

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON
JULY 28, 2005

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, July 28, 2005 at 7:30 p.m.

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

Vice-Chairperson Billinger 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 July 14, 2005 regular session; they stand approved as written.

3. FINANCIAL STATEMENT: Finance Director/City Clerk Mark Loughry reported that sales tax collections increased \$250,861 due to the collection of an additional $\frac{3}{4}$ % sales tax in 2005 for budget stabilization. Sales tax collections deposited in June 2005 to the General Fund totaled \$169,768, which is a 1.07% decrease over sales tax collected last year for the same period. Year-to-date sales tax collection for the General Fund totaled \$1,094,729, which is an increase of 5.15% over the same time frame in 2004.

Troy Hickman moved, Barbara Wasinger seconded, that the Financial Statement for the month of June 2005 be approved.

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

4. CITIZEN COMMENTS: Brett Straight appeared before the Commission to solicit funding and/or volunteers for the Frontier Open Disk Golf Tournament on September 10-11, 2005.

City Manager Gustafson requested that Mr. Straight put together a list of services that he is needing.

Vice-Chairperson Billinger suggested Mr. Straight contact the Convention and Visitors Bureau to see how that agency might help.

Rick Claiborn, Hays Recreation Commission (HRC) Superintendent, informed the Commissioners that the Hays Association of Young Swimmers Swim Team has an opportunity to host a championship meet in Hays in 2006, one week after their normal community meet. It will be necessary to close the lap pool to public use for two consecutive weekends.

The Commissioners did not voice any objections.

5. COMMERCIAL IMPROVEMENT AWARDS: Vice-Chairperson Billinger presented the 2005 Commercial Improvement Awards to the following people for newly renovated or routinely maintained aesthetically pleasing landscaping and exterior design of a business location:

John Bird – Glassman, Bird, Braun and Schwartz, L.L.P. 200 East 13th St.

Doug Marlett – JD's Country Style Chicken, 740 East 8th St.

Pete Kluthe – Pizza Hut South, 1308 Vine St.

6. CONSENT AGENDA: The City of Hays has received an invitation to send a delegation to its Sister City Xinzheng/Zhengzhou, China. Xinzheng/Zhengzhou is home to SIAS International University which has approximately 400 students enrolled in Fort Hays State University. A year ago, the City of Xinzheng/Zhengzhou sent a delegation to Hays to commemorate its new Sister City relationship with the Hays community, and now they would welcome a return visit.

Henry Schwaller IV moved, Troy Hickman seconded, that City contingency funds be used to pay for Mayor Steward and Vice-Mayor Billinger to take a trip to Hays' Sister City, Xinzheng/Zhengzhou, China.

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

NEW BUSINESS

7. 2006 BUDGET PRESENTATION, PUBLIC HEARING AND APPROVAL OF BUDGET: City Manager Randy Gustafson presented a brief overview of the proposed 2006 Budget.

Vice-Chairperson Billinger opened the public hearing for the 2006 Budget.

Vernon Befort, 1404 West 44th St. expressed concern about the purchase of additional police vehicles. He does not like to see police cars sitting idle on the street while an officer is off duty. He would prefer that additional police officers be hired rather than spending the money to purchase a vehicle for each police officer.

The City Manager responded that one of the benefits of having police cars sitting idle on streets is that crime in the neighborhoods where the car is sitting actually goes down a bit. So much money is spent equipping the cars and with having them driven 3 shifts a day, they wear out prematurely. Once the initial cost is made, he has found that it is cheaper to run the police car for ten years rather than three years. Assigning the car to one officer would make him more accountable for its upkeep and maintenance.

There being no further comments, Vice-chairperson Billinger closed the public hearing.

Henry Schwaller IV moved, Troy Hickman seconded, that the 2006 Budget be approved as presented.

Vote: Ayes: Wayne Billinger

Troy Hickman
Barbara Wasinger
Henry Schwaller IV

8. DESIGN OF 22ND AND 41ST STREETS – ENGINEERING SERVICES: KDOT has awarded grants for participation in construction of 22nd Street and 41st Street in 2008. The City has received proposal from five firms for engineering services related to the design of these two projects. Baughman Company, based in Wichita, KS, presented the lowest cost proposal to the City at a price of \$172,700.

Troy Hickman moved, Barbara Wasinger seconded, that the proposal from Baughman Company be accepted and the City of Hays enter into an Agreement for Engineering Services with Baughman Company for the design of 22nd and 41st Street.

Commissioner Schwaller was out of the room during the vote.

