Hickman seconded, that Resolution No. 2010-015, being a resolution accepting the Replat of King's Gate First Addition, be approved.

Vote: Ayes: Christopher Channell
Barbara Wasinger
Troy Hickman

Henry Schwaller IV

Ron Mellick

9. REPLAT OF KING'S GATE FIRST ADDITION PHASE I RESOLUTION TO

ESTABLISH BENEFIT DISTRICT: Covenant Builders Inc. has petitioned the City for street, storm sewer, water, and sanitary sewer improvements to an area containing 29 lots abutting Covenant Drive in the King's Gate First Addition. The engineer's estimate for total construction costs are \$866,658, including engineering costs of \$38,900. This project is consistent with past residential developments within the city of Hays.

Henry Schwaller IV moved, Barbara Wasinger seconded, that Resolution No. 2010-016, being a resolution determining the advisability of the making of certain internal improvements in the city of Hays, Kansas, making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (water, sewer, storm sewer and street improvements/Replat of King's Gate First Addition), be approved.

Vote: Ayes: Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

10. KDOT-5-YEAR PLAN UPDATE:

KDOT has asked the City to update the 5-year plan by submitting a project to be funded under the Federal Highway Administration Surface Transportation Program. Projects selected are funded 80% toward the cost of construction. City staff proposed two options for consideration. First is the reconstruction of Allen Street from 13th to Vine at a cost of \$3.3 million. Second is the reconstruction of 8th Street from Milner to Vine Street at a cost of \$1.5 million. If authorized by KDOT, construction for the project would not occur until 2015 or later. Staff recommended the first option, which is the reconstruction of Allen Street from 13th to Vine.

Barbara Wasinger moved, Henry Schwaller IV seconded, that the Mayor be authorized to sign the KDOT Request for Construction Project Form and that

staff be authorized to submit the reconstruction of Allen Street from 13th Street to Vine Street as the next project to be included in the KDOT 5-Year Plan.

Vote: Ayes: Christopher Channell
Barbara Wasinger
Troy Hickman
Henry Schwaller IV
Ron Mellick

11. AWARD OF BID – SPORTS COMPLEX WATERLINE EXTENSION: Two bids were received for the construction of a water main extension to serve the Hays Sports Complex. The low bid was submitted by APAC, Kansas, Inc. in the amount of \$264,765.65. Adding in the cost of engineering and Union Pacific Railroad permitting, the total cost of this project is \$289,565.65. This portion of the water main extension, positioned for future development of other portions of the City, is to be funded by the Water Fund, while the remaining portion of the project is to be split between the Sports Complex Sales Tax and Fort Hays State University at a ratio of 80/20.

The new water main would connect to the existing city water main at 29th & Columbine, then head south to 27th Street, west to the US-183 By-pass, south under Big Creek and the railroad, and enter the Sports Complex location from the north.

Barbara Wasinger moved, Troy Hickman seconded, that the City Manager be authorized to execute a contract with APAC, Kansas, Inc. in the amount of \$264,765.65 for the construction of a city water main extension to serve the Hays Sports Complex.

Vote: Ayes: Christopher Channell
Barbara Wasinger
Troy Hickman
Henry Schwaller IV
Ron Mellick

12. STORMWATER UTILITY STUDY – PHASE I REPORT: For the past several months, the City has been working with an engineering consultant, Camp Dresser McKee (CDM), on Phase I of a stormwater feasibility study. CDM has prepared a report summarizing their assessment of the City's Stormwater Management Program and recommended that the City pursue the option of enacting a stormwater utility.

Ron Mellick moved, Henry Schwaller IV seconded, that the report from CDM summarizing the results of Phase I of the Stormwater Utility be accepted.

Vote: Ayes: Christopher Channell
Barbara Wasinger
Troy Hickman
Henry Schwaller IV
Ron Mellick

13. STORMWATER UTILITY STUDY – PHASE II AGREEMENT: Phase I of the stormwater utility feasibility study has been completed by Camp Dresser McKee (CDM). The next step in the process toward establishing a Stormwater Utility would be to enter an agreement with CDM for Phase II of the study. This phase would cost \$195,130 and would provide data collection, analysis, technical support and expertise necessary to produce a stormwater utility ordinance for final consideration, along with the development of a program and procedures for administering the utility.

Barbara Wasinger moved, Ron Mellick seconded, that the City Manager be authorized to execute the Amendment to the existing contract with CDM for Phase II of the Stormwater Utility Study, in the amount of \$195,130.

Vote: Ayes: Christopher Channell
Barbara Wasinger
Troy Hickman
Henry Schwaller IV
Ron Mellick

14. 41ST STREET FROM HALL TO US-183 BYPASS – DESIGN REQUEST FOR QUALIFICATIONS (RFQ): 41ST Street from the US-183 By-pass to Hall

Street is a narrow, two-lane, asphalt road with no shoulder and steep ditches. Considerable residential development has occurred in this area over the last 20 years with no improvement to 41st Street other than necessary maintenance of the pavement surface. Public sentiment has called for the reconstruction and upgrade of 41st Street for several years now. KDOT has authorized a project to reconstruct this roadway, and staff is prepared to solicit proposals from engineering firms for the design of the improvements. Two options are being considered for the design of roadway improvements. One involves the traditional curb and gutter configuration, while the other involves gravel shoulders and grass ditches. Staff requested approval from the City Commission to select a design consultant utilizing qualification based selection criteria.

Assistant Public Works Director John Braun reviewed the two options for the improvements.

Henry Schwaller IV moved, Barbara Wasinger seconded, that staff be authorized to solicit proposals from engineering firms for the design of improvements to reconstruct 41st Street from Hall to the US-183 Bypass.

Vernon Befort, 1404 West 44th Street, stated that, from a safety perspective, he favored the traditional curb and gutter configuration.

City Manager Toby Dougherty stated that staff will not recommend to the Commission an option that would cause accidents.

Vote: Ayes: Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

15. REPORT OF THE CITY MANAGER: The City Manager had no additional items to report on.

16. COMMISSION INQUIRIES AND COMMENTS: Commissioner Hickman requested an update on the scheduling changes at the Hays Regional Airport.

The meeting was adjourned at 7:39 p.m.

Submitted by: _____

City Clerk