

MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON JULY 9, 1998

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas, met in regular session, Thursday, July 9, 1998. Mayor Jayne Clarke declared that a quorum was present and called the meeting to order.

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

2. MINUTES: Troy Hickman moved, Wayne Billinger seconded, that the minutes of the regular session held on June 25, 1998, be approved.

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

3. CITIZEN COMMENTS: Tom Meiers and Jerry Haley, representing the Wild West Fest Committee thanked the people of Hays, Ellis County and the City of Hays for their help with the 1998 Wild West Festival. A formal report will be given in the near future when final figures have been calculated.

4. COMMISSION INFORMATIONAL MEMORANDUM: There were no comments.

5. CONSENT ITEMS: Wayne Billinger moved, Sharon Leikam seconded, that the City of Hays enter into a lease for use of East Frontier Park on July 11th, 1998, with High Plains Street Machines, and on July 12th, 1998, with Regal Audio Video.

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

6. ANNEXATION - LAND OF OZ: Community Development Director Kent Laas stated the Ellis County Commission accepted the resolution regarding the annexation of the Dan Meckenstock property located north of West 41st Street at their June 29, 1998, regular meeting.

Sharon Leikam moved, Howard Rome seconded, that Ordinance No. 3442, being an ordinance annexing land to the City of Hays, Kansas, be approved.

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

7. A-1 PLANK LAND TRANSFER: City Manager Zacharias stated this land transfer is being requested by the Heart of America Development Corporation, on behalf of A-1 Plank.

This Corporation markets the Industrial Park. They are requesting the City to sign a deed for the south 100 feet of Lot 3 for storm drainage mitigation adjacent to A-1 Plank's existing building. This 100 feet should not hinder the development of Lot 3 for other users. A-1 Plank is willing to pay the standard rate of \$500 per acre, which computes to \$695 based on 1.39 acres.

Howard Rome moved, Troy Hickman seconded, that the City Manager be authorized to sign a warranty deed transferring the south 100 feet of Lot 3 of the Hays Airport Industrial Park to the Heart of America Development Corporation with subsequent transfer to A-1 Plank and Scaffolding.

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

8. CODE UPDATES: Wayne Schwartz, Director of Fire and Inspection Services, said the current code package consists of the 1994 Edition of the Uniform Building, Fire, Plumbing and Mechanical Codes, along with the 1993 Edition of the National Electrical Code. The Trades Board has reviewed and endorsed the adoption of the 1997 Edition, with only minor changes, with the exception of Chapter 10. This chapter was totally revised to coincide with other national codes.

In conjunction with the building code, Chief Schwartz, recommends adoption of the 1997 Plumbing and Mechanical Codes, so that reference made to other code sections will be consistent. Fire Division personnel have reviewed the 1997 Uniform Fire Code with minor changes. These changes would be effective January 1, 1999.

Howard Rome moved, Sharon Leikam seconded, that City staff be directed to prepare the appropriate ordinances adopting the 1997 Edition of the Uniform Building Code, Fire Code, Plumbing Code, Mechanical Code, and National Electrical Code, along with the recommended deletions, alterations, and appendices effective January 1, 1999.

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

9. BUILDING PERMIT FEES: Chief Schwartz stated that present building permit fees do not generate enough funding to support the Inspection Division. He recommended an approximately 50% increase in building permit fees. This increase will generate funding that should allow the Inspection Division to be nearly self-sufficient and reduce the reliance on the General Fund money to finance building inspection functions.

Mr. Schwartz stated surveys of permit fees were done and comparison to local factors were considered. Agreement was reached that the permit fee schedule contained within the Uniform Building Code, with modifications, should be the basis of permit fees. This schedule is based upon national standards, is updated with every code change and uses modification factors based on local conditions.

However, while reviewing the 1997 permit fee schedule, it was determined that this was too large of an increase to make at one time. After looking at various options it was decided that by using one-third of the published fees, we could satisfy our local needs and as need dictated, we could increase the percentage, over a period of time, until we were using the fees as published.

