

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON FEBRUARY 13, 1997

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays met in regular session, Thursday, February 13, 1997, at 7:30 p.m.

Roll Call: Present: Daniel Rupp
Robert Albers
Jayne Clarke
Errol Wuertz
Sharon Leikam

Mayor Rupp declared that a quorum was present, and called the meeting to order.

2. MINUTES: Commissioner Clarke stated the minutes of the January 23, 1997, meeting identified her as Vice-Mayor. She is not the Vice-Mayor.

Sharon Leikam moved, Jayne Clarke seconded, that the minutes of the January 23, 1997 meeting, be approved, as corrected.

Vote: Ayes: Daniel Rupp
Robert Albers
Jayne Clarke
Errol Wuertz
Sharon Leikam

3. CITIZEN COMMENTS: Ray Winters, citizen, urged the City Commissioners to vote against placing the Library Bond Issue on the April 1, 1997, ballot.

Suenell Koerner, representing KMA Productions and Local Edition Cable 14, presented awards for video presentations by KMA Productions. A first place award was presented to Kent Stewart and Mark Hantla for a video of a Town Hall meeting regarding the proposed Community Center Complex. A second place award for a video of a radar stop on the "Cop Shop Series" was presented to Police Officer Ken Collins.

Lawrence Pratt, Vice-President of Western Investments Inc. of Hays, voiced concern about placing the Library Bond Issue on the ballot. Mr. Pratt does not support the building of a library because his taxes have already increased at an exorbitant rate. Mr. Pratt expressed his concern about businesses closing and relocating to other areas due to higher taxes.

4. COMMISSION INFORMATIONAL MEMORANDUM: Commissioner Wuertz commented on the increase of enplanements for January 1997. City Manager Hannes Zacharias stated he feels the advertising of air service out of Hays is paying off.

5. CONSENT ITEMS: Errol Wuertz moved, Robert Albers seconded, that the following Mayor's recommended committee appointments be approved:

Housing Authority - Harlan Murphy - four year term ending
February 14, 2002

Traffic Advisory - Melvin Wedermyer - two year term ending
January 1, 1999

Vote: Ayes: Daniel Rupp
Robert Albers
Jayne Clarke
Errol Wuertz
Sharon Leikam

Sharon Leikam moved, Errol Wuertz seconded, that a Cereal Malt Beverage License request from the Hays Baseball Association, be approved.

Vote: Ayes: Daniel Rupp
Robert Albers
Jayne Clarke
Errol Wuertz
Sharon Leikam

Robert Albers moved, Sharon Leikam seconded, that Jayne Clarke be appointed Vice-Mayor to replace Eber Phelps, who

resigned at the January 9, 1997, Commission meeting.

Vote: Ayes: Daniel Rupp
Robert Albers
Jayne Clarke
Errol Wuertz
Sharon Leikam

6. STREET COMMITTEE REPORT: Commissioner Clarke stated the Street Task Force is meeting, and will have a full report for the Commission at a future meeting.

7. LIBRARY BOND ISSUE: Commissioner Leikam asked City Attorney John Bird what would happen to the existing library structure if a new library would be built? Mr. Bird stated his research so far indicates that a significant portion of the building could revert to Ellis County. The City of Hays owns the building, however, some of the land reverts back to the County. He stated this is not the definitive answer.

Lawrence Pratt stated he will oppose the Library Bond Issue. Mr. Pratt stated he feels the library is trying to meet too many needs in the community. He feels the public library should be for the joy of reading. Serious research could be done by using the Fort Hays State University Library. The public library should not be competing with video stores, art galleries, be a computer center, or have meeting rooms; these services can be provided by other outlets. The problems with heating, air conditioning, and a leaking roof can be repaired.

Tom Haas urged the Commission to vote no in regard to placing the Library Bond Issue on the ballot. The timing is not right, and the issue needs to be restudied. The library should remain downtown. There are issues far more pressing than building a library.

