

MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON DECEMBER 21, 1999

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in reconvened session, Tuesday, December 21, 1999, at 7:30 p.m.

Roll Call: Present: Troy Hickman
Henry Schwaller IV
Larry Schmidt
Howard Rome
Wayne Billinger

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

2. MINUTES: Howard Rome moved, Wayne Billinger seconded, that the minutes of the December 9, 1999, regular session, be approved.

Vote: Ayes: Troy Hickman
Henry Schwaller IV
Larry Schmidt
Howard Rome
Wayne Billinger

3. FINANCIAL STATEMENT: Howard Rome moved, Wayne Billinger seconded, that the Financial Statement for the month of November 1999, be approved.

Vote: Ayes: Troy Hickman
Henry Schwaller IV
Larry Schmidt
Howard Rome
Wayne Billinger

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT ITEMS: A. Henry Schwaller IV moved, Wayne Billinger seconded, that the following 2000 Cereal Malt Beverage License renewals be approved.

2000 BEER LICENSE RENEWALS

Class A - General Retailer

For Consumption on Premises Only

<u>Business Name</u>	<u>Business Location</u>
China Garden	2503 Vine Street

For Consumption on Premises Only - Sunday Sales Allowed

<u>Business Name</u>	<u>Business Location</u>
Greek's Pizzeria	130 West 9th Street
Larks Park-Hays Baseball Association	4th & Oak Streets
Montana Mike's	3216 Vine Street
Pizza Hut	2102 Vine Street
Taco Grande	412 East 23rd Street
Taco Shop	333 West 8th Street

For Consumption on Premises Only - Sunday Sales Allowed - Carry Out Allowed

<u>Business Name</u>	<u>Business Location</u>
Downtower, The	104 East 7th Street

Class B - Limited Retailer

For Sale in Original and Unopened Containers and Not for Consumption on Premises

<u>Business Name</u>	<u>Business Location</u>
Hays North Amoco	3601 Vine
Cerv's	2701 Vine Street
Dash In Deli-N-Groc	2101 East 13th Street
Dillon Store #14	27th & Hall
Dillon Store #61	1902 Vine Street
Five Star Amoco	1300 Vine Street
Golden Ox Truck Stop	3410 Vine Street
Kwik Shop	1301 Vine Street
Continental Development Corp.	3505 Vine Street
Total Convenience Store	1000 East 41st Street
Holiday 66 Food Plaza #2	3701 Vine Street
Casey's General Store	1600 East 27th Street
Vista Stores #2008	501 West 27th Street
Ridgepoint Convenience Store #3	335 West 8th Street
Love's Country Store	2506 Vine Street
Vista Stores #2007	2707 Vine Street #18
Ridgepoint Convenience #1	703 Vine Street
U-Save Foods	2704 Vine Street
Vista Stores #2009	1601 Main Street

Commissioner Rome stated he would abstain from voting since he is associated with one of the applicants.

Vote: Ayes: Troy Hickman
Henry Schwaller IV
Larry Schmidt
Wayne Billinger

Abstain: Howard Rome

B. Wayne Billinger moved, Howard Rome seconded, that Troy Hickman be appointed to serve as the City's representative to the Ellis County Coalition for Economic Development.

Vote: Ayes: Troy Hickman
Henry Schwaller IV
Larry Schmidt
Howard Rome
Wayne Billinger

Henry Schwaller IV moved, Wayne Billinger seconded, that **Item #13** on the agenda be discussed next.

Vote: Ayes: Troy Hickman
Henry Schwaller IV
Larry Schmidt
Howard Rome
Wayne Billinger

13. NUISANCE ABATEMENT: Ray Kobler appeared before the Commission to request an additional 60 days to clean up his property located in the 600 block of East 7th Street. Mr. Kobler was first notified in August and has been given additional time.

City Manager Hannes Zacharias recommended Mr. Kobler be given until January 13 to clean up the area. If the problem is not resolved by then, the issue will be reviewed by the City Commission for possible action.

6. HALL STREET/8TH STREET DESIGN: Bucher, Willis, Ratliff Engineer Harvey Ruder reviewed the various options that were discussed at the Commission Work Session for Hall Street improvements with updated cost figures.

Commissioner Schmidt gave a presentation that cited various traffic counts to support his position that the volume of traffic doesn't justify the widening of Hall Street.

