

MINUTES OF A MEETING OF
THE GOVERNING BODY
OF THE CITY OF HAYS, KANSAS
HELD ON JUNE 13, 2002

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, June 13, 2002 at 7:30 p.m.

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

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

2. MINUTES: Sunell Koerner moved, Troy Hickman seconded, that the minutes of the regular session held on May 23, 2002, be approved.

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

3. CITIZEN COMMENTS: There were no comments

4. CONSENT ITEMS:

A. PARK LEASE: Dick Bedard moved, Troy Hickman seconded, that a Park Lease Agreement with A-1 Plank and Scaffold for the use of Municipal Park for a company picnic to be held on August 24, 2002, be approved.

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

B. PARK LEASE: Troy Hickman moved, Dick Bedard seconded, that a Park Lease Agreement with Sykes Enterprises for the use of Municipal Park for a company picnic to be held on June 22, 2002, be approved.

Vote: Ayes: Henry Schwaller IV

Troy Hickman
Sunell Koerner
Dick Bedard
Larry Schmidt

C. NUISANCE ABATEMENT: The nuisance of abandoned vehicles at 520 West 17th Street has been resolved.

D. CEREAL MALT BEVERAGE LICENSE: Troy Hickman moved, Dick Bedard seconded, that a Cereal Malt Beverage License for the Kiwanis Club of Hays for the Wild West Festival to be held July 3 – 6, 2002, be approved.

Vote: Ayes: Henry Schwaller IV

Troy Hickman
Sunell Koerner
Dick Bedard
Larry Schmidt

E. PUBLIC WHOLESALE WATER SUPPLY DISTRICT #15: City Manager Randy Gustafson stated that due to the change of direction being taken in the City's search for water, the Division of Water Resources has requested that the City of Hays, along with the City of Russell, and Public Wholesale Water Supply District #15 consider releasing previous water right applications that are no longer needed.

Troy Hickman moved, Sunell Koerner seconded, that a letter be sent on behalf of the City of Hays to the Division of Water Resources indicating the City's concurrence with Public Wholesale Water Supply District #15 and the City of Russell to rescind the water rights for Waconda Reservoir and well sites one (1) through seven (7) and retain the water right applications for well sites eight (8) through ten (10), Kanapolis and Wilson Lakes.

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

F. DUSTY GLASSMAN BASEBALL COMPLEX: Dick Bedard moved, Sunell Koerner seconded, that the City of Hays approve the proposal from Hays Recreation Commission to allocate their annual contribution of \$35,000 for ball field maintenance for two years, 2002 and 2003, totaling \$70,000, to irrigate, re-seed, and replace the infields at Dusty Glassman Baseball Complex.

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

G. WILD WEST FEST STREET CLOSING: Troy Hickman moved, Dick Bedard seconded, that Main Street from 7th to 13th Street, 10th Street from Fort to Oak Street, and 9th Street from Fort to Oak Street, be closed on Saturday, July 6, 2002, for the Wild West Fest Main Street Event, and that other various streets in the vicinity of the Wild West Fest site on south Main Street be closed on July 3 – 6, 2002.

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

H. PARK LEASE: Troy Hickman moved, Sunell Koerner seconded, that a Park Lease Agreement with the Wild West Festival Committee for the use of Municipal Park for the Wild West Fest to be held July 2 –7, 2002, be approved.

Vote: Ayes: Henry Schwaller IV
Troy Hickman

Sunell Koerner
Dick Bedard
Larry Schmidt

I. MAYORAL APPOINTMENTS: Commissioner Schmidt stated he would like more time to look over the mayoral appointments before voting.

Larry Schmidt moved, Troy Hickman seconded, that the mayoral appointments be postponed until the next meeting.

Vote: Ayes: Henry Schwaller IV
Troy Hickman
Sunell Koerner
Larry Schmidt
No: Dick Bedard

NEW BUSINESS

5. NATIONAL GUARD ARMORY LAND LEASE: The Kansas National Guard has made a request to lease additional property that lies adjacent to their existing vehicle storage area at the southeast corner of the Armory building that is located at 200 Main Street. This Guard unit has been required to maintain additional military vehicles on site, and therefore needs additional secured space to store these vehicles. The term of the lease is 99 years and the property reverts to the City if the Armory moves.

Troy Hickman moved, Sunell Koerner seconded, that a lease with the Kansas National Guard be approved for additional storage space near the southeast corner of the National Guard Armory Headquarters at 200 Main Street.

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

6. CITY COMMISSION RULES OF PROCEDURES: The City Commission, in coordination with the City Manager and City Attorney, has created a “Rules of Procedure” for operations involving City Commission operations and procedures. Discussion was held on the Rules of Procedures and one change was made to the proposed document.

Commissioner Schmidt voiced his objection to several items in the document.

Mayor Schwaller stated the rules are intended to be used in addition to Roberts Rules of Order.

City Manager Gustafson stated this is not an ordinance; this is simply a process by which the commission may set up how it’s going to operate. Adopting the Rules of Procedures does not override anything; they are simply rules.

Attorney Glen Braun, filling in for City Attorney John Bird, stated the rules are not binding forever and can be modified by a majority of the Commission. If a part of the Rules is in conflict with other ordinances, it can be changed or deleted by a majority vote.

Dick Bedard moved, Troy Hickman seconded, that Resolution No. 405, being a resolution adopting the rules of procedure and repealing all previous resolutions, motions or actions in conflict therewith, be approved.

Vote: Ayes: Henry Schwaller IV

Troy Hickman

Sunell Koerner

Dick Bedard

No: Larry Schmidt

7. CITY OF HAYS – CODE OF ETHICS: The City Commission, in coordination with the City Attorney and the City Manager, have devised a “Code of Ethics” to prompt independence and impartiality of public officers and employees, and impose standards of accountability upon those who violate the public trust.

Dick Bedard moved, Troy Hickman seconded, that Ordinance No. 3585, being an ordinance amending Title 2, Administration and Personnel of the City of

Hays, Kansas, Municipal Code, by the addition of a new Chapter 2.56 entitled "Code of Ethics", be approved.

Vote: Ayes: Henry Schwaller IV

Troy Hickman

Sunell Koerner

Dick Bedard

No: Larry Schmidt

8. COMMISSION INFORMATIONAL MEMORANDUM: City Manager Gustafson noted he has approved the sale of AVIS Rent A Car Franchise from Tiger Corporation to Clay Chevrolet effective July 1, 2002.

9. ADD-ON ITEMS: City Manager Gustafson stated that the Downtown Hays Development Corporation (DHDC) has requested the City of Hays consider applying for a SBC Foundation Grant on behalf of the DHDC. This Grant will be a community development technology grant that addresses needs specifically and will stimulate community partnerships. The City of Hays will be the pass-through agent for DHDC.

Commissioner Schmidt stated he would like to see the Grant before he votes on it.

Mayor Schwaller requested the City Manager obtain a copy of the grant so that it can be presented at a work session and a future City Commission meeting.

Commissioner Schmidt stated that when organizations asked for public funding, they should make those requests known at a public meeting. The public has a right to know where City funds are being spent.

Commissioner Koerner stated she would like the City Commission to pursue an ordinance prohibiting smoking in public restaurants.

City Manager Gustafson stated that topic will be included in the next work session for discussion.

Mayor Schwaller stated a citizen has requested that umbrellas be purchased for the lifeguards at the Hays pools. He directed staff to take bids.

Commissioner Koerner noted that the nets at Larks Park which are meant to catch high balls are not working very effectively and she would like staff to study the issue to see if the nets can be improved or if there is a better solution.

Mayor Schwaller stated the Downtown Hays Development Corporation has made a request for \$5,000 to assist with the hiring of an architectural consultant to devise a master plan for their revitalization project for street planning, streetscape, and landscape improvements.

Commissioner Schmidt stated he would like to know how much of a match the DHDC is putting toward this project.

Mayor Schwaller stated DHDC would provide any funding that is over the \$5,000 contributed by the City.

Dick Bedard moved, Troy Hickman seconded, that the City of Hays provide an amount not to exceed \$5,000 to assist the Downtown Hays Development Corporation with the hiring of a consultant for a master plan for future physical improvements, contingent upon the Downtown Hays Development Corporations providing data to the Commