

MINUTES OF A MEETING  
OF THE GOVERNING BODY OF THE  
CITY OF HAYS, KANSAS  
HELD ON JUNE 8, 2006

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, June 8, 2006 at 7:30 p.m.

Roll Call: Present: Wayne Billinger

Troy Hickman

Henry Schwaller IV

Kent Steward

Absent: Barbara Wasinger

The Chairperson 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 May 25, 2006; the minutes stand approved as written.

**3. CITIZEN COMMENTS:** There were no citizen comments.

**4. CONSENT AGENDA:** There were no items on the Consent Agenda.

**NEW BUSINESS**

**5. 2007 BUDGET PRESENTATION – FORT HAYS STATE UNIVERSITY:**

Herb Songer and Craig Karlin, representing Fort Hays State University, requested \$100,000 from the 2007 Budget for allocation for the next fiscal year to support the Hays City Silver Scholarship Program. The Program is designed to support recruitment and retention. When fully funded, the Program allocates \$68,000 per year for the recruitment of incoming freshmen and \$32,000 for retention purposes.

The Commissioners will consider this request when formulating the 2007 Budget.

**6. ANNEXATION – LOT 12, BLOCK 2, NORTH HAYS ADDITION, CARRICO IMPLEMENT:**

A resolution authorizing sanitary sewer improvements along General Hays Road north of 48<sup>th</sup> Street was adopted at the May 25, 2006 Commission meeting. As a result of this, sanitary sewer service will be available to the old Carrico Implement building. The lot is currently on a septic system and supplied by City water. A Pre-Annexation Agreement dated April 2002, required the annexation of this property upon the availability of sanitary sewer. The property is contiguous with the existing city limit.

Troy Hickman moved, Henry Schwaller IV seconded, that Ordinance No. 3700, being an ordinance annexing land to the City of Hays, Kansas, be approved.

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

**7. PRE-ANNEXATION AGREEMENTS:** A resolution authorizing sanitary sewer improvements along General Hays Road north of 48<sup>th</sup> Street was adopted at the May 25, 2006 Commission meeting. As a result of this, sanitary sewer service will be made available to some lots not currently in the city limits. One of these is Lot 10, Block 2, of the North Hays Addition and is the location of the old High Plains Roofing building. The lot is currently on a septic system and supplied by a private water well. Connection to sanitary sewer requires the execution of a pre-annexation agreement which would require annexation into the city limits in the future based on certain triggers, one of which would be connection to City water.

Troy Hickman moved, Henry Schwaller IV seconded, that the Consent for Future Annexation and Provision of Public Sanitary Sewer Services for Lot 10, Block 2, of the North Hays Addition, be approved.

Vote: Ayes: Wayne Billinger  
Troy Hickman

Henry Schwaller IV

Kent Steward

**8. GOLDEN BELT ESTATES SECOND ADDITION – 45<sup>TH</sup> STREET MAIN**

**TRAFFICWAY:** Construction is about to begin on Golden Belt Estates Second Addition, which includes the construction of 45<sup>th</sup> Street, Newton, and Larned Circle. Newton and Larned are included in a special benefit district, and the construction costs will be assessed to the district; however, 45<sup>th</sup> Street is a collector street and not included in a benefit district. The developer, Western Plains Service Corporation, is paying for most of the construction cost of 45<sup>th</sup> Street; however, the City is responsible for the cost of additional pavement width and thickness since 45<sup>th</sup> Street is a collector street. In order to bond the City's share, 45<sup>th</sup> Street must be declared a main trafficway.

Henry Schwaller IV moved, Kent Steward seconded, that Ordinance No. 3701, being an ordinance designating 45<sup>th</sup> Street from Smoky Hill Drive to Hall Street in the City of Hays, Kansas, as a main trafficway, be approved.

Vote: Ayes: Wayne Billinger

Troy Hickman

Henry Schwaller IV

Kent Steward

**9. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**

**PERFORMANCE PUBLIC HEARING:** It is required to hold a public hearing to close out the Community Development Block Grant for the replacement of the waterline on 8<sup>th</sup> Street between Elm Street and Fort Street.

