

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON
JULY 14, 2005

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, July 14, 2005 at 7:30 p.m.

Roll Call: Present: Kent Steward
Wayne Billinger
Troy Hickman
Barbara Wasinger
Henry Schwaller IV

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

2. MINUTES: There were no additions or corrections to the minutes of the June 23, 2005 regular session; they stand approved as written.

3. CITIZEN COMMENTS: There were no comments.

4. CONSENT AGENDA: There were no items for consideration.

NEW BUSINESS

5. 2005 CURB & GUTTER REPAIRS: Troy Hickman moved, Wayne Billinger seconded, that the City Manager be authorized to enter into a contract with Bryant and Bryant in the amount of \$34,281.46 for curb and gutter repairs.

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

6. GENERAL CUSTER WATERLINE PROJECT: Bartlett and West Engineers made several recommendations for water distribution improvements in a 2003 study. One of the recommendations was to construct a 20" PVC waterline from the Water Plant east to General Custer Road, then north to 13th Street. This would bypass a bottleneck on Vine Street between 10th and 13th Streets. APAC submitted the only bid in the amount of \$218,604 for the base, plus two alternates. Due to high oil prices, City staff requested APAC to provide a quote using ductile iron instead of PVC. Using ductile iron would reduce the bid by \$9,487. Staff recommended using ductile iron and awarding the bid to APAC for the base and alternate 2 for a total contract price of \$217,367.50.

Troy Hickman moved, Wayne Billinger seconded, that the bid from APAC-Kansas, Inc. in the amount of \$217,367.50 be approved.

Vote: Ayes: Kent Steward
Wayne Billinger
Troy Hickman
Barbara Wasinger
Henry Schwaller

7. ANNEXATION OF RIGHT-OF-WAY ON EAST 55TH STREET: The City has a Corridor Management Grant to reconstruct a portion of 55th Street from US-183 east to the new reverse access road (General Hays Road). Negotiations with property owners are complete, and the right-of-way must be annexed prior to making payment for the new right-of-way. The Ellis County Commission passed a resolution authorizing the annexation of County right-of-way.

Henry Schwaller IV moved, Troy Hickman seconded, that Ordinance No. 3684, being an ordinance annexing land to the City of Hays, Kansas, be approved.

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

8. SUNDAY LIQUOR SALES: The state legislature has changed the law and will allow the retail sale of alcoholic liquor and cereal malt beverages on Sundays and other days. In order for this to occur in Hays, the Commission must pass an ordinance authorizing Sunday sales.

Henry Schwaller IV moved, Barbara Wasinger seconded, that Ordinance No. 3685, being an ordinance authorizing Sunday sales of alcoholic liquor and cereal malt beverage in the original package within the City of Hays, Kansas, be approved.

Galen Pfeifer, Jean Ross, Laura Sadeghi, and Julie Adams addressed the Commission. They asked that the Commission consider not approving Sunday liquor sales. A petition with 572 signatures was presented at the July 7, 2005 Work Session requesting that the Commission not approve an ordinance allowing Sunday sales.

Five of the six liquor store owners in Hays signed a petition stating they are not in favor of Sunday liquor sales.

Commissioner Schwaller stated this is not a compulsory law; it will not be required for any store to stay open on Sunday. The grocery and convenience stores want this ordinance passed. It is up to families and individuals to decide whether or not they want to consume. It is not up to the Commission to make that decision.

Chairperson Steward commented that in his opinion the community would not be better off with Sunday sales. He recognizes that Sunday sales make it more convenient for people who use alcohol responsibly, however, alcohol is a huge factor in many of the social ills plaguing society. The benefits are outweighed by the negatives. He will vote against the ordinance.

City Attorney John Bird stated that if the ordinance is passed, it can be appealed if the correct procedures are followed. A petition with the correct number of signatures can be filed requesting this issue be voted upon by the citizens of Hays.

Commissioner Billinger stated he did not think Sunday sales would promote further abuse. Those that are abusing alcohol now would find a way

even without Sunday sales. He favors approving the ordinance. He agrees with Chairperson Steward about alcohol playing a big part in many of society's problems, but substance abuse should be dealt with in a different manner.

Vote: Ayes: Wayne Billinger

Barbara Wasinger

Henry Schwaller IV

No: Kent Steward

Troy Hickman

9. 2006 CITY OF HAYS PAY RANGE AND JOB CLASSIFICATION

SCHEDULE: It is recommended that the City of Hays adopt a pay plan for 2006 which extends the pay ranges to include 55 one percent steps. The recommended pay plan will maintain the current starting salary for each range but will extend the ranges by approximately 21%. The recommended pay plan would become effective with the 2006 payroll year which begins December 18, 2005.

Henry Schwaller IV moved, Troy Hickman seconded, that Resolution No. 2005-011, being a resolution amending the pay range and job classification schedule for City employees, created pursuant to Section 2.52.040 of the Hays Code and repealing all previous resolutions, motions or actions in conflict therewith, be approved.

Vote: Ayes: Kent Steward

Wayne Billinger

Troy Hickman

Barbara Wasinger

Henry Schwaller IV

10. 2006 PAY PLAN, PAY FOR PERFORMANCE POLICY AND PAID TIME

OFF POLICY: The City Manager requested approval of a resolution directing him to implement a Pay Plan, a Pay for Performance policy and a Paid Time Off policy created for all employees of the City of Hays not covered by meet and confer provisions of the Kansas Public Employee Relations Act or by other contracts for the year 2006.

The Pay Plan incorporates a series of one percent steps of pay which will be implemented, along with an objective and detailed evaluation method. The evaluation process will involve objective evaluation of job performance, with safeguards allowing review of the evaluations before implementation of the resulting pay change. Movement within the pay plan will be determined by the objective evaluation of job performance. This procedure will apply to all personnel who are not in or eligible to be in employee unions.

The Paid Time Off (PTO) policy is being modified commencing with the 2006 budget year. The accrued leave time which is payable under certain circumstances will be quantified and the money either set aside in reserve or paid directly to the employee. The City will then convert to the new PTO system, which will be more flexible for the employees and allow the City to know at any given time its exact potential liability during any budget year. Essentially, the accumulation provisions of the current leave policy will be eliminated and the City will institute a self-funded short-term disability policy that will allow for situations involving employees who have a need for extended disability leave.

Henry Schwaller IV moved, Barbara Wasinger seconded, that Resolution No. 2005-012, being a resolution directing the City Manager to implement a Pay Plan and Pay for Performance policy and Paid Time Off policy created for all employees of the City of Hays, Kansas, not covered by meet and confer provisions of the Kansas Public Employee Relations Act or by other contracts, for the year 2006, be approved.

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

11. 2006 BUDGET HEARING: Wayne Billinger moved, Troy Hickman seconded, that July 28, 2005 be set as the date for the 2006 Budget public hearing.

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

12. REPORT OF THE CITY MANAGER: The City Manager reported that enplanements at the Hays Regional Airport continue to increase. Enplanements are 4% higher for June 2005 compared to June 2004.

13. COMMISSION INQUIRIES AND COMMENTS: Commissioner Schwaller stated that he is hopeful that when the Commission adopts its financial policy this fall, the Commission will clarify the language on funding for social services, economic development and quality of life agencies.

Chairperson Steward requested information regarding the attendance at the Hays Aquatic Park.

14. EXECUTIVE SESSION: There was no executive session.

Thereupon the Governing Body adjourned.

Submitted by: _____

City Clerk