

MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON FEBRUARY 24, 2000

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session, Thursday, February 24, 2000, 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: Wayne Billinger moved, Howard Rome seconded, that the minutes of the regular session held on February 10, 2000, be approved.

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

3. FINANCIAL STATEMENT: Wayne Billinger moved, Howard Rome seconded, that the Financial Statement for the month of January 2000, be approved

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

4. CITIZEN COMMENTS: Adele Shaver, President of the Ellis County Historical Society, informed the Commissioners of increased efforts by the Society to keep them informed of their activities.

5. CONSENT ITEMS: Henry Schwaller IV moved, Howard Rome seconded, that Dr. Robert Albers be appointed to the Public Wholesale Water Supply District #15 for a three year term expiring March 1, 2003.

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

OLD BUSINESS

AGENDA ITEM #7 WAS DISCUSSED BEFORE AGENDA ITEM #6

7. 32ND/33RD GEOMETRIC IMPROVEMENT GRANT ACCEPTANCE: The City of Hays has been awarded a grant for \$800,000 for Geometric Improvement to reconstruct the intersection of 33rd Street and US 183, extending 33rd Street west to Skyline Drive. These improvements would eliminate the tee intersection of 32nd Street and US 183. Acceptance of the grant does not bind the City to actually doing the project.

Residents living in close proximity to the improvement spoke against the City accepting the grant. Their concern is that the neighbors have not been consulted nor has the plan been thoroughly studied. Many issues need to be addressed prior to implementing a plan, such as frontage roads, proper signalization, and traffic patterns. The neighbors feel they should have input as to how this problem is resolved. Once a plan is established, the City could apply for grant funds.

Commissioner Billinger stated that many options have been studied; it is just a matter of choosing which option is best. Accepting the grant money does not tie the City to one option.

Commissioner Rome stated that the City would not do anything until the neighboring residents become involved. He would not have a problem with

accepting the grant, and feels he would still be open minded to arrive at a solution agreeable to the citizens. If the solution were not agreeable, he would not have a problem with stopping the project at that point.

Commissioner Schwaller stated he would support a project that would solve this challenge, however he didn't think the City was going about it in the right way. Priorities need to be set and he didn't think this project is a high priority.

Commissioner Schmidt felt preliminary engineering plans showing alternatives should be drawn up first prior to the City applying for grant money.

Commissioner Billinger stated the City could still accept these funds; there is plenty of time to study different scenarios.

City Manager Hannes Zacharias stated the Commission directed city staff last spring to start preliminary engineering for extending 33rd Street west and to apply for grant money, so that this improvement could be incorporated into other Vine Street improvements. In 1998 many options were studied; someone's property would be affected by every option. Some of the options were thrown out because they were not acceptable to KDOT. The options were narrowed down to two, going east on 32nd Street or going west on 33rd Street. The issue was put on the back shelf until the City had some grant money to apply to the project. The feeling was to not drag the neighborhood through more conversation until there were grant funds available.

Henry Schwaller IV moved, Larry Schmidt seconded, that this item be tabled, City staff be directed to begin discussions with the neighborhood residents and the City-County Planning Commission within 30 days, reporting back to the Commission by August 1, 2000 the Mayor will not sign a letter of acceptance for the grant.

Vote: Ayes: Henry Schwaller IV

Larry Schmidt

Wayne Billinger

No: Troy Hickman

Howard Rome

6. ZONING ORDINANCE: Henry Schwaller IV moved, Larry Schmidt seconded, that Ordinance No. 3495, being an ordinance amending the zoning regulations and subdivision regulations of the City of Hays, Kansas, by creating the “C-2” General Commercial and Service District and repealing the Commercial Zoning Districts “C-2” General Commercial and “C-S” Highway Service, be approved.

Vote: Ayes: Troy Hickman

Henry Schwaller IV

Larry Schmidt

Howard Rome

Wayne Billinger

NEW BUSINESS

8. ASSISTED LIVING RESIDENCE REVENUE BONDS: Robert A. Brooks, Brooks Development Company, L.L.C., presented plans for the CedarView Assisted Living Project to be built at 2929 Sternberg Drive. Mr. Brooks requested the City of Hays consider adopting a resolution of intent to issue revenue bonds pursuant to the Kansas Economic Development Revenue Bond Act, with the company as tenant of the assisted living facility. No property tax exemption is being requested in connection with the issuance of the bonds nor does the City incur any financial liability whatsoever.

Henry Schwaller IV moved, Wayne Billinger seconded, that Resolution No. 329, being a resolution of the Governing Body of the City of Hays, Kansas determining the advisability of issuing assisted living residence revenue bonds of said city for the purpose of financing the acquisition, construction, installation and equipping of an assisted living center facility to be located in said city, be approved.

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

9. 43RD STREET SPECIAL DISTRICT: Kent Laas, Community Development Coordinator, presented a resolution that will initiate the process that could make it possible to establish a Special Assessment District for the financing of paving and storm drainage improvements to that portion of 43rd Street within the Roth Third Addition. The engineer's estimate of the proposed improvements is \$403,993.67; the City's share would be 37% or \$149,477.66. The property owners adjacent to 43rd Street would be assessed the remaining \$254,516.01. Wal-Mart is funding the water and sanitary sewer improvements.

A Corridor Management Grant will be pursued that would fund 66% of that portion of 43rd Street that was recently purchased, that being the property that is adjacent to the Wolf and Pfannenstiel properties, approximately 400 feet. Potential grant funds would be approximately \$101,874.87; the local share would be \$51,090.40. Staff recommends sharing the local funding equally between the City of Hays, Verlin Pfannenstiel, and Ken Wolf. This would reduce Mr. Pfannenstiel and Mr. Wolf's share to approximately \$17,000.

City Manager Zacharias stated the Special Assessment District would be set up according to existing City policy. Property owners pay a portion of residential street width. These property owners are not being asked to pay anymore than that even though they are getting a wider street with a five lane signalized intersection.

Commissioner Schwaller stated he would be voting against any resolution creating a Special Assessment District. All the surrounding property owners were agreeable to putting in 43rd Street, but they didn't ask for it; it was the City's idea. It is not fair to make businesses pay for a street they did not ask for nor want.

Mr. Laas stated that one of the owners, Mr. John Ferguson, has openly stated that he wanted the street improvement to aid development of his property.

Commissioner Schmidt stated he would be voting against the improvement. This street is for the general good; the City-at-large should pay for it. The driving force is Wal-Mart and sales tax revenue generated by Wal-Mart should help fund this.

Wayne Billinger moved, Howard Rome seconded, that Resolution No. 330, being a resolution directing and ordering a public hearing on the advisability of a public improvement, be approved.

Vote: Ayes: Troy Hickman

Howard Rome

Wayne Billinger

No: Henry Schwaller IV

Larry Schmidt

10. RECODIFICATION REPORT: City Attorney John Bird stated the City is in the process of recodifying City ordinances. This has not been done since 1954. Staff has identified ordinances that should be repealed or amended.

City Manager Zacharias stated most are minor changes to bring the Code of Ordinances into conformity; there are some suggested policy changes that will need to be discussed at a study session set for March 2nd at 7:30 p.m.

11. GOLF COURSE EQUIPMENT BIDS: Jeff Boyle, Park Director, presented bids for the replacement of current equipment at the Fort Hays Municipal Golf Course totaling \$182,371.50. Anticipated operational maintenance savings will be approximately \$42,500 over the next five years.

Howard Rome moved, Wayne Billinger seconded, that the bids for various pieces of equipment for the Fort Hays Municipal Golf Course totaling \$182,371.50, be accepted.

Vote: Ayes: Troy Hickman
Larry Schmidt
Howard Rome
Wayne Billinger

No: Henry Schwaller IV

12. GOLF COURSE EQUIPMENT LEASE PURCHASE BIDS: Bids for financing golf course equipment through a five-year lease purchase agreement were received from the following:

Commerce Bank	6.102%
Emprise Bank	6.403%
Golden Belt Bank	5.83 %
KOCH Financial Corp.	6.25 %
Outdoor Products	6.90 %
Sedgwick State Bank	5.98 %
Turf Professionals	6.70 %

Wayne Billinger moved, Howard Rome seconded, that the bid from Golden Belt Bank with an interest rate of 5.83%, be accepted.

Vote: Ayes: Troy Hickman
Larry Schmidt
Howard Rome
Wayne Billinger

No: Henry Schwaller IV

13. PARKS DEPARTMENT MOWER BIDS: Bids were received for a new Parks Department mower. Of the four bids received, only one met the specifications. Jeff Boyle, Park Director, recommended the bid from Outdoor Equipment, Wichita, Kansas, for a Jacobsen HR5111 mower, in the amount of \$35,000, be accepted.

Henry Schwaller IV moved, Larry Schmidt seconded, that the bid from Outdoor Equipment for a mower totaling \$35,000, be accepted.

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

14. ENHANCEMENT VIDEO: A video was viewed that was used to promote the City of Hays in its application for the US Highway 183 Corridor Enhancement Project.

15. 2000 ENGINEERING SERVICES “REQUEST FOR PROPOSAL”: Kurt Hassler, Director of Engineering, stated Request for Proposals were sent to surrounding engineering firms to help with Capital Improvement Projects scheduled this year.

Mr. Hassler recommended the City Commission appoint a five-member committee to be on the Selection Committee, with himself and Elden Hammerschmidt, Public Works Director, as two of the members. This Committee would select three firms and pass those along to the Negotiating Committee. Mr. Hassler recommended the Negotiating Committee be the same members as the Selection Committee. The Negotiating Committee would then select the top firm based on a points system evaluation method. The Committee would then negotiate a contract for the Capital Improvement Projects and the Vine Street Project separately.

A discussion was held on the criteria to be used for evaluation.

Larry Schmidt moved, Henry Schwaller IV seconded, that the 10 points allocated to accessibility be divided, giving 5 more points to capability of the firm and 5 more points to availability to meet with City staff, and further that City staff be authorized to submit a Request for Proposal for engineering services for 2000 public improvements.

