

MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON AUGUST 27, 1998

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session, Thursday, August 27, 1998, at 7:30 p.m.

Roll Call: Present: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke
Absent: Sharon Leikam

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

2. MINUTES: Jayne Clarke moved, Troy Hickman seconded, that the minutes of the regular session held on August 13, 1998, be approved.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

3. FINANCIAL STATEMENT: Jayne Clarke moved, Howard Rome seconded, that the Financial Statement for July, 1998, be approved.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

4. CITIZEN COMMENTS: There were no comments.

5. COMMISSION INFORMATIONAL MEMORANDUM: There were no comments.

6. CONSENT ITEMS: There were no consent items for consideration.

7. RESPONSE LETTER TO COUNTY COMMISSION: City Manager Zacharias presented a letter in response to a request from the Ellis County Commission to have the City take over maintenance of 41st Street. The City Manager said the City of Hays has a policy of not accepting roadways that are not developed up to City standards. The City understands the County's desire to trim expenses. However, the County derives benefit from residential development and should continue to maintain 41st Street. When traffic volumes dictate, the City will work in cooperation with adjacent property owners, Ellis County, the State of Kansas, or in isolation to improve the roadway. At present, in the absence of a special assessment district being created or some other incentive to underwrite a portion of the cost for improvement of this roadway, the City cannot justify taking over the maintenance of this joint City-County arterial.

Troy Hickman moved, Jayne Clarke seconded, that the Mayor be authorized to sign a response letter to the Ellis County Commission regarding annexation of 41st Street, west of Hall.

Ellis County Commissioner Keith Kinsley stated he hoped dialogue regarding 41st Street would continue between the City and the County. He considers 41st Street to be a country road with blacktop and bordered by the City. The road cannot be expected to carry that much traffic without improving the road.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

8. CENTENNIAL TOWERS INDUSTRIAL REVENUE BONDS: Mayor Billinger opened a public hearing to determine the advisability of issuing \$2,200,000 in Industrial Revenue Bonds to finance the acquisition, renovation, and equipping of Centennial Towers and approving an exemption from ad valorem property taxation.

There being no comments, Jayne Clarke moved, Troy Hickman seconded, that the public hearing be closed.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

Sam Cantanese, president of Investment Resources Corporation, and Al Joseph, attorney for the Corporation, who have recently purchased Centennial Towers were present to answer questions concerning the issuance of Industrial Revenue Bonds. Mr. Cantanese said his firm has entered into a 20 year contract with the federal government which restricts the amount of rent charged to tenants, and also entered into an agreement with the State of Kansas for issuance of tax credits which again restricts the rent of the property. To receive the tax credit, Investment Resources Corporation has agreed to spend one-half million dollars for improvements to the building. The lender has a concern over the amount of money being spent for improvements, which will increase the property taxes on the property. Therefore, the Corporation is asking for the taxes to be fixed at the present rate for a period of ten years.

Howard Rome moved, Troy Hickman seconded, that Resolution No. 291, being a resolution of the Governing Body of the City of Hays, Kansas, determining the advisability of issuing Industrial Revenue Bonds of said City for the purpose of financing the acquisition, renovation, and equipping of a multi-family housing facility to be located in said City; and approving an exemption from ad valorem property taxation for said facility, be approved.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

Troy Hickman moved, Jayne Clarke seconded, that the Mayor be authorized to sign an agreement for payment in lieu of taxes between the City of Hays and CT Residences, L.C., owners of Centennial Towers.

Commissioner Clarke noted that the first motion approved a tax exemption, however, the in lieu of tax payment made by the Corporation will help to level the tax base somewhat. City Manager Zacharias mentioned that while it is not stated in the

agreement, the \$22,500 payment in lieu of taxes will be disbursed to the City, County and School District proportionally.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

9. COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION: Mayor

Billinger opened a public hearing to receive comments concerning an application to be submitted to the Kansas Department of Commerce & Housing for Small Cities Community Development Block Grant funds. The funds will be used for a water system improvement project in an area generally bounded by 8th Street on the north, Hays City limits on the east, Riley Street and Highway 183 on the west, and the area known as Countryside Estates on the south. The proposed project includes the installation of 8 inch and 12-inch water lines, and fire hydrants. The estimated project cost is \$400,000 with a grant request for \$200,000 of the project cost.

There being no comments, Jayne Clarke moved, Howard Rome seconded, that the public hearing be closed.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

Jayne Clarke moved, Troy Hickman seconded, that City staff be authorized to submit a CDBG Grant application; and that the documents relating to the Grant application, including Resolution No. 292, and 293 for water line improvements in the southern part of the City of Hays including Countryside Estates, be approved.

Doug Bruggeman, of Pioneer County Community Development, who compiled the grant application, said the application must be filed by September 1, 1998. It will be approximately two months before grants will be awarded.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

10. REPLAT PORTION OF TALLGRASS ADDITION: Community Development Coordinator Kent Laas said it is necessary to replat a portion of Tallgrass Addition due to some measurement errors. The area affected consists of Lot, 1, Block E, a small section of a public drainage area, a small section of East 17th Street right-of-way, and Reserve “A” (public park area). The Hays-Ellis County Planning Commission unanimously approved the replat.