Eleanor Bogart urged the Commission to put the issue on the ballot. She feels the democratic process will let the taxpayers decide if the community can support a new library.

Glen Teel stated we have a good library; we should take care of it, and keep it downtown. The mechanical and structural problems can be repaired. With the advent of home computers,

Mr. Teel feels libraries will be used less in the future.

Kathy Drabkin stated she feels we get quite a bit with the money we spend on taxes. Taxes pay for things she can't do or purchase herself. A community should work together to provide services that one person alone could not do. She hopes the community does not reject the library issue solely on the issue of rising taxes. This issue should be put before the people, and let them decide on whether or not to build a library.

Denise Staab asked the Commission to consider the future of our children and vote yes to place this issue on the ballot.

Jan Edwards stated she felt computers and new technology will never make libraries less vital in a community and urged the Commission to let the voters decide the issue.

Hays Public Library Director Melanie Miller stated in 1992 the City Commission encouraged the Library Board to pursue a new facility rather than an expansion. This would allow for high volume use through the year 2020. Ms. Miller described the various mechanical and structural problems. Every year the library construction is delayed adds higher construction costs to the project. The Library Board has decided to place the library on the East 13th Street and Harvest Road site.

Wilma Schmeller, President of the Hays Library Board, urged the Commission to place the issue on the ballot, and let the voters decide.

Commissioner Clarke commended the Library Board for their educational efforts. The Community Center Complex Committee, and the Street Committee will both be reporting to the Commission in the near future. Those reports will contain funding requests also. The Commission will ultimately have to decide which projects takes priority. It would be more prudent to wait until all the committees make their presentations, and then decide what project should go first. The public should have the opportunity to vote. However, they should not vote until they have all the facts and figures. Commissioner Clarke stated that until all of the committees have made their reports, she cannot support putting the issue on the ballot.

Mayor Rupp stated the Commission should let the public speak on this issue, even though there are many competing needs within the City of Hays.

Commissioner Leikam feels the Library Board has researched the issue over the past four to five years and the issue should be placed on the ballot.

Commissioner Wuertz feels the voters need to be well informed. Commissioner Wuertz stated he is not finding very much support for this project in the community. However, he feels the voters should have the option of deciding on whether or not to build a new library.

Commissioner Albers pointed out that the taxes in Hays are not out of range in comparison with cities of similar size. The total mill levy for the City of Hays is lower than in many surrounding cities which indicates that on a comparative basis, the City of Hays is getting by on less dollars than other communities.

Sharon Leikam moved, Errol Wuertz seconded, that Resolution No. 232, being a resolution authorizing and providing for the calling of a bond election in the City of Hays, Kansas, for the purpose of submitting to the qualified electors of the City the question of issuing \$6.8 million in General Obligation Bonds of the City for library purposes; and providing for the giving of notice of said bond election.

Vote: Ayes: Daniel Rupp
Robert Albers
Errol Wuertz
Sharon Leikam
No: Jayne Clarke

8. DEVELOPMENT POLICY: City Manager Zacharias stated the Development Policy is being modified again to reflect some current situations dealing with development.

Chief Building Inspector Kent Laas highlighted the changes in the policy. Standard specifications for streets, sewer tap risers and easement marking are included in the changes. Additionally, staff has included verbiage to clarify the City's

position with respect to engineering services typically associated with development and potentially made a part of the special assessment. A provision has been added to avoid a situation where a developer would have a large number of unsold lots available in one subdivision, and develop more lots in another subdivision. This type of situation leaves the City vulnerable to possibly paying special assessments should the developer be unable to market his lots.

City Attorney John Bird recommended that under Section 9, Option 1-C, the word "undeveloped" be changed to "unsold".

The section addressing Storm/Sewer Water Management was modified to maintain continuity with past policy and current State statute. In the future, each developer will be responsible for some of the cost associated with defining and establishing the drainage basin within that particular development.

