

MINUTES OF A MEETING OF  
THE GOVERNING BODY OF  
THE CITY OF HAYS, KANSAS  
HELD ON JANUARY 9, 2003

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, January 9, 2003 at 7:30 p.m.

Roll Call: Present: Troy Hickman  
Sunell Koerner  
Dick Bedard  
Larry Schmidt  
Henry Schwaller IV

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

**2. MINUTES:** Sunell Koerner moved, Dick Bedard seconded, that the minutes of the regular meeting held on December 12, 2002 be approved.

Vote: Ayes: Troy Hickman  
Sunell Koerner  
Dick Bedard  
Larry Schmidt  
Henry Schwaller IV

**3. FINANCIAL STATEMENT:** City Manager Randy Gustafson stated that sales tax revenue for 2002 was \$2,075,163, which is 8% higher than 2001 revenue. That amount is \$15,700 below the budgeted amount for 2002. Preliminary figures provided by the Finance Office indicate the 2002 fiscal year will end with a fund balance of \$422,114 in addition to the budgeted cash reserve. This is primarily due to the City Manager's request to each department head to be very conservative. These funds will assist the City in continuing to provide services in spite of the recent cuts in State funding.

Henry Schwaller IV moved, Sunell Koerner seconded, that the Financial Statement for November 2002 be approved.

Vote: Ayes: Troy Hickman  
Sunell Koerner  
Dick Bedard  
Larry Schmidt  
Henry Schwaller IV

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

**5. CONSENT ITEMS:** Henry Schwaller IV moved, Sunell Koerner seconded, that the following be appointed to the Hays Convention and Visitors Bureau Advisory Committee:

Dr. Jerry Choate – 3-year term expiring December 1, 2005

Lorraine Howerton – 3-year term expiring December 1, 2005

Sabrina Collins – 3-year term expiring December 1, 2005

Julius Legleiter – 3-year term expiring December 1, 2005

Anita Ruder – unexpired term expiring December 1, 2003

Vote: Ayes: Troy Hickman  
Sunell Koerner  
Dick Bedard  
Larry Schmidt  
Henry Schwaller IV

### **NEW BUSINESS**

**6. MARTIN LUTHER KING, JR. CELEBRATION EVENT:** Dr. Neil Patrick, chairman of the Martin Luther King, Jr. Celebration Planning Committee, spoke on plans for the 4<sup>th</sup> annual celebration of Martin Luther King's birthday to be held on January 20<sup>th</sup>. The speaker for this event will be Senator David Haley. Dr. Patrick requested the City of Hays contribute funds for this event. Fort Hays State University and Ellis County have also contributed money.

Henry Schwaller IV moved, Sunell Koerner seconded, that the City of Hays contribute \$300 toward the Martin Luther King, Jr. Celebration.

Vote: Ayes: Troy Hickman  
Sunell Koerner  
Dick Bedard  
Larry Schmidt  
Henry Schwaller IV

**7. ACCEPTANCE OF CORRIDOR MANAGEMENT GRANTS FOR THE CONSTRUCTION OF REVERSE ACCESS ROADS EAST AND WEST OF HIGHWAY 183 BETWEEN 45<sup>TH</sup> STREET AND 48<sup>TH</sup> STREET:**

Corridor Management Project Grants for land acquisition (\$90,000) and paving costs (\$180,000) for Roth Avenue between 45<sup>th</sup> and 48<sup>th</sup> Street, and General Hays Road between 45<sup>th</sup> and 48<sup>th</sup> Street have been awarded to the City of Hays for each segment of roadway. The owners of the affected property have agreed in principle to participate in these projects by pledging the land cost values to offset one-third (1/3) local grant match. In conjunction with the paving, they will be allowed to create Special Assessment Districts that would include water and sewer main extensions within the respective reverse access roadways. The following steps must be followed to accomplish this:

- Annex property on the east side of US 183 (Tebo Tracts depicted as Lots 18 through 23, Preliminary Plat of Marvin Braun Addition). This property is contiguous with the current city limits and will only require that the City adopt the appropriate ordinance. The affected property on the west side of US 183 is already within the current city limits.
- Accept the Corridor Management Grants and adopt a resolution determining advisability and authorizing the improvements.
- Accept petitions for public improvements from both property owners and create special assessment districts for improvements.

The net effect of the forgoing action will insure that benefiting properties will be responsible for all development costs as currently required within the adopted Development Policy.

Henry Schwaller IV moved, Sunell Koerner seconded, that Ordinance No. 3600, being an ordinance annexing land to the City of Hays, Kansas, be approved.

Vote: Ayes: Troy Hickman  
Sunell Koerner  
Dick Bedard  
Larry Schmidt  
Henry Schwaller IV

Henry Schwaller IV moved, Sunell Koerner seconded, that Corridor Management Project Grants for the construction of reverse access roads east and west of Highway 183 between 45<sup>th</sup> and 48<sup>th</sup> Street, be accepted.

Vote: Ayes: Troy Hickman  
Sunell Koerner  
Dick Bedard  
Larry Schmidt  
Henry Schwaller IV

Community Development Coordinator Kent Laas stated adopting the appropriate resolution determining the advisability and authorizing the improvements would be forthcoming at a future Commission meeting.

**8. BOUNDARY RESOLUTION:** City Attorney John Bird stated that state law requires cities to re-define its boundaries if property has been annexed.

City Manager Gustafson stated the City of Hays now contains 4,938.65 acres or 7.717 square miles.

Henry Schwaller IV moved, Sunell Koerner seconded, that Resolution No. 421, being a resolution re-defining the boundaries or corporate limits of the City of Hays, Kansas, as required by Section 12-517 of Kansas Statutes Annotated, be approved.

Vote: Ayes: Troy Hickman  
Sunell Koerner  
Dick Bedard  
Larry Schmidt

Henry Schwaller IV

**9. EXECUTIVE SESSION:** Sunell Koerner moved, Troy Hickman seconded, that the Governing Body adjourn to executive session at 7:50 p.m. for 15 minutes to discuss real estate negotiations. The executive session will include the City Commission, the City Manager, the Assistant City Manager, and the City Attorney.

Vote: Ayes: Troy Hickman  
Sunell Koerner  
Dick Bedard  
Larry Schmidt  
Henry Schwaller IV

Mayor Hickman called the meeting back to order at 8:00 p.m. He stated that no action was taken during executive session.

**10. COMMISSION INFORMATIONAL MEMORANDUM:** City Manager Gustafson suggested that the next Commission meeting be held on Tuesday, January 21<sup>st</sup>. The annual Chamber of Commerce banquet is being held on Thursday, January 23<sup>rd</sup> which is the date for the regular Commission meeting.

City Attorney Bird suggested the Commission recess this meeting until January 21<sup>st</sup> and reconvene rather than adjourn this evening's meeting.

**11. ADD-ON ITEMS:** Commissioner Schwaller asked what was being done about the broken bricks at Union Pacific Park at 10<sup>th</sup> and Main Street.

City Manager Gustafson stated the situation has been checked out and a memorandum addressing the problem will be included in the next Commission Informational packet.

Commissioner Schwaller requested staff look into problems that are resulting due to trash being picked up once a week. Not all of the trashcans have lids and animals are getting into the trash and creating quite a mess in the alleys.

City Manager Gustafson stated staff would look into the situation.

Commissioner Schmidt requested the City Commission have a planning session to discuss water options available to the City. It is time to sit down as a group and bring some people in to talk about the various options.

City Manager Gustafson stated that \$46,350 would be paid to the Corp of Engineers in order to do the various legal and due diligence processes that are necessary in order for the land/property exchange with the U.S. Army Corps of Engineers and the Army Reserve. This is for property located along Commerce Parkway and the Army Reserve building located at 3<sup>rd</sup> and Main Street. The Heart of America Development Corporation has agreed to reimburse the City for the money when the transaction is complete.

Henry Schwaller IV moved, Sunell Koerner seconded, that the Governing Body recess the meeting and reconvene January 21, 2003 at 7:30 p.m.

Vote: Ayes: Troy Hickman  
Sunell Koerner  
Dick Bedard  
Larry Schmidt  
Henry Schwaller

Submitted by: \_\_\_\_\_

Clerk of the Board