

MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON AUGUST 12, 2004

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, August 12, 2004 at 7:30 p.m.

Roll Call: Present: Sunell Koerner

Kent Steward

Wayne Billinger

Troy Hickman

Absent: Henry Schwaller IV

Chairperson Koerner declared that a quorum was present and called the meeting to order.

2. MINUTES: There were no corrections to the minutes of the regular meeting held on July 22, 2004 and the special meeting held on August 5, 2004; they stand approved as written.

3. CITIZEN COMMENTS: Kenneth Rowan, a hearing impaired citizen, addressing the Commission via a sign language interpreter, expressed his concern about the lack of accessibility to emergency services for hearing impaired citizens. This is due to rural areas not having the technology associated with providing text messaging services.

Several other citizens spoke on this issue and encouraged the Commission to pursue whatever is necessary to provide this service.

4. CONSENT AGENDA: Wayne Billinger moved, Troy Hickman seconded, that Resolutions AR-16 and AR-17, being resolutions expressing appreciation to Brian and Mike Butler, and Jeri Stewart, Dee Wellbrock, and Sheri Moore for establishing new businesses in the City of Hays, be approved.

And further that the following mayoral appointments be approved:

Hays Beautification Committee

Frances Durall – an unexpired term to expire on August 1, 2006

Hays Public Library Board

Steven Trout – an unexpired term to expire on April 30, 2007

Commissioner Steward expressed his concern that with the appointment of Dr. Trout to the Library Board four of the seven board members are employed at Fort Hays State University. He feels this is not representative of the community at large. He feels Dr. Trout will be an excellent member of the Board and he will vote for the motion, but the next time a position is open it would be wise to be aware of the situation.

Chairperson Koerner stated that his name was the only available name on the list of volunteers who indicated he would like to serve on the Library Board.

Melanie Miller, director of the Hays Public Library, commented that the Library Board does not leverage the process of selecting board members; it is a mayoral process and the names are drawn from volunteers who have indicated a willingness to serve on the Library Board.

Vote: Ayes: Sunell Koerner

Kent Steward

Wayne Billinger

Troy Hickman

UNFINISHED BUSINESS

Resolutions AR-13 and AR-14 that were presented to the Commissioners at the July 22, 2004 as part of the Consent Agenda, expressing appreciation to new business owners in the City of Hays were not formally approved. Chairperson Koerner requested a motion to approve the resolutions.

Wayne Billinger moved, Troy Hickman seconded, that Resolutions AR-13 and AR-14 be approved.

Vote: Ayes: Sunell Koerner

Kent Steward

Wayne Billinger
Troy Hickman

NEW BUSINESS

5. CITYWIDE TRAFFIC STUDY – PHASE 4: HWS, Inc. from Manhattan was hired to conduct Phases 1, 2, and 3 of a four phase proposal. The City Commission wanted to see the results of the first three phases before awarding the fourth and final phase. The report on the first three phases has been received. Phase 4 will study the arterial and collector street system. Most of the questions and concerns from the citizenry relate to Phase 4. Staff recommended that Phase 4 be completed at a cost of \$38,000. This would bring the total cost of all phases to an amount just under \$100,000.

Wayne Billinger moved, Kent Steward seconded, that Phase 4 of the Citywide Traffic Study be awarded to HWS in the amount of \$38,000 to study the arterial and collector street system in Hays.

Vote: Ayes: Sunell Koerner
Kent Steward
Wayne Billinger
Troy Hickman

6. STREET NAME CHANGE FROM SYKES BLVD. TO NEW WAY: The NEW Company has requested changing the name of Sykes Blvd. to NEW Way. It is part of the contract agreement with the NEW Co. to change the name of the street.

Wayne Billinger moved, Troy Hickman seconded that Ordinance No. 3649, being an ordinance re-naming certain street(s) in the Airport Industrial Park Replat of Lots Nine (9) through Twenty (20) Addition to the City of Hays, Kansas, be approved.

Vote: Ayes: Sunell Koerner
Kent Steward
Wayne Billinger

Troy Hickman

7. HOME DEPOT PROJECT: City Manager Gustafson stated that in conjunction with the Memorandum of Agreement that was previously passed, it is necessary to approve a resolution in reference to the creation of a Transportation Development District in Hays. The resolution sets the hearing date on September 9, 2004 and establishes the appropriate notice of public hearing.

Wayne Billinger moved, Troy Hickman seconded, that Resolution No. 475, being a resolution calling for and providing for the giving of notice of a public hearing on the advisability of creating a Transportation Development District in the City of Hays, Kansas and making certain transportation project improvements therein and declaring an intent to impose a Transportation District sales tax within a Transportation Development District; and providing for the giving of notice of said hearing, be approved.