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

Mayor Hickman requested the Commissioners forward any recommendations for the Selection/Negotiating Committee to the City Manager.

16. WASTEWATER TREATMENT PLANT “REQUEST FOR PROPOSAL”:

The current operating level of the Wastewater Treatment Plant is 2.0 million gallons per day (MGD) and the current rating is 2.2 MGD. Staff feels the plant can operate above the 2.2 MGD level and have asked KDHE to adjust the rating. KDHE is agreeable to increasing the rating provided the City can submit proof in the way of an engineering analysis, of individual units and capabilities, performed by a professional engineering firm with experience in wastewater treatment, licensed to practice in Kansas. The type of work needed is specialized and not of the same nature as the other capital improvement projects the City is considering.

Staff has prepared a Request for Proposal to conduct this study. \$50,000 has been budgeted in water capital outlay to perform the study. The Selection Committee will be made up of the Public Works Director, the City Engineer, and the Wastewater Treatment Plant Superintendent plus two other individuals to be appointed by the Commission.

Henry Schwaller IV moved, Wayne Billinger seconded, that City staff be authorized to submit a Request for Proposal for engineering services to increase the capacity of the City’s Wastewater Treatment Plant.

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

Mayor Hickman requested Commissioners forward any recommendations for the Selection Committee to the City Manager.

17. COMPUTER SOFTWARE PURCHASE: Wayne Billinger moved, Howard Rome seconded, that CAD software to be used by the Engineering Department, be purchased from DLT Solutions in the amount of \$15,308.40.

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

18. AIRPORT LAYOUT PLAN APPROVAL: Terry Urban, Airport Manager, presented the proposed Airport Layout Plan. The new plan indicates improvements recently made to Hays Regional Airport but does not make any significant changes with regards to the terminal area or hangar spaces. The only substantial change on the new layout plan is the extension of the crosswind runway land purchase area in the far southwest corner of the airport property. This small triangle is being extended to include an existing trailer house, which is to be removed. This change is being suggested so that the FAA can participate in the cost for this trailer house removal and reimbursement to the City for the appropriate land. This change will allow the City to proceed with full engineering of the crosswind runway and purchase additional land the City may need in the immediate area.

The revised plan is necessary for the FAA to have an updated plan with regards to runway extension and the crosswind runway that is planned. The Airport Layout Plan change has been reviewed by the Airport Board and recommends the City Manager be authorized to sign the Airport Layout Plan.

Howard Rome moved, Wayne Billinger seconded, that the City Manager be authorized to sign a revised airport layout plan.

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

19. POSTAGE METER BIDS: Bids for a replacement postage machine were received from the following:

Pitney Bowes	\$16,026.00
Neopost	15,855.00

Henry Schwaller IV moved, Wayne Billinger seconded, that the bid from Neopost in the amount of \$15,855.00, be accepted.

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

20. SIDEWALK INFORMATION: Henry Schwaller IV moved, Larry Schmidt seconded, that due to the late hour this item be tabled until the next meeting.

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

21. COMMISSION INFORMATIONAL MEMORANDUM: City Manager Zacharias reported that the Traffic Advisory Committee recommended that the speed limit on the 183 Bypass near Old Fort Hays remain 45 miles per hour. The City Manager asked for concurrence from the Commission.

Howard Rome moved, Wayne Billinger seconded, that the speed limit on the 183 Bypass near Old Fort Hays remain 45 miles per hour.

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

This information will be sent to the Kansas Department of Transportation as input on this issue.

City Manager Zacharias stated the Traffic Advisory Committee voted to support the guarded left turn lanes on all legs of the intersections at both 8th & Vine Streets and 22nd and Vine Streets, in support of KDOT's recommendations. Their first priority is to have the fully activated signals at 8th & Vine Streets first with activated signals at 22nd & Vine second. Each fully activated intersection will cost approximately \$130,000. This issue should be reviewed during the Capital Improvement Projects planning process.

Commissioner Schmidt expressed concern about the shortage of parking at the new pool. It would cost \$63,125 to pave the south parking lot next to the Hays Municipal Pool at the Armory. Commissioner Schmidt recommended funds for the paving be taken out of excess sales tax revenue.

Commissioners Billinger and Rome stated they would rather wait one year into the pool's operation before deciding whether there is a need to pave the parking lot.

Larry Schmidt moved, Troy Hickman seconded, that funds in the amount of \$63,125 be taken out of excess sales tax revenue to pave the south parking lot next to the Hays Municipal Park.

Vote: Ayes: Troy Hickman
Larry Schmidt
No: Henry Schwaller IV
Howard Rome
Wayne Billinger

22. EXECUTIVE SESSION: There was no executive session.

23. ADD-ON ITEMS: City Manager Zacharias stated Wayne Schwartz, Director of Fire and Inspection Services, has resigned. His last day of work will be March 17, 2000.

Commissioner Schwaller requested that discussion be held at the next meeting regarding the former law enforcement firing range. It is his understanding that the property could be potentially contaminated.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board