Troy Hickman, Howard Rome seconded, that Resolution No. 294, being a resolution accepting the plat and dedication of a Replat of Tallgrass Addition.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

11. TALLGRASS ADDITION IMPROVEMENTS: Mr. Laas said the bid for the storm sewer only will be considered tonight. The street improvement bid exceeded the engineer’s estimate, and the street project will need to be rebid. He noted that the storm sewer also exceeded the engineer’s estimate, but was within the estimate amount included in the resolution creating a special assessment district. Since there was only one bidder, the developer agreed to accept the bid submitted by Allied in the amount of \$115,143.42 of which the City is obligated to pay 95 percent of that amount.

Jayne Clarke moved, Troy Hickman seconded, that the bid from Allied, Inc. totaling \$115,143.42, for storm sewer improvements in Tallgrass Addition, be approved.

Commissioner Clarke said she has heard comments made that the City is holding up the Tallgrass Project. She wanted to clarify that the City is not holding up the project. The project has been held up due to unclear design specifications prepared by the project engineer.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

12. EASEMENT VACATION, 3800 BLOCK OF BUTTERFIELD ROAD: Mayor Billinger opened a public hearing to receive comments in regard to a request to vacate an existing fifteen feet utility easement which lies along the north boundary of Lot 2, Block 1, Second Replat of Westridge Addition, Ellis County, Kansas.

Their being no comments, Troy Hickman moved, Howard Rome seconded, that the public hearing be closed.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

Mr. Laas reported that all affected utility companies have been contacted, and the appropriate notice has been published in the Hays Daily News. There have been no objections to the vacation raised by any of the parties involved.

Howard Rome moved, Troy Hickman seconded, that Ordinance No. 3450, being an ordinance vacating a portion of a public utility easement located in Lot Two (2), Block One (1), Second Replat of a Portion of Westridge Addition, to the City of Hays, Ellis County, Kansas, be approved.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

13. RECYCLING GRANT APPLICATION: Bob Helm, Co-chairman of the Commercial Recycling Task Force, was present and requested a letter of support regarding the submission of a recycling grant. He said the Task Force is applying for a Solid Waste Competitive Plan Implementation Grant to request state monies to help purchase a building, baler, conveyor, skid loader and assist with utility set-up costs for the equipment.

Jayne Clarke moved, Troy Hickman seconded, that the Mayor be authorized to sign a letter of support regarding the submission of a recycling grant.

Vote: Ayes: Wayne Billinger
 Troy Hickman
 Howard Rome
 Jayne Clarke

14. MUNICIPAL PARK LEASE: A. J. Boleski and Carol Brock, representing the Fort Hays State Activities Board, requested the use of the Municipal Park on September 26, 1998, from 4:00 p.m. to 11:00 p.m. for an outdoor concert and skate/bike demonstration on the old tennis court area in Municipal Park. Park Director John Shaver said the Activities Board has met the requirements to lease the park.

Troy Hickman moved, Howard Rome seconded, that a Lease Agreement between the City of Hays and the Fort Hays State Activities Board, for use of the Municipal Park on September 26, 1998, be approved.

Vote: Ayes: Wayne Billinger
 Troy Hickman
 Howard Rome
 Jayne Clarke

15. LEAGUE DELEGATES: Jayne Clarke moved, Howard Rome seconded, that Wayne Billinger, Troy Hickman, Sharon Leikam and Hannes Zacharias be designated as voting delegates at the annual business meeting of the League of Kansas Municipalities to be held during the Annual Conference in Wichita, Kansas, October 3-6, 1998.

Vote: Ayes: Wayne Billinger
 Troy Hickman
 Howard Rome
 Jayne Clarke

Troy Hickman moved, Howard Rome seconded, that Susie Billinger, Penny Postoak, Kent Laas and Susie Grabbe be designated as alternate voting delegates at the annual business meeting of the League of Kansas Municipalities.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Jayne Clarke

16. ADD-ON ITEMS: Commissioner Rome asked City staff to initiate discussion with the State regarding the lighting of the Interstate 70/Commerce Parkway Interchange. He also suggested City staff visit with County officials regarding the lighting of the intersections of Commerce Parkway and East 13th and Commerce Parkway and Highway 40.

Commissioner Rome said the recruitment of retail businesses was discussed at a recent meeting of the Ellis County Coalition. Several ideas were presented; one being creating another position on the Coalition Board dedicated to retail recruitment. He asked City staff to investigate various options available to attract retail businesses.

Mayor Billinger said he contacted the State of Kansas to obtain information on a Downtown Revitalization Grant application to help with the cost of replacing water mains south of 27th Street and west of Vine Street. Linda Hunsicker, of the Small Business Development Center office in Hays, is willing to make a short presentation at the September 24, 1998, City Commission meeting to provide information regarding to the grant. One of the necessary criteria of the grant is the formation of a downtown organization, not necessarily another Business Improvement District, but a volunteer organization.

Commissioner Clarke said she was not opposed to the grant idea, but thought it was premature for Ms. Hunsicker to come to the Commission without working out details with City staff first. She views the Commission as a policy board, rather than being involved in small details. She is in favor of pursuing the funding, but felt City staff should handle the application process.

Commissioner Rome said he would rather see City staff work out details before it is presented to the Commission, otherwise, the Commission may get into a micro management situation. The consensus of the Commission was for City staff to meet and become informed prior to a presentation to the City Commission.

Mayor Billinger reviewed various City accomplishments under the leadership of former Mayor Jayne Clarke, and presented a certificate citing those accomplishments. Commissioner Clarke thanked Mayor Billinger, and pointed out that the accomplishments were a team effort involving the Commission, City staff, and the citizens of Hays.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board