

City of Hays
City Commission
Work Session Notes
May 16, 2013

Present: Kent Steward, Henry Schwaller IV, Eber Phelps, Shaun Musil, Ron Mellick, John Bird, Toby Dougherty

Sale and Use of Fireworks for 2013

According to Chapter 32 of the City of Hays Municipal Code, the City Commission will make a final determination as to whether or not to suspend the sale and use of fireworks at its final regular meeting in May. City staff recommends suspending the sale and use of fireworks for 2013. Staff feels fireworks could be allowed at the last minute if conditions are favorable. Doing it this way would cause fewer problems than last year.

Commissioner Musil feels that fireworks should be allowed, stating that in the past 4 to 5 years there haven't been any big incidents.

Commissioner Schwaller commented that there haven't been any homes lost, but some yards have caught on fire. He also stated that he would vote for this only if the County would pass a similar resolution banning fireworks in Ellis County.

Commissioner Mellick clarified that banning fireworks would not affect the Wild West Fest, and would also prevent organizations from depending on firework sales as their main fundraiser or being stuck with the product if fireworks sales are cancelled later due to dry conditions.

The Commissioners will be requested to vote on whether or not to allow fireworks in 2013 at the May 23, 2013 Commission meeting.

Bickle-Schmidt Sports Complex Shade Structure

The Bickle-Schmidt Sports Complex is in need of a shade structure for the southwest four-plex. The recommended shade structure was not part of the

original construction project but has become one of the most requested items for the Bickle-Schmidt Sports Complex. An amount of \$26,900 is budgeted in the 2013 Bickle-Schmidt Sports Complex budget for this purpose. If approved, this structure will provide the same shade for visitors at the southwest four-plex that is available to visitors at the northeast four-plex and at the soccer concession area. The recommendation from City staff is to approve the purchase of a 24'x50' shade structure from Athco, Lenexa, KS, for an amount of \$15,644 which is \$11,256 under budget.

Commissioner Schwaller asked what the useful life of the shade structure is, and why a more permanent structure could not be installed, stating it would cost more up front, but save money in the long run.

Director of Parks Jeff Boyle stated the shade structure has a 6 year free replacement warranty, and would keep everything matching, but agreed a permanent shade structure would be a good idea.

City Manager Toby Dougherty suggested looking at something more permanent at the time of replacement using service organization matching funds.

The Commissioners will be requested to approve the bid submitted from Athco at the May 23, 2013 Commission meeting.

Air Service Carrier Recruitment - Hays Regional Airport

Staff has been working to recruit a different carrier to provide passenger service at the Hays Regional Airport. The current carrier, Great Lakes Airline, is not as reliable or responsive as is required for successful passenger service.

The Hays Regional Airport receives passenger service through the Essential Air Service (EAS) program. This program is administered by the Department of Transportation (DOT). The DOT solicits proposals and chooses the carriers. Cities have very little direct input. Since 2007, the level of service provided by Great Lakes Airlines has declined. Reliability is a constant issue and customer service is lacking. Options are limited when it comes to airlines willing to participate in the EAS program.

A 'catchment study' identifying who and where people fly in an area within a two hour drive of the Hays Regional Airport was completed. The study also indicated that the Hays region could and would support higher levels of commercial air service under certain conditions. The catchment study was used to prepare proposals to solicit bids for EAS to American Airlines and SkyWest Airlines at the Western Air Conference in April of this year.

City staff has initiated discussion with other carriers. Other EAS cities have tried this approach with some success. Most notably is Garden City which recently switched to American Eagle to provide service to Dallas

Airport Terminal Improvements – Hays Regional Airport

The Federal Aviation Administration (FAA) contacted the City of Hays in 2012 seeking a location for their office and base operations at the Hays Regional Airport. The Transportation Security Administration (TSA) also inquired about more space for passenger screening and office area. The existing terminal building was constructed in 1991 and requires multiple updates to be compliant with current code requirements. Proposed improvements include modernization of the existing heating/air conditioning system, utility closet, a larger secured passenger area, incorporating American with Disabilities Act requirements to existing lavatory facilities, and additional office space.

Should the City actively seek a commercial air service provider using aircraft with seating capacity over 19, the secured passenger area would not hold the flight capacity. Staged security clearance and boardings would have to be incorporated or a larger portion of the current lobby area would have to become part of the secure area. It would be necessary to have an environmental study completed at an estimated cost of \$50,000.

The airport receives allocations from the FAA based on the number of commercial boardings. The airport will receive either \$150,000 or \$1,000,000 based on the number of commercial boardings reported. These dollars fund improvement projects. Parts of the remodel and updates are eligible for the 90/10 funding match for the allocation money earned by boardings. Areas that

are not eligible would require full local funding. Staff recommended that the cost of those areas be paid from rental fees assessed to occupants of the space. Preliminary estimates for the engineering/design are estimated at \$250,000; the City's portion is estimated to be \$119,286, which would be financed from the Airport Reserve Fund.

City Manager Toby Dougherty recommended the engineering/design portion of the project be completed so that it is ready to go should the FAA decide to base their operations at the Hays Regional Airport.

Further discussion will take place at a June work session.

Request for Rezoning (A-L to C-2) Proposed Luecke Addition

Request for Rezoning (A-L to R-3) Proposed Luecke Addition

The owners of the property located along and south of 41st St. east of Home Depot (proposed Leucke Addition) have submitted a request to rezone portions of the property from A-L (Agriculture District) to C-2 (General Commercial and Service District) and to R-3 (Two-Family Dwelling District). The Planning Commission, by a vote of 7-0, recommended approval of the rezoning as requested. However, staff recommended sending this item back to the Planning Commission for further consideration due to the contributing factor that the developer failed to rezone the remaining agriculture tract into a more suitable and compatible use with that of the requested rezoning area.

