

MINUTES OF A MEETING OF  
THE GOVERNING BODY OF  
THE CITY OF HAYS, KANSAS  
HELD ON MARCH 25, 2004

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, March 25, 2004 at 7:30 p.m.

Roll Call: Present: Troy Hickman

Sunell Koerner

Kent Steward

Henry Schwaller IV

Absent: Wayne Billinger

Chairperson Hickman stated that a quorum was present and called the meeting to order.

**2. MINUTES:** There were no corrections to the minutes of the meeting held on March 11, 2003; they stand approved as written.

**3. FINANCIAL STATEMENT:** Sunell Koerner moved, Kent Steward seconded, that the Financial Statement for February, 2004, be approved.

Vote: Ayes: Troy Hickman

Sunell Koerner

Kent Steward

Henry Schwaller IV

**4. CITIZEN COMMENTS:** There were no comments.

**5. CONSENT AGENDA:** There were no items for discussion.

**UNFINISHED BUSINESS:**

(No business to review)

**NEW BUSINESS**

**6. EMERGENCY SHELTER GRANT:** City Manager Gustafson reported that First Call for Help in collaboration with the Ellis County Ministerial Alliance is

requesting that an application be submitted by the City of Hays to the Kansas Department of Commerce for an Emergency Shelter Grant in the amount of \$30,000. The grant would be used for homeless prevention including conditional payments to prevent evictions and utility shut-offs.

First Call for Help director, Pam Blau, reported that the number of households seeking assistance has increased from 800 to 900 over the past year. She believes this is due to unemployment and low wages.

Commissioner Schwaller noted that low wages is an ongoing problem faced by the State and this community. The wages in Ellis County lag our peer counties. Even a slight fluctuation in the economy tends to hurt Ellis County more than some other counties, such as Johnson County.

Henry Schwaller moved, Sunell Koerner seconded, that the Mayor be authorized to sign an Emergency Shelter Grant application for \$30,000 on behalf of First Call for Help.

Vote: Ayes: Troy Hickman

Sunell Koerner

Kent Steward

Henry Schwaller IV

**7. RECEIPT OF FEDERAL AVIATION ADMINISTRATION (FAA) GRANT:** The City Manager said this grant offer is the Phase II grant to rehabilitate and mark Runway 16-34. The grant offer for \$109,335 is the Federal Government share of a total project of \$115,089. The City's share of the project is \$5,754 and will be paid from the City's Airport Improvement Fund. This grant is a 95% Federal, 5% City share grant. This grant, along with the Phase I grant for \$1,125,071 received last fall will equal the total funds requested for this project. This project will consist of a mill and overlay of Runway 16-34 and will be completed during 2004.

Sunell Koerner moved, Kent Steward seconded, that a grant offer from the Federal Aviation Administration in the amount of \$109,335 for improvements at the Hays Regional Airport, be accepted.

Vote: Ayes: Troy Hickman

Sunell Koerner  
Kent Steward  
Henry Schwaller IV

**8. FIRE ACT GRANT APPLICATION:** The City Manager stated that the Fire Department requests authority to apply for a FIRE Act grant to purchase a mobile fire safety house with a severe weather package. This safety house will be used to train school children in both fire and severe weather safety. As part of the grant, the Fire Department proposes to purchase a heavy duty crew cab pickup truck to tow the fire safety house and the hazardous materials emergency trailers as well as to serve as a utility vehicle for the planned Fire Station No. 2. The cost of a mobile fire safety house is \$30,000 to \$40,000. A suitable tow vehicle is estimated to cost \$40,000. The grant will provide 90% of the funds to purchase the mobile fire safety house and \$6,000 toward the purchase of a tow vehicle.

If the grant application is successful, the Fire Department will require \$4,000 in matching funds for the mobile fire safety house and \$34,000 for the tow vehicle. It is the intent of the Fire Department to request this funding in the 2005 budget.

The City Manger said there has been an increased grant process for Fire Departments partially as a result of the Homeland Security situation. Staff believes this is a worthwhile endeavor to provide that outreach not only to Hays residents, but also to the outlying cities as well.

Commissioner Koerner asked if there would be any cost to the City for training. Chief Brown said there would be approximately \$2,000 of overtime to do the presentation to the City of Hays schools. One fire fighter would give the presentation and be paid overtime so if the on duty shift received a fire alarm, the off duty fire fighter could carry on the presentation. Training for other City Fire Departments would be done by a volunteer committee.

Kent Steward moved, Sunell Koerner seconded, that a grant application be submitted for a Fire Act grant.

Commissioner Schwaller said he would be voting against applying for this grant. He feels the Fire Department is very professional and has made many

changes and progress. The idea is a great educational tool, but his concern is with the purchase of the truck. He does not believe a truck should be purchased for a Fire Station that does not exist. This truck is supposed to be multiuse, which would be to move the trailer and equip the second fire station and also pull a hazmat trailer. He recollects that when the City participated in this regional hazmat operation, the Commission was told that the City would not have to make purchases like this. He is not convinced that the truck is needed for hazard activities; he understood that equipment already on hand could be used. It is premature to equip a planned fire station that the City does not have the money to build.

The City Manager explained that the pickup the City has is not big enough to pull the hazmat trailer the State has given to the City.

Vote: Ayes: Troy Hickman

Sunell Koerner

Kent Steward

No: Henry Schwaller IV

**9. REZONING OF LAND FOR ARMY RESERVE CENTER:** City Manager Gustafson explained that this rezoning is for the proposed Army Reserve property. The zoning will change from Agricultural to I-2 Heavy Industrial District. The rezoning is a requirement of the property exchange agreement between the City and the Army, and is consistent with the Comprehensive Plan. This property is located along Commerce Parkway, north of Highway 40.

Kent Steward moved, Sunell Koerner seconded, that Ordinance No. 3639, being an ordinance rezoning a tract of land situated in the Southwest quarter of Section One, Range Eighteen, west of the Sixth Principal Meridian in Ellis County Kansas, from "A-L" Agricultural District to "I-2" Heavy Industrial District, be approved.

Vote: Ayes: Troy Hickman

Sunell Koerner

Kent Steward

Henry Schwaller IV

**10. ANNEXATION OF LAND FOR ARMY RESERVE CENTER:** The City Manager said the City needs to annex the site for the proposed Army Reserve Center on Commerce Parkway. The annexation is a requirement of the property exchange agreement between the City and the Army, and will allow the City Commission to accept the final plat of the Army Reserve Addition at a subsequent meeting.

The property will be deeded to the Army once all the requirements are met. It is anticipated that the Army Reserve Building will be bid and constructed in 2005. Construction is estimated to take eighteen months.

Sunell Koerner moved, Kent Steward seconded, that Ordinance No. 3640, being an ordinance annexing land to the City of Hays, be approved.

Vote: Ayes: Troy Hickman

Sunell Koerner

Kent Steward

Henry Schwaller IV

**11. AWARD OF BID FOR REVERSE ACCESS ROADS:** Bids were opened on March 10, 2004 for the construction of Reverse Access Roads, north of I-70. The project includes constructing 33 foot wide concrete streets on Roth Avenue and General Hays Road from 45<sup>th</sup> Street to 55<sup>th</sup> Street, and a 45 foot wide street on East 48<sup>th</sup> Street. All streets include curb, gutter and storm sewer. The section of General Hays Road between 45<sup>th</sup> and 48<sup>th</sup> Street includes water and sewer line improvements, while East 48<sup>th</sup> Street includes a looping of the water line back to the 16 inch main along Vine Street.

APAC-Kansas was the lower bidder for a total bid of \$2,067,262.45. This amount includes the base bid and Alternate 2 and 3.

Sunell Koerner moved, Kent Steward seconded, that the bid totaling \$2,067,262.45 for Project No. 2003-05 which consists of construction of reverse access roads (Roth Avenue and General Hays Road) from 45<sup>th</sup> Street to 55<sup>th</sup> Street, construction of 48<sup>th</sup> Street, and various water line improvements, be approved.

Vote: Ayes: Troy Hickman

Sunell Koerner  
Kent Steward  
Henry Schwaller IV

**12. RESIDENCY REQUIREMENTS FOR CITY EMPLOYEES:** City Manager Gustafson presented an Ordinance which replaces the Commission-passed policy of April 13, 2000. The basic changes are that non-emergency employees will be able to live anywhere in Ellis County, department heads will be required to live in the city limits, and new public safety employees (Police & Fire) will be required to live within the 3-mile planning area. Additionally, the promotion requirement for changing residence will only apply to department heads. All current employees in compliance with the existing policy will be grandfathered.

Commissioner Steward said he supported this Ordinance; it provides for emergency personnel to be available quickly, and provisions have been made for existing employees to be grandfathered.

Kent Steward moved, Sunell Koerner seconded, that Ordinance No. 3641, providing for residency requirements of employees of the City of Hays, Kansas, be approved.

Commissioner Schwaller said he has mixed feelings about this Ordinance. He stated that 73% of the residences of Ellis County live within the City limits of Hays. The three mile limit is constantly changing due to annexations. We talk about being a good neighbor, about being a regional player, and working well with the county, but if we tell individuals they have to live within the City limits, it is not being a good neighbor. He believes all department heads should live within the City limits, but isn't sure it is necessary for public safety people to live within the 3-mile planning area. He definitely feels the old policy needs to be eliminated.

Commissioner Steward said he does not think it would be out of line to require all City employees to live within the City limits, but is not in favor of going that far. If people are going to have the benefit of being employed in the City, perhaps they should live here and pay taxes. The proposed ordinance is a good compromise.

Commissioner Koerner agrees that emergency personnel should live within the 3-mile planning area. Department heads make decisions regarding the City, so they should live within the City limits.

The City Manager pointed out that the Ordinance does not address a radius; that is what was wrong with the old policy. The three mile planning area will change as the City grows. It is a matter of public safety response; the City's Fire Department is the only paid department in northwest Kansas. When it comes to large emergencies, it is necessary to have personnel available as quickly as possible.

Vote: Ayes: Troy Hickman

Sunell Koerner

Kent Steward

No: Henry Schwaller IV

**13. CITY MANAGER'S REPORT:** The City Manager noted that a Speaker's Bureau has been created within the City. A list of employees and the topics they are willing to discuss is available on the City's web site.

Mark Loughry, Information Technology Coordinator, deserves to be recognized for creating a saving of approximately \$10,000 on the City's phone service. He has done an internal audit and came up with a plan to create the savings.

**14. COMMISSION INQUIRIES AND COMMENTS:** Commissioner Steward said the Commission and City staff has been working on an economic development policy for a number of months, and he feels much progress has been made. Assistant City Manager Dorothy Stites has done a wonderful job of combining several existing policies from other cities and has also included various ideas from Commissioners. However, he feels the document has become somewhat cumbersome and has internal inconsistencies. He has rewritten the policy, and he will hand it out for comments and discussion at the next work session.

Commissioner Koerner pointed out a discrepancy in the minutes of the Hays Downtown Development Corporation. In the treasurer's report, the percentage of the number of pledges received was omitted.

**15. EXECUTIVE SESSION:** Sunell Koerner moved, Kent Steward seconded, that the Commission recess to executive session for ten minutes to discuss real estate negotiations. The City Commission, the City Manager, and the City Attorney shall be included in the executive session.

Vote: Ayes: Troy Hickman  
Sunell Koerner  
Kent Steward  
Henry Schwaller IV

The Commission returned from the executive session within the allotted time. Chairperson Hickman stated that no action was taken.

Thereupon the Governing Body adjourned.

Submitted by: \_\_\_\_\_  
Clerk of the Board