Vote: Ayes: Wayne Billinger

Troy Hickman
Barbara Wasinger

9. 41ST STREET ECONOMIC DEVELOPMENT GRANT – PHASE II: City staff proposed the submission of Phase II of an Economic Development Grant Application for the improvement of 41st Street from Vine Street to Commerce Parkway. Phase II includes the improvement of 41st Street from Canterbury to Commerce Parkway to a two-lane concrete roadway with gravel shoulders and graded ditches at an estimated cost of \$2.7 million. KDOT Economic Development Grants pay up to 75% of project costs to include design, property acquisition, inspection, and construction. KDOT's maximum participation per application is \$2 million; however, historically KDOT has not awarded the full \$2 million to any one project. It is reasonable to expect KDOT to award \$1,000,000 toward this project. The money would not be available until 2009.

Troy Hickman moved, Henry Schwaller IV seconded, that the Mayor be authorized to sign a narrative to be included in an Economic Development Grant Application for improvements to 41st Street north of I-70.

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

10. GRIT BASIN REPAIRS AT THE WASTEWATER TREATMENT PLANT:

One bid was received for replacement parts of the grit basin at the Wastewater Treatment Facility. S & W Supply, Inc. submitted the sole bid in the amount of \$7,121.95.

Troy Hickman moved, Barbara Wasinger seconded, that the bid in the amount of \$7,121.95 received from S & W Supply, Inc, for grit basin repairs at the Wastewater Treatment Plant be accepted.

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

11. STOP SIGN LOCATIONS: The citywide traffic study completed in 2004 recommended the installation of additional stop signs at several intersections throughout Hays. Those signs were installed in February of 2005, and public reaction to the additional stop control was generally positive. In order to install some level of stop control at all the remaining uncontrolled intersections in the City, the installation of 106 additional stop signs will be required.

Troy Hickman moved, Wayne Billinger seconded, that the installation of 106 additional stop signs throughout the City of Hays be approved.

Commissioner Schwaller commented that the City does not have any evidence that these additional stop signs are working. On short blocks, cul-de-sacs, and/or streets that dead-end or "T" into another street, there has been some concern and anger about installing stop signs on those types of streets.

Commissioner Hickman stated he felt the City should be consistent in its efforts to install some level of control at all intersections.

Vote: Ayes: Wayne Billinger
Troy Hickman

Barbara Wasinger

No: Henry Schwaller IV

12. PLAINS ASSISTED LIVING, L.L.C. – RETIREMENT OF INDUSTRIAL

REVENUE BONDS: The City has previously issued its Assisted Living Residence Revenue Bonds, Series 2000 (Cedarview Assisted Living Project) dated August 1, 2000 in the aggregate principal amount of \$2,500,000 to finance the cost of constructing a 35 apartment assisted living residence facility leased to Plains Assisted Living, L.L.C., a Kansas limited liability company, pursuant to a Lease dated August 1, 2000 between the City and the Tenant. The Tenant desires to exercise its option to purchase the Project under Section 17.1 of the Lease and is not in default under the Lease; the Tenant desires to provide for the immediate payment of all outstanding Bonds, the redemption premium and interest thereon accruing to the redemption date of August 1, 2005, by depositing a sum sufficient for such purpose with Central Bank & Trust Co., Hutchinson, Kansas, as Trustee for the Bonds.

City Attorney John Bird stated that the transfer of ownership of Cedarview does not eliminate the low income test for residency.

Troy Hickman moved, Henry Schwaller IV seconded, that Resolution No. 2005-013, being a resolution authorizing the sale and conveyance of certain land by the City of Hays, Kansas to Plains Assisted Living, L.L.C. be approved.

Vote: Ayes: Wayne Billinger

Troy Hickman

Barbara Wasinger

Henry Schwaller IV

13. REPORT OF THE CITY MANAGER: The City Manager did not have any additional items to report on.

14. COMMISSION INQUIRIES AND COMMENTS: Commissioner Schwaller requested discussion at a Work Session of the speed limit on East 8th Street from Vine to Canterbury Drive.

Commissioner Schwaller requested discussion at a Work Session on what could be done about dead trees located in residential areas throughout Hays.

Vice-Chairperson Billinger requested information on the number of riders using the Access Van.

City Manager Gustafson stated the Transportation Committee will be reporting to the Commission in September.

Vice-Chairperson Billinger stated that the City of Hays is nearing the end of the 10th year of Hays being designated an All America City. The City can re-apply after 10 years.

15. EXECUTIVE SESSION: There was no executive session.

Thereupon the Governing Body adjourned.

Submitted by: _____

City Clerk