Commissioner Schwaller gave a presentation illustrating various projects over the next ten years that could possibly cost \$100 million. Commissioner Schwaller stated the proposed Hall Street is too expensive, unnecessary, and unjustified. The money to pay for these projects will come from the taxpayers. The City needs to prioritize.

Howard Rome moved, Wayne Billinger seconded, for purposes of discussion that Hall Street be widened to four-lane from 27th Street to 12th Street, and Elm Street from 12th Street to 8th Street be replaced and repaired, all with an asphalt surface, using existing curb and gutter wherever possible, with the exception of the signalized intersections at 13th and 27th Streets being concrete at least 100 feet beyond the intersection.

City Manager Zacharias noted the project cost as stated in the motion would be approximately \$3,448,500 minus the deduction for asphalt rather than concrete.

Commissioner Schwaller said he would vote no on the motion. He feels the project is too expensive. If Hall Street were simply repaired instead of widened, the remaining City portion of funding could be used to repair other streets.

Commission Schmidt said he would be voting no, and wondered what happened to the City standard which required arterial streets to be constructed in concrete. He said it appears that all of a sudden, we don't need concrete, asphalt is good enough. He favored leaving Hall Street as two-lane, and repair and replace only the street.

Vote: Ayes: Troy Hickman

Wayne Billinger
Howard Rome
No: Henry Schwaller
Larry Schmidt

City Manager Zacharias said the final plan will need to be reviewed by the Kansas Department of Transportation, if accepted by KDOT, the bids will be let probably in the year 2001.

Commissioner Rome suggested that an asphalt overlay of 8th Street be included in the Project. Both Commissioners Schmidt and Schwaller were opposed to an overlay. Both felt there would be no money left in the budget to do 8th Street since the Hall Street proposal is so expensive.

Mayor Hickman said he has been a major advocate of repairing 8th Street for a long time and with that, he moved, that an asphalt overlay on 8th Street be included in the Hall Street Project. The motion died for lack of second.

Commissioner Billinger said he supports improving 8th Street, but not with an overlay. He believes 8th Street should be addressed as a separate project and listed in the Capital Improvement Plan. The City could apply for T-21 funds to help finance the project.

Commissioner Rome said he is not in favor of an overlay, he has seen too many cases whereby the overlay flakes off after a period of time.

City Manager Zacharias said changing from concrete to asphalt obviously would reduce the project costs. The City's match could be reduced from approximately \$1.1 million to approximately \$700,000. He will have a report regarding costs at the next meeting.

7. SOLID WASTE FEE INCREASE ORDINANCE: Howard Rome moved, Wayne Billinger seconded, that Ordinance No. 3489, being an ordinance amending Section 14-25 of Article 1, Chapter 14, of the Code of Ordinances of the City of Hays, Kansas, by increasing the refuse fees, be approved.

Vote: Ayes: Troy Hickman
Henry Schwaller IV
Larry Schmidt

Howard Rome
Wayne Billinger

8. TRAFFIC ADVISORY COMMITTEE REVIEW: A. Assistant City Manager Penny Postoak reported the Traffic Advisory Committee met with representatives of USD#489 to discuss the placement of a push-button traffic light to be located at either 22nd & MacArthur Road or 22nd & Donald Drive.

TAC feels the safest solution would be to have crossing guards placed at those locations. Push-button traffic lights tend to give a false sense of security. Children often run across the street instead of waiting for the light to change. The City will paint the crossing area at Donald to make it look like the one at MacArthur. This recommendation was satisfactory to the USD#489 representatives.

Commissioner Schwaller requested this item be discussed again in January and USD#489 officials be notified that this item will be on the agenda.

B. TAC reviewed traffic accidents occurring between January 1994 and November 1999 at 22nd and Vine Streets. Based on those records, TAC does not feel it is urgent to install a protected left turn signal. Possible changes in property ownership at that location could affect future traffic patterns. TAC would like to hold off on a decision at this time.

Commissioner Schwaller requested TAC look at other comparable intersections and compare data. He feels this intersection has been a problem for the last 15 years. The intersection at Centennial Boulevard and Vine Street should also be studied.

Public Works Director Elden Hammerschmidt stated KDOT has data on Vine Street and he will request those figures to aid in the study.

9. LEGISLATIVE POLICY: The 2000 City of Hays Legislative Policy outlines the general state legislative goals and objectives formally adopted by the Governing Body of the City of Hays.

Howard Rome moved, Henry Schwaller IV seconded, that the proposed 2000 City of Hays Legislative Policy Statement be adopted.

Vote: Ayes: Troy Hickman

Henry Schwaller IV
Larry Schmidt
Howard Rome
Wayne Billinger

10. FLEET CARD PROGRAM: The Hays Police Department obtained information from various credit card companies to implement a fleet fueling system. MasterCard would charge the least, \$360 annually, to use their services. None of the companies deduct the federal fuel tax of 18.4 cents per gallon prior to billing. The City would have to apply to the federal government for the gas tax refund, which would be approximately \$309 per month. The gas tax would come out of the Police budget, but when refunded would go into the General Fund, meaning the Police Department budget would increase by approximately \$3708 plus \$360 for the use of the card. The Police Department presently uses Coastal Mart exclusively for gas purchases and they deduct the federal fuel tax prior to billing at no extra cost.

Henry Schwaller IV moved, Howard Rome seconded, that bids be solicited from local vendors to provide fuel for the Hays Police Department.

Vote: Ayes: Troy Hickman

Henry Schwaller IV
Larry Schmidt
Howard Rome
Wayne Billinger

11. KANSAS DEVELOPMENT FINANCE AUTHORITY HEALTH FACILITIES REVENUE BONDS FOR HAYS MEDICAL CENTER: Kansas Development Finance Authority intends to issue its Health Facilities Revenue Bonds to finance and reimburse the costs of construction, renovation and equipment expenditures prior to the issuance of bonds for the acute care hospital, clinics and administrative departments and services to be owned and operated by Hays Medical Center. State statutes regulate that KDFFA must give notice of its intent to issue bonds at least 30 days prior to the issuance of the bonds. No action is required by the City of Hays, unless the City by resolution or ordinance

expresses its disapproval to the issuance of the bonds and the financing of the project and notifies KDFA of such disapproval within 15 days.

John Jeter and Martin Gutkin, representing Hays Medical Center, discussed the construction and renovation plans with the Commission. The St. Anthony campus is being developed to accommodate services that are still located at the Hadley campus.

No action was necessary.

12. FLEXIBLE BENEFIT PLAN RESOLUTION: Wayne Billinger moved, Howard Rome seconded, that Resolution No. 322, being a resolution amending the City of Hays Employees Flexible Benefit Plan in its entirety, be approved.

Vote: Ayes: Troy Hickman
Henry Schwaller IV
Larry Schmidt
Howard Rome
Wayne Billinger

14. STUDY SESSIONS: **A.** The Commission set February 1 and 2, 2000, as the dates for a study session to develop a mission statement and departmental strategies for the City of Hays organization.

B. January 6, 2000 was set as a date for a study session to review a wage incentive program for area employees.

15. COMMISSION INFORMATIONAL MEMORANDUM: City Manager Zacharias invited the Commissioners to attend a luncheon honoring Martin Luther King on January 17, 2000.

Commissioner Schmidt requested the Commission review his proposed budget cuts in January.

16. EXECUTIVE SESSION: Wayne Billinger moved, Howard Rome seconded, that the Governing Body adjourn to executive session at 9:40 p.m. for 15 minutes to discuss the purchase of real property. The executive session will include the Commission, the City Manager, the City Attorney, and the Assistant City Manager.

Vote: Ayes: Troy Hickman

Henry Schwaller IV
Larry Schmidt
Howard Rome
Wayne Billinger

Mayor Hickman called the meeting back to order at 9:55 p.m. He stated no action was taken during executive session.

17. ADD-ON ITEMS: Commissioner Rome stated the pavement at Allen and 13th Street is in need of repair and requested City staff check into the matter.

Commissioner Schmidt requested the Commission and City staff put together a comprehensive list of future improvements, the costs associated with the improvement and why the improvement is needed.

City Manager Zacharias stated the Capital Improvement Plan is presented on an annual basis before the budget process starts. This list covers the things the City can afford for the next five years.

Commissioner Schmidt stated there are things that are not in the CIP that he feels the public should be made more aware of.

Mayor Hickman suggested this could coincide with a CIP work session.

Commissioner Schwaller stated it appears there may be some accessibility issues at the new pool and requested that this item be placed on the January 13, 2000, Commission agenda.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board