Jayne Clarke moved, Errol Wuertz seconded, that the changes to the Development Policy, including the recommended change to Section 9, Option 1-C, be approved.

Vote: Ayes: Daniel Rupp
Robert Albers
Jayne Clarke
Errol Wuertz
Sharon Leikam

9. I-70 DE-ANNEXATION: The area to be de-annexed would eliminate portions of 41st Street and Mopar Drive from the city limits that were annexed January 9, 1997. This action is being taken to accommodate the Ellis County Commission who has some reservations about using County resources to maintain roadways in the city limits. The area was annexed recently to accommodate "All America City" signs erected on the right-of-way of 41st Street and Mopar Drive.

Sharon Leikam moved, Jayne Clarke seconded, that Ordinance No. 3398, being an ordinance de-annexing land from the City of Hays, Kansas, be approved.

Vote: Ayes: Daniel Rupp

Robert Albers
Jayne Clarke
Errol Wuertz
Sharon Leikam

10. KDOT FUNDING: Public Works Director Elden Hammerschmidt stated a possible grant is available to assist the City in resurfacing Vine Street from 27th Street north to Interstate 70. This program would require adoption of a resolution and would allow the City to be eligible for 80 percent funding from KDOT. Should funding be received, KDOT funds would amount to approximately \$1,150,000. The bids for this project probably would not be let until July 1999, meaning construction may not start until 2000.

City Manager Zacharias stated the Vine Street median improvement, funded with ISTEA funds, may be done earlier than the year 2000 depending on KDOT flexibility. Also a review of storm drainage in that area will be studied.

Jayne Clarke moved, Errol Wuertz seconded, that the Request for Construction Project Resolution be approved.

Vote: Ayes: Daniel Rupp
Robert Albers
Jayne Clarke
Errol Wuertz
Sharon Leikam

11. CITIZEN INVOLVEMENT PROGRAM: Penny Post oak, Assistant City Manager, addressed the Commission regarding a citizen's involvement project patterned on a similar program in Sterling, Kansas. The City of Sterling has initiated a program which invites citizens to City Commission meetings. Twenty households are picked randomly to attend each meeting. This creates good will with the citizens, insures the public they do have a voice in government, and makes them aware that the local government process is open.

The consensus of the Commission is to try the program for six months, at which time the program will be reevaluated.

12. KANSAS LEAGUE BY-LAW AMENDMENT: City Manager Zacharias

stated this amendment would allow past presidents of the League to remain eligible for continued service on the Governing Body for so long as they remain in municipal office on an uninterrupted basis. Such an amendment would increase leadership opportunities on the Governing Body for representative of more member cities in the future.

Robert Albers moved, Sharon Leikam seconded, that the City of Hays vote in favor of the proposed amendment to the Kansas Municipal League by-laws.

Vote: Ayes: Daniel Rupp
Robert Albers
Jayne Clarke
Errol Wuertz
Sharon Leikam

13. ADD-ON ITEMS: City Manager Zacharias stated there has been some reorganization of duties within City Hall. Chief Building Inspector Kent Laas will assume the title of Community Development Coordinator starting February 17, 1997. Mr. Laas will be responsible for plats, planning, zoning, and special assessments. The Inspection Department activities will be shifted to the Fire Department. Fire Chief Wayne Schwartz will be the director for Fire & Inspection Services. No additional staff will be hired.

Commissioner Leikam expressed concern about rising water consumption. We need to start the education process in our schools again, and diligently pursue more aggressive water conservation. Hays will have to prove to state authorities it has done everything it could to curb water use when the City seeks state approval to transfer groundwater from the R-9 Ranch.

Mayor Rupp stated water use among the residential customers rose three percent. The business and commercial accounts rose three percent and ten percent respectively. The community has done a remarkable job and we shouldn't slack off in conservation. However, we have water and sewer facilities to pay for and need a certain amount of water revenue.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board