

City of Hays  
City Commission  
Work Session Notes  
November 1, 2012

Present: Kent Steward, Henry Schwaller IV, Ron Mellick, Carol Park, Toby Dougherty

Absent: Troy Hickman, Barbara Wasinger

**Discussion of Giving Larks Park Ownership to FHSU**

Discussion on this item was tabled to the November 15, 2012 work session. Commissioners Steward and Schwaller have a conflict of interest because they are employees of Fort Hays State University, and the absence of Commissioners Hickman and Wasinger from the work session left only Commissioner Mellick able to discuss the issue.

**Ordinance Requiring Two (2) Forms of Identification to Enter Drinking Establishments**

In 1991, Ordinance No. 3239 was adopted. A section of that Ordinance required two forms of identification to enter certain drinking establishments. In 2001, Ordinance No. 3493 was adopted which further defined what two forms of identification would be required. There is no State statute requiring two forms of identification to enter drinking establishments. City staff checked with peer cities, none of which required two forms of identification.

Staff feels that while unique to Hays, the current ordinance does mitigate the potential for underage drinking. The requirement that patrons show two forms of identification makes it harder for someone to utilize a fake ID. The State of Kansas Alcoholic Beverage Control is supportive of the current ordinance.

Police Chief Don Scheibler reported that in 2005 Homeland Security made the determination that by 2011 all states would be required to have some kind of

technology to scan and read drivers licenses and other forms of state-issued identification. A large number of states were unable to meet this requirement deadline so the date has been extended to January 15, 2013. A basic scanner costs \$400 and prices go higher depending on various features.

The Police Chief does not feel that the ordinance should be changed to be more restrictive. It is the responsibility of business owners to make sure that people under the age of 21 are not inside their bars and drinking. Bar owners are fined if found to be in violation of this restriction.

Commissioner Mellick stated that what is in place with the current ordinance is working and until such time as driver license/id scanners become mandatory, he favors not changing anything.

Police Chief Scheibler stated the ordinance seems to be working and he has not received any complaints about requiring two forms of identification.

The Commissioners were in consensus about not changing the ordinance. No further action or discussion is necessary.

### **Pre-annexation Agreement for Water Service for the Residence at 3232 East 27<sup>th</sup> St.**

The owner of 3232 East 27<sup>th</sup> St. has requested a water service connection for an existing residential dwelling on the property. The existing water well has failed and the owners have had to find other means to get water. The owners have agreed to the standard pre-annexation agreement.

Jesse Rohr, Planning, Inspection and Enforcement Supervisor stated the property directly to the east of 3232 East 27<sup>th</sup>, (3340 East 27<sup>th</sup> St.) is serviced with a 2" waterline from 22<sup>nd</sup> St. The waterline was put in when the I-70 & Commerce Parkway interchange was built in 1993-94. Due to the construction of the interchange, the private water well on the residential property at 3340 East 27<sup>th</sup> St. was abandoned. The State and the City agreed to extend the 2" line to this property to service the residential property. This property was later converted to a small animal veterinary clinic, and has recently been converted back to a single family dwelling. Mr. Rohr stated that after testing, it has been

determined that it is borderline, at best, as to whether or not the 2" waterline can service both residences.

Utilities Director Bernie Kitten explained the process that was used to make that determination.

Commissioner Schwaller stated that the City promised to supply water to 3340 East 27<sup>th</sup>; additional development was not anticipated at that time. He feels there should be some communication with the property owner at 3340 East 27<sup>th</sup> to see if they would be willing to accept another user on this line with some accommodations on their part. He does not think this should be on next week's agenda until more information is brought forth.

Commissioner Mellick asked if this is approved, are there any other city services that have to be provided to this property owner.

Mr. Rohr stated there are none.

Commissioner Mellick stated 3340 East 27<sup>th</sup> St. and 2020 East 27<sup>th</sup> St., which are both outside the city limits and getting water service, are also getting city trash service. City trash service is \$15.20 per month in the city limits; private hauler rates for outside city limits trash service is over \$20. He does not feel those two residential properties should have city trash service along with the benefits of recycling and the annual city-wide clean-up.

Additionally, the owners of the property located at 2520 Canterbury Dr. recently signed a pre-annexation agreement for water services. He questioned whether they, as well as the two properties mentioned above, have to abide by the City water conservation restrictions. He has observed one of them watering in the middle of the afternoon this past summer.

City Manager Toby Dougherty stated they had to abide by the City's watering restrictions since they are using City water.

Commissioner Mellick stated that two of the properties have livestock on them. Are those animals using city water also? Would their water allotment be based on usage by both the property owner and the livestock? He is concerned that livestock could be placed on any property that is outside city limits and is hooked to City water services.

The Commissioners will discuss this further at the November 15, 2012 work session.

### **City Employee Health Insurance for 2013**

Erin Niehaus, Human Resource Coordinator, reported on the 2013 health insurance renewal rates received from Blue Cross Blue Shield.

The renewal rates include an increase of 12.1% for the Traditional Plan and 12.8% for the High Deductible Plan. The increased premiums are the result of higher claims in 2012. For 2013, deductibles were raised for the Traditional Plan, and the City's contributions to the employee Health Savings Accounts, for the High Deductible Plan, will be lower in 2013 to compensate for the higher premiums.

Both the Wage and Benefit Committee and City staff recommend that the City continue to offer both the Traditional Plan and the High Deductible Plan to full-time City employees. This recommendation keeps health insurance costs below the Commission's cap of \$9,500 per employee.

The Commissioners will be requested to formally approve the 2013 health insurance renewal rates received from Blue Cross Blue Shield at the November 8, 2012 Commission meeting.

### **2013 Wage and Benefit Study**

The City budgeted \$35,000 in 2013 for a wage and benefit study. It has been four years since the last study was completed by Organizational Development Services (ODS). The City requested and received a proposal from ODS, in the amount of \$22,800 to perform a study in 2013. The results of this study will be used to make sure that the City's wages and benefits are in line with the market and will be used during union meet and confer sessions as well as wage and benefit committee discussions.

The Commissioners will be requested to approve the bid submitted by ODS at the November 8, 2012 Commission meeting.

## **2013 Statement of Legislative Priorities**

City Manager Toby Dougherty presented the 2013 Statement of Legislative Priorities.

The 2013 legislative goals for the City of Hays are to preserve the current municipal funding framework, improve water planning ability, and maintain local determination on governance issues that are essential to Hays. The City Manager discussed the following items that identify the core areas of legislative importance to the City of Hays:

- Water Conservation and Planning
- Regulation of Local Water Supplies
- Water Quantity and Quality
- Alcohol Liquor/Motor Fuel Taxes
- Sales Tax Exemptions
- Personal Property Tax Exemptions
- Revenue Sharing
- TABOR (Taxpayer Bill of Rights)
- Unfunded Mandates
- Stormwater Management
- Public Property and Rights-of-Way
- Public Employee-Employer Relations Act/Collective Bargaining

The work session adjourned at 7:27 p.m.

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

Doris Wing – City Clerk