Sharon Leikam moved, Troy Hickman seconded, that City staff be directed to prepare the appropriate ordinance to increase building permit fees, effective January 1, 1999.

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

10. GENERAL OBLIGATION BOND BIDS: Bids were received from the following for the purchase of \$1,720,000 in General Obligation Improvement Bonds, Series 1998-A:

	<u>Net Interest \$</u>	<u>True Interest %</u>
Piper Jaffray Kansas City, MO	\$458,555.42	4.398433
UMB Bank Kansas City, MO	452,672.75	4.340170
Country Club Bank Kansas City, MO	439,361.46	4.210027
Midwest Capital Kansas City, MO	448,356.46	4.29964
Commerce Bank Kansas City, MO	455,586.46	4.366047
George K. Baum & Co. Kansas City, MO	455,625.00	4.3673

Troy Hickman moved, Wayne Billinger seconded, that the bid from Country Club Bank, Kansas City, MO, for the purchase of \$1,720,000 in General Obligation Internal Improvement Bonds, at an interest rate of 4.210027%, be accepted.

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

Sharon Leikam moved, Wayne Billinger seconded, that Ordinance No. 3443, being an ordinance authorizing the issuance and delivery of \$1,720,000 principal amount of General Obligation Internal Improvement Bonds, Series 1998-A, of the City of Hays, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; and making certain covenants with respect thereto, be approved.

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

Troy Hickman moved, Sharon Leikam seconded, that Resolution No. 287, being a resolution prescribing the form and details of and authorizing the delivery of \$1,720,000 principal amount of General Obligation Internal Improvement Bonds, Series 1998-A, of the City of Hays, Kansas, previously authorized by Ordinance No. 3443 of the City; and making certain covenants with respect thereto, be approved.

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

11. WATER USE INFORMATION: City Manager Zacharias reviewed graphs regarding water usage between 1990 to the present. Consumption is gradually rising, however, it is still not as high as 1990. Rains in the area have recharged the aquifers and we are not experiencing any problems.

Commissioner Leikam mentioned that she has noticed quite a few people watering outside between the hours of 12 noon to 7:00 p.m. She reminded citizens that there is an outside watering ban during those hours and urged citizens to observe it.

12. POPULATION NUMBERS: City Manager Zacharias stated that Kansas population numbers certified to the Secretary of State by Division of the Budget indicated Hays' population as of July 1, 1997, to be 18,632. This includes Fort Hays State University. The figures certified by the Secretary of State on July 1, 1998 is 17,991, a drop of 641 people since last year. City staff disagrees with the State's estimate and will challenge this census figure.

This declining number can affect the City in several ways. Retailers look at census numbers when they are looking for places to locate new businesses; these numbers are used for recruiting physicians; and the City gets its local ad valorem taxes, gas tax money, etc. based on these numbers. This could affect the year 2000 budget.

13. NUISANCE COMPLAINTS: There were no nuisance complaints.

14. ADD-ON ITEMS: City Attorney John Bird stated that at the last meeting a resolution was passed that commenced the process of possible condemnation of property affected by the 41st Street storm sewer project. Surveys have been done and an ordinance needs to be passed authorizing the City Manager to commence these proceedings. The property affected will be for a temporary easement of .110 acres and the total property taken for the purpose of this storm sewer will be .041 acres.

Wayne Billinger moved, Howard Rome seconded, that Ordinance No. 3444, being an ordinance authorizing and providing for the acquisition of real estate and interests therein by condemnation proceedings pursuant to K.S.A. 26-201 et seq., be approved.

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

Commissioner Leikam urged citizens to contact City Hall if they have any concerns about trees or shrubbery blocking traffic signs. She also reminded citizens that the Public Works Department does have special pick-ups, for a fee, for large items that need to be hauled to the landfill.

Commissioner Billinger requested City staff to check on the excavation that is being done along the railroad corridor project by Union Pacific. He is concerned that the fencing along the corridor does not get compromised by their work.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board