Emery Jennings, agent representing the property owner, stated that the owner of the property plans to amend the rezoning request to address the concerns expressed by staff.

By law, the Commissioners must vote at a Commission meeting to send a rezoning request back to the Planning Commission, which they will do at the May 23, 2013 Commission meeting.

Funding of Additional Street Maintenance Project (Mill and Overlay of 13th Street – Vine to Harvest)

In February 2013, staff presented bids for this year's street maintenance projects, which totaled \$389K to be paid out of the Special Highway Fund. At that time, the Commission expressed interest in adding another project to the list. Staff suggested bringing forward additional street maintenance at a later date after an analysis of the road conditions and the financial situation is known.

Staff requested authorization to solicit bids for the mill and overlay of 13th Street from Vine Street to Harvest Road. The mill and overlay would correct failures of the existing pavement. The estimated cost of the project is \$750,000 to be funded from Financial Policy Projects.

The Hays Bike Plan calls for 13th Street to be reduced to 3-lanes with bike lanes added to each side. Prior to restriping, it would be beneficial to have a fresh new surface to apply the new pavement markings designating the change in lane configuration. The Hays Bike Plan has been submitted for Transportation Enhancement Grant consideration; announcement of whether or not Hays has received the grant is expected by the end of May 2013. Regardless of grant funding, \$300,000 was included in the 2013 Budget – Special Park & Recreation Fund for the Hays Bike Plan; part of that will be used to restripe 13th Street.

City staff will solicit bids for the mill and overlay of 13th Street from Vine Street to Harvest Road. Bid information will be brought back to the Commission at a later date for further discussion and action.

Sidewalk Repair Assessment Ordinance

City ordinances provide for the City Manager, through staff, to give notice to property owners of non-compliant sidewalks, and then repair the sidewalks if the owner does not do the necessary repairs.

Sidewalk repairs were completed for seven properties last fall per Commission approval. Four of the properties have paid and it is now necessary to assess the other three. The following three property owners have not paid for repairs totaling \$1919.09:

- Jason McDanel
421 West 5th St.
\$370.84
- Lawrence, John, Janet, and Kirkland Bradshaw, and Charles & Loretta Wilson
307 West 6th St.
\$445.01
- James C. Wacker and Zeshan Haq
217 West 6th St.
\$1103.24

If the ordinance is approved, notices will be sent to the three property owners, giving them 30 days after publication of the ordinance to pay. If they fail to pay, the sidewalk assessment plus four percent interest will be levied against the property.

The Commissioners will be requested to approve the ordinance assessing the cost of the sidewalk repairs at the May 23, 2013 Commission meeting.

Resolution Setting Public Hearing for June 13, 2013 to Consider Special Assessments

Special assessments for two special improvement districts within the City of Hays are ready to be finalized and assessed to the property owners. A public hearing is scheduled for June 13, 2013 to consider the proposed assessments against property located in:

- Golden Belt Estates Fourth Addition – 21 lots
- Replat of 46th Street First Addition – 7 lots

The Commissioners will be requested to approve a resolution providing for a notice of public hearing to consider the proposed special assessments at the May 23, 2013 Commission meeting.

Rural Housing Improvement District (RHID) Policy

Per direction from the City Commission, a proposed Rural Housing Improvement District (RHID) Policy was presented for consideration and guidance. If approved, future RHID applicants will have to demonstrate a need to the Commission and State. The State governs much of the process. The policy has additional requirements/processes specific to Hays.

Assistant City Manager Paul Briseno and Ellis County Economic Development Director Aaron White provided information about the State of Kansas requirements and the additional proposed City of Hays requirements.

Discussion was held about the inequity of providing public funds to stimulate growth for large residential developments versus a local contractor constructing duplexes or smaller residential housing projects.

Further discussion on the RHID Policy will take place during the June 13, 2013 Commission meeting.

Other Items for Discussion

Commissioner Phelps was asked by a citizen about the solid double line stripping on Thunderbird. The solid double line looks like the homeowner can't cross the double line to turn into their driveway.

City Manager Toby Dougherty stated the purpose of the double line was to make the center line of the curve clearer. He will confirm this with the Public Works staff.

Commissioner Phelps also had an inquiry about a model airplane group utilizing the Bickle-Schmidt Sports Complex.

The City Manager stated the group had contacted the City about utilizing an unused area at the Bickle-Schmidt Sports Complex to fly their model planes. As long as there are no events going on, it is a public space and they can fly their model planes.

Commissioner Schwaller asked staff to work on adopting a financing statement policy for developers. He also asked about there not being any signage when a school zone ends.

Finance Director Kim Rupp stated that when you see a posted speed limit sign, that is where the school zone ends.

Commissioner Schwaller requested staff work on a policy banning the use of cell phones while driving.

Executive Session

Henry Schwaller moved, Ron Mellick seconded, that the Governing Body recess to executive session at 8:50 p.m. for 10 minutes to discuss labor negotiations. The executive session included the City Commission, the City Manager, the Assistant City Manager, and the City Attorney. K.S.A. 75-4319 authorizes the use of executive session to discuss labor negotiations.

Vote: Ayes: Kent Steward

Henry Schwaller IV

Eber Phelps

Shaun Musil

Ron Mellick

Chairperson Steward called the meeting back to order at 9:00 p.m. He stated no action was taken during the executive session.

The work session was adjourned.

Submitted by: _____

Doris Wing – City Clerk