

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON
AUGUST 11, 2005

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, August 11, 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 July 28, 2005 regular session; they stand approved as written.

3. CITIZEN COMMENTS: There were no comments.

4. CONSENT AGENDA: Chairperson Steward proposed that Cris Crispin and Bob Helm be appointed to the Golf Course Advisory Committee. He stated these were the only two applications he received for this committee and he has confidence in both of them.

These appointments will be presented for approval at the August 25, 2005 Commission meeting.

NEW BUSINESS

5. BLUE CROSS BLUE SHIELD INSURANCE REPORT: When the City of Hays switched health insurance from Blue Cross Blue Shield (BCBS) to our present carrier, PHS, BCBS was required to provide us a refund 18 months after the switch-over which was January 1, 2004.

Charlie Krull, representing BCBS, appeared before the Commission to explain the refund. Mr. Krull stated that when the City switched to PHS in 2004, there was \$176,347 in the group reserve fund that was returned to the City at that time. The remaining funds in the group reserve were held for 18 months to pay for any run out claims and liability for claims incurred in 2003. Those remaining funds in the amount of \$235,924 were returned to the City last week, bringing the total refund to \$412,271.

6. 2004 AUDIT: Ken Beran and Melissa Romme of Adams, Brown, Beran and Ball reviewed the 2004 Audit of the City of Hays.

Henry Schwaller IV moved, Wayne Billinger seconded, that the 2004 Audit for the City of Hays be approved.

Vote: Ayes: Kent Steward

Wayne Billinger

Troy Hickman

Barbara Wasinger

Henry Schwaller IV

7. WILSON POOL: Wilson Pool is approximately 32 years old and is in need of major repairs in order to operate correctly and efficiently. Staff provided a description of the repairs. It is estimated that it will cost \$122,425 to make the necessary repairs.

Henry Hartman, 2004 North Glen Lane, addressed the Commission regarding the repairs. Mr. Hartman had previously performed some of the repairs to the pool and feels the cost is quite high and can be done for less. He suggested several ways to lower the cost of the repairs. The pool is basically in good shape and should be repaired. Mr. Hartman also felt it should be a free access pool.

Melanie Miller, 2811 A Fort Street, stated the pool should be adequately staffed and maintained. The pool could be used for aerobics and closed pool gatherings. She asked that the Commission approve the repairs so that the entire facility is not wasted.

Janet Johannes, 219 East 29th Street, requested the Commission approve the pool repairs. She feels keeping the pool open is a quality of life issue. The other three neighborhood pools have been closed and she would not like to see this last neighborhood pool closed.

Wayne Billinger moved, Henry Schwaller IV seconded, that the necessary repairs be made to Wilson Pool, taking into consideration some of the issues that Mr. Hartman brought up and any other issues that may come before the Commission regarding this facility, the final costs estimates subject to City Commission approval.

Chairperson Steward commented the concept of neighborhood pools means there are pools in various neighborhoods when in fact there are not. It would be a nice amenity in that part of town, but it does nothing for people in other neighborhoods. It would be nice to have the Hays Aquatic Park and five or six neighborhood pools; however, it is the Commission's job to show some discretion. This is not just a repair of the pool; it is practically rebuilding it.

Commissioner Schwaller agreed that the money to repair the pool is a lot of money. He agrees that maybe there is something that could be done to bring the cost down. The \$122,425 is over his comfort level, but in terms of investment in this community, he feels the pool can be saved.

Commissioner Billinger stated the City failed to maintain this pool on a regular basis. Once these repairs are made, future costs should not be so overbearing.

Vote: Ayes: Wayne Billinger

Troy Hickman

Henry Schwaller IV

No: Kent Steward

Barbara Wasinger

8. SPECIAL ASSESSMENTS – NOTICE OF HEARING: The Commission was requested to approve Resolution No. 2005-014, which sets the public hearing for the purpose of considering proposed special assessments for improvements to four special assessment districts.

A Notice of Public Hearing will be mailed to all property owners in the assessment district following approval of this Resolution. The property owners will be given the opportunity to make comments concerning the proposed assessments during the public hearing. This Resolution starts the necessary process to hold a bond sale on October 13, 2005.

Henry Schwaller IV moved, Troy Hickman seconded, that Resolution 2005-014, being a resolution providing notice of a public hearing to consider proposed assessments as to the public improvements for (a) General Hays Road; (b) Tallgrass, 1st Addition, Phase III; (c) Golden Belt Estates, 1st Addition; (d) 41st Street Plaza, Fifth Addition, 46th Street Addition, and an unplatted tract of land, be approved.

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

9. REPORT OF THE CITY MANAGER: The City Manager reported that enplanements at the Hays Regional Airport continue to increase. July enplanements are up 12% compared to July 2004.

10. COMMISSION INQUIRIES AND COMMENTS: Commissioner Schwaller stated that in April, he made a request that City staff consult with the Kansas Department of Transportation (KDOT) regarding signage in areas outside of the city limits.

The City Manager stated funds have been budgeted for a consultant to make a recommendation for signage for the whole community. The consultant will communicate with KDOT for areas outside of the city limits. A Request for Proposals will be issued this fall, with the process to begin in 2006.

Commissioner Hickman asked for clarification about the Pool Construction Fund being rolled over into the General Fund.

The City Manager stated that it is a statutory requirement that any project funded with sales tax, once the project is completed, any sales tax money

remaining in that project fund must revert to the General Fund. The money will be kept in a reserve.

Chairperson Steward commented that the City logo has never been officially designated as the official city logo.

Chairperson Steward also requested an update on the Colorado Timing System.

Chairperson Steward requested that repairs that have been made in brick streets be repaired with bricks rather than concrete. He would like all brick streets that have concrete repairs redone as time allows.

Chairperson Steward stated he is alarmed by the outrageous decision of the U.S. Supreme Court that allows government bodies to use the powers of eminent domain to condemn someone's house for commercial purposes. He would like to have the City Attorney prepare an ordinance that the Commission could adopt that would state the key elements of eminent domain and address property rights.

11. EXECUTIVE SESSION: There was no executive session.

Thereupon the Governing Body adjourned.

Submitted by: _____

City Clerk