Commissioner Steward commented that even though he does not wholly support the Home Depot project, he is supportive of having a public hearing to discuss it. He also noted that there has not been any discussion regarding stormwater management within that project. He requested City staff report on how this will be addressed. This issue should be addressed before the project gets too far down the road.

City Manager Gustafson stated that City staff has spent time with the engineers who will be building the facility. Staff has acquainted them with our stormwater detention ordinance. They will be required to build a stormwater detention facility that will handle the water from this area. Further discussion on this matter will be held at the August 26, 2004 Commission meeting when a development plan is presented by the D. J. Christie Company.

Vote: Ayes: Sunell Koerner

Kent Steward

Wayne Billinger

Troy Hickman

8. ORDINANCE DESIGNATING ACCESS ROAD CONNECTOR TRAFFICWAY: It is necessary to approve an ordinance designating an access

road north of 48th Street leading from General Hays Road to the Vine Street Frontage Road as a connector to major trafficways. This is necessary in order to issue bonds to pay for the City's portion of the project.

Troy Hickman moved, Kent Steward seconded, that Ordinance No. 3647, being an ordinance designating an access road north of 48th Street leading from General Hays Road to the Vine Street Frontage Road in the City of Hays, Kansas, as a trafficway connection with main trafficways be approved.

Vote: Ayes: Sunell Koerner
Kent Steward
Wayne Billinger
Troy Hickman

9. RESOLUTION INITIATING PROCEEDINGS FOR IMPROVEMENTS TO RUNWAY 16-34 AT THE HAYS REGIONAL AIRPORT:

This Resolution authorizes the City to proceed with the Runway 16-34 Project and to issue \$100,000 in temporary notes to fund the City's portion of an FAA grant. The Resolution also gives the City the authority to reimburse itself for any costs incurred before the issuance of the Temporary Note.

City Manager Gustafson stated that a grant has been received from FAA to perform mill and overlay work on the main runway. The City is required to pay 10% of the costs of the project.

Troy Hickman moved, Wayne Billinger seconded, that Resolution No. 474, being a resolution initiating proceedings by the Governing Body of the City of Hays, Kansas, for improvements at the City's Regional Airport, be approved.

Vote: Ayes: Sunell Koerner
Kent Steward
Wayne Billinger
Troy Hickman

10. REPORT OF THE CITY MANAGER: City Manager Gustafson requested approval of a resolution to purchase land located at the northeast corner of 27th and Vine Street. The Convention and Visitors Bureau (CVB) is planning to build a new facility on the land. The building will also house the Chamber of

Commerce and Ellis County Coalition for Economic Development offices. Money that has been received from the sale of lots along Sherman Avenue will be used to pay for this land purchase along with contributions made by the Chamber of Commerce.

The CVB is funded entirely from a lodging tax that is charged by motels in the community. The expense of building the facility will be borne by money received from the lodging tax. The Chamber and the Coalition will be leasing space in the building.

Commissioner Steward expressed concern that this was not discussed in a work session prior to tonight's meeting.

City Manager Gustafson stated that the option agreement on the land purchase will expire on August 19, 2004. In order to follow through with the necessary procedures, it was determined that a resolution would have to be approved this evening to authorize the purchase. This has previously been discussed with the Commissioners as the City Manager negotiated with the land owners.

Wayne Billinger moved, Troy Hickman seconded, that Resolution No. 476, being a resolution authorizing the Mayor and the City Manager to execute documents to purchase certain real estate from L & A Enterprises be approved.

Commissioner Steward stated he would vote no on this because he only became aware that this would be on the agenda a few hours ago. He feels this short circuits the public's ability to know what is actually being proposed and allow time for public input. He is in favor of the project, however, he will not vote for it when it is presented in this manner.

Vote: Ayes: Sunell Koerner

Wayne Billinger

Troy Hickman

No: Kent Steward

Public Works Director Brenda Herrman reported on the progress of the Hall Street Reconstruction Project. It is planned that Phase I and Phase II will be completed by August 20th. There will be access to O'Loughlin Elementary and

TMP-Marian prior to the school year commencing. The flashing traffic signal light has been installed at 27th and Hall Street and should be functional by August 20th.

COMMISSION INQUIRIES AND COMMENTS: Commissioners Hickman and Billinger thanked the citizens for voting at the primary election and also thanked the Citizens Committee for their work in helping to promote the sales tax question.

Commissioner Hickman also noted that the enplanements at the Hays Regional Airport are at levels similar to the year 2000. The number of enplanements had dropped as a result of the September 11, 2001 terrorist attacks.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board