

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON May 23, 1996

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas, met in regular session Thursday, May 23, 1996, at 7:30 p.m.

Roll Call: Present: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

2. MINUTES: Eber Phelps moved, Jayne Clarke seconded, that the minutes of the May 9, 1996, regular session, be approved.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

3. FINANCIAL STATEMENT: Jayne Clarke moved, Sharon Leikam seconded, that the April, 1996, Financial Statement, be approved.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

4. CONSENT ITEMS: There were no consent items to be approved.

5. COMMISSION INFORMATIONAL MEMORANDUM: Commissioner Phelps asked for an update of action being taken by the Edwards County Commission in regard to the rezoning of the R-9 Ranch land. City Manager Hannes Zacharias said the Edwards County Commission has hired a consultant to set up a zoning district in that area of Edwards County, and have created a Zoning Commission to study the issue. The City of Hays will probably hire a consultant to

closely monitor the issue.

Commissioner Clarke questioned a letter the City received from a member of The World Peace Prayer Society requesting the City to erect a Peace Prayer Pole. City Manager Zacharias said he had no further information, other than the letter. According to the letter, the poles represent the Spirit of Peace from the Japanese people to all the people living in the United States of America and Canada.

Commissioners Clarke and Leikam expressed interest in erecting a peace pole, and asked the City Manager to obtain additional information.

6. CONSENT ITEMS: There were no consent items to be approved.

7. KANSAS RECYCLERS ASSOCIATION AWARD: Lynn Albers, Chairman of the Recycling Committee, and Elden Hammerschmidt, Public Works Director, presented the "Outstanding Public Education Award" for 1996 from the Kansas Recyclers Association to the City of Hays.

Ms. Albers said the Recycling Program was a large undertaking which began in 1989. She recognized the many community members, schools, and civic groups who have been involved in the Recycling Program. Without their help, the Program would not have been successful.

Mr. Hammerschmidt said the Recycling Program has a 70 percent participation rate.

Mayor Rupp thanked all the people who have been involved in the Recycling Program. He noted that this award is very timely since recycling is one of the projects listed in the "All American City Application".

8. CARE COUNCIL REPORT: Harlan Murphy and Beth Bowerman, were present to announce the Care Council's recommendation for distribution of the City's Special Alcohol Funds as follows:

Smoky Hill Foundation	\$ 8,400
Dream, Inc.	\$10,800
St. Joseph Chemical Dependency Program	\$ 6,700
DAWN	\$ 9,100

The Care Council's recommendation for distribution of Human Resource funding is as follows:

AmeriCorps Project SERV	\$ 3,000
Cancer Council of Ellis County	\$ 5,530
CASA of the High Plains, Inc.	\$ 6,100
First Call for Help	\$ 1,000
Foster Grandparent Program	\$ 3,470
Hays Area Children's Center	\$ 2,000
Northwest Kansas Family Shelter	\$10,000
Senior Companion Program	\$ 3,400
Sunflower Girl Scout Council	\$ 500

Ms. Bowerman said the Committee took their charge very seriously, and spent about 180 hours reviewing the applications, interviewing and making site visits.

Mr. Murphy said the procedures used for allocation of the funds have improved in comparison to the method used in the past. The Committee had more information from the agencies to base their decision. There was a cross-section of individuals on the reviewing committee.

The Care Council recommends that the collaborative effort between the City, County, and the United Way of Ellis County be continued. The effort allows the community to be proactive in meeting changing needs, results in greater leverage in seeking funds from outside our community, and permits greater coordination of services and maximum use of resources.

Eber Phelps moved, Errol Wuertz seconded, that the Care Council's recommendation for the Alcohol Tax distribution, be approved.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

Jayne Clarke moved, Sharon Leikam seconded, that the Care Council's recommendation for distribution of Human Resource

funds, be approved.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

9. BUSINESS RECRUITMENT PACKAGE: City Manager Zacharias reviewed an incentive package that will be offered to Sykes Enterprises, Inc. should they choose to locate in Hays. The package includes a 2 million dollar cash contribution of which 1.1 million dollars is being pledged by the private sector.

As part of the incentive package, the City has made the following commitments:

Cash Contribution - \$300,000

This incentive will be funded by reducing transfers from the General Fund to the New Equipment Reserve Fund and the Special Highway Fund by \$210,000 in 1996, with the remaining \$90,000 coming out of cash carryover in the General Fund from 1995. The reduction in transfers to the Special Highway and New Equipment Reserve Funds will be repaid in subsequent years using money previously designated for the I-70 Interchange Project.

Paving street in the Industrial Park - \$310,000

This project will have to be paid for by the issuance of general obligation bonds or special assessment bonds. The issuance of either type of bonds would impact the City's mill levy, and would require that consideration be given to reducing the amount spent on street projects in 1997 in order to stay within the recommended \$1,000,000 per year of new debt issuance. Another option for funding this work may be a grant from the Economic Development Administration for which the City would apply but would have no guarantee of receiving.

Relocate Turf Runway - \$380,000

In order to gain release of the lot for the Economic Development prospect, the FAA will require the City to pay for the relocation of the turf crosswind runway. Another option for funding this work may be a grant from the Economic Development

Administration for which the City would apply, but would have no guarantee of receiving.

Extension of Water and Sewer Lines - \$10,000

Cost of extending water and sewer lines from Commerce Parkway to the facility itself will be picked up by the City. The options for funding this work could include use of Water and Sewer Fund cash, or the issuance of bonds.

Property Tax Rebate - \$175,000

The City would rebate approximately \$35,000 annually in property taxes on the property owned by the prospect. This amount would be offset by the additional property tax revenue received from the property.

Security for KEIOF Funds - \$600,000

The City could potentially be liable to pay back KEIOF Funds if job creation figures discussed by the prospect are not obtained.

The City will also be waiving certain fees which do not represent outright cash payments by the City, but do represent lost revenue. Those include building permit fees, water tap fees, sewer tap fees and the \$500 per acre reimbursement from the Economic Development Corporation for the Industrial Park land.

Marion McMillan, representing the Ellis County Economic Development Corporation, reviewed the Replat of Lots 9 through 20 of the Hays Industrial Park. He stated that the exterior boundaries of the plat will not change; the size of the tracts are being customized to accommodate the new industry. Lots 15, 19, and 20 would be transferred to Sykes Enterprises. Lot 20 would be the site of the building, Lot 15 would be the site of a future facility, and Lot 19 would be the future site of a day-care.

Errol Wuertz moved, Sharon Leikam seconded, that the Replat of Lots 9 through 20 of the Hays Industrial Park, be approved.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

Jayne Clarke moved, Errol Wuertz seconded, that an Engineering Agreement between the City of Hays and Bucher, Willis & Ratliff, totaling a not-to-exceed amount of \$39,900, for construction of Sykes Boulevard, be approved.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

City Manager Zacharias said currently, the cross-wind runway dissects part of the property which will be used for the industry, and needs to be relocated. This area is under the jurisdiction of the Federal Aviation Administration.

City Attorney Bird reviewed an agreement between the City of Hays and the Federal Aviation Administration allowing for the release of the southern lots in the Hays Industrial Park, noting several changes to the agreement.

Eber Phelps moved, Jayne Clarke seconded, that an Agreement with the Federal Aviation Administration for the release of the southern lots in the Hays Industrial Park, be approved, subject to the recommended changes suggested by the City Attorney.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

City Manager Zacharias asked the Commission to establish a special meeting to consider the financial incentives offer to Sykes Enterprises.

Errol Wuertz moved, Sharon Leikam seconded, that a special Commission meeting be held on Tuesday, May 28, 1996, at 7:00

p.m. to consider, and allow for public comment on the financial incentive package which will be offered to Sykes Enterprises.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

10. ALL AMERICAN CITY AWARD: City Manager Zacharias requested the June 13, 1996 Commission meeting be changed to June 11, 1996. This would allow the Commissioners and others involved in the All American City Award presentation to be in Fort Worth on June 13, 1996.

Sharon Leikam moved, Errol Wuertz seconded, that the June 13, 1996 Commission meeting be moved to June 11, 1996.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

City Manager Zacharias asked the Commission if they had any objections to the City of Hays donating \$2,000 to help defray the expenses of the All American City presentation participants who do not have an organization to support them. There were no objections from the Commission.

11. RAILROAD CORRIDOR PROJECT: City Manager Zacharias reported that the City's contribution to the Railroad Corridor Project is \$46,635. There is \$40,000 budgeted in the Special Highway Fund for this Project. The balance will come from the fund raising effort by the Business Improvement District.

BID Director Joyce Frey said \$3,500 of the \$8,300 in pledged donations remains outstanding. She is confident that once the ground breaking takes place, those remaining pledges will be received.

Eber Phelps moved, Sharon Leikam seconded, that the Mayor be authorized to sign the "Commitment to Award City Funds" to the Railroad Corridor Project, as approved by the Kansas

Department of Transportation.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

Jayne Clarke moved, Sharon Leikam seconded, the Engineering Agreement with Bucher, Willis and Ratliff, totaling a not-to-exceed amount of \$24,357, for construction of the Railroad Corridor Project, be approved.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

12. COMMUNITY CENTER SURVEY: City Manager Zacharias said a full report of the Citizen's Survey prepared by the Docking Institute will be presented at the next meeting. The survey indicated support for construction of a Community Center is split, with the older population against and the younger population in favor of a Community Center. The majority of the population do not support a tax to finance a Community Center.

13. SOLID WASTE FEES: Public Works Director Elden Hammerschmidt reported that disposal fees at the Ellis County Landfill will increase from \$51.00 per ton to \$55.00 per ton.

City staff recommends this additional cost be passed on to refuse customers. A 30 cent increase would cover the additional cost of disposal.

Commissioner Leikam asked if this increase included a spring cleanup collection. City Manager Zacharias said the increase does not cover a spring cleanup. Commissioner Leikam said there has to be a way to keep our alleys clean as well as the rest of the City. The present system is entirely too time consuming for City staff.

Eber Phelps moved, Jayne Clarke seconded, that City staff draft an ordinance increasing refuse rates by 30 cents per

month.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

14. PEEPING TOM AND URINATING IN PUBLIC ORDINANCE: City Manager Zacharias presented suggested language from the City Prosecutor concerning proposed ordinances dealing with window peeping and urination/defecation in public. The Uniform Offense Code, established by the State of Kansas, does not include these two acts as being prohibited.

City Attorney John Bird said he wanted an opportunity to craft the language within the ordinance before approval.

Jayne Clarke moved, Eber Phelps seconded, that City Staff be authorized to prepare an ordinance prohibiting window peeping and public urination/defecation.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

15. SPECIAL ASSESSMENT DISTRICTS: Errol Wuertz moved, Sharon Leikam seconded, that Resolution No. 202, being a resolution providing notice of public hearing to be conducted by the Governing Body of the City of Hays, Kansas on the 11th day of June, 1996, at 7:30 o'clock p.m., at City Hall, to consider proposed assessment as to the public improvements consisting of the installation of water and sewer lines, and the installation of a water tower as part of the north of Interstate 70 Utility Extension Project in the City of Hays, Kansas, and; Resolution No. 203, being a resolution providing notice of public hearing to be conducted by the Governing Body of the City of Hays on the 11th day of June, 1996, at 7:30 o'clock p.m., at City Hall, to consider proposed assessment as to the public improvements consisting of the paving, curbing, and guttering of

Seventeenth Street from Harvest Road to Wheatland Drive; and the paving, curbing, and guttering of Skyline Drive from Thirty-seventh Street to Thirty-eighth Street in the City of Hays, Kansas, and;

Resolution No. 204, being a resolution providing notice of public hearing to be conducted by the Governing Body of the City of Hays on the 11th day of June, 1996, at 7:30 o'clock p.m., at City Hall, to consider proposed assessment as to the public improvements consisting of the paving, curbing and guttering of a portion of East 20th Street, East 21st Street and Wheatland Drive in the City of Hays, Kansas.

Vote: Ayes: Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz
Sharon Leikam

16. EXECUTIVE SESSION: City Manager Zacharias said it would not be necessary to hold an executive session.

17. ADD-ON ITEMS: City Manager Zacharias announced that the opening of Wilson Pool has been delayed. Henry Hartman, contractor for the project said he anticipates the pool to open in approximately three weeks.

Commissioner Wuertz recognized all the students in the DARE Program who have graduated, and particularly thanked the parents of the students who attended the graduation.

Commissioner Phelps recognized Lou Isbell who was a torch bearer for the Olympic Run.

Mayor Rupp also commended Officer Tim Dreiling, the DARE students, and parents of the students on the recently completed DARE Program.

Thereupon the Governing Body adjourned.

Submitted by: _____
Clerk of the Board