Chairperson Billinger opened the public hearing to discuss aspects of the Grant and take oral and/or written comments.

There were no comments.

Troy Hickman moved, Kent Steward seconded, that the public hearing be closed.

Vote: Ayes: Wayne Billinger

Troy Hickman

Henry Schwaller IV

Kent Steward

**10. SYSTEM ENHANCEMENT RIGHT OF WAY ANNEXATION**

**ORDINANCE:** The City Commission passed Ordinance No. 3698 on April 13, 2006 annexing right of way associated with the System Enhancement Project. That ordinance has an error in the legal description. The proposed ordinance repeals Ordinance No. 3698 and includes the corrected legal description to annex the right of way into the city limits.

Kent Steward moved, Troy Hickman seconded, that Ordinance No. 3702, being an ordinance annexing land to the City of Hays, Kansas and repealing Ordinance No. 3698 of the Code of Ordinances of the City of Hays, Kansas, as passed on April 13, 2006, and as published on April 19, 2006, be approved.

Vote: Ayes: Wayne Billinger

Troy Hickman

Henry Schwaller IV

Kent Steward

**11. BOND SALE ORDINANCE:** Bids have been received to finance various infrastructure improvements, with Harris Bank submitting the low bid of 4.143475%.

Henry Schwaller IV moved, Troy Hickman seconded, that the City of Hays accept the low bid submitted by Harris Bank, and further, that Ordinance No. 3703, being an ordinance authorizing the issuance and delivery of \$5,745,000 principal amount of General Obligation Internal Improvement Bonds, Series 2006-A, of the City of Hays, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; and making certain covenants with respect thereto, be approved.

Vote: Ayes: Wayne Billinger

Troy Hickman

Henry Schwaller IV

Kent Steward

**12. BOND SALE RESOLUTION:** As part of the process to sell the bonds to fund various infrastructure improvements, a resolution must be approved authorizing the bonds as previously authorized by Ordinance No. 3703. The resolution prescribes the form and details of the General Obligation Internal Improvement Bonds.

Henry Schwaller IV moved, Kent Steward seconded, that Resolution No. 2006-011, being a resolution prescribing the form and details of and authorizing the delivery of \$5,745,000 principal amount of General Obligation Internal Improvement Bonds, Series 2006-A, of the City of Hays, Kansas, previously authorized by Ordinance No. 3703 of the City; and making certain covenants with respect thereto, be approved.

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

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

**14. COMMISSION INQUIRIES AND COMMENTS:** Commissioner Steward stated that at a previous work session, the Commissioners discussed the mowing of the ditch along 41<sup>st</sup> Street. He feels that it is not safe for property owners along that area to be mowing the ditch.

Assistant City Manager Toby Dougherty stated that staff will check with the City Attorney to determine exactly what the property owner's responsibility is and if exceptions can be made to the ordinance relating to mowing. The issue will be discussed at a future work session.

Commissioner Hickman requested that the Commissioners discuss the future of Larks Park at a future work session. The City needs to decide whether to keep the facility or sell it to Fort Hays State.

Commissioner Hickman commented that the joint meeting with the Ellis County Commissioners was very productive and he would like to further discuss emergency medical services, the waterline to the Ellis County

Fairgrounds, and the remodeling of the Law Enforcement Center at a future work session.

Chairperson Billinger stated that he would like to hear community comment about the possibility of Hays High School and Thomas More Prep-Marian High School playing each other in several sports. He realizes that this is a school board issue, but feels that for economic reasons, it is time to revisit the issue.

Chairperson Billinger commented that he would like to have the Ellis County Emergency Preparedness Director periodically make presentations to the Commission. This would help keep the public informed about the procedures that are followed in the event of an emergency.

The meeting was adjourned.

Submitted by: \_\_\_\_\_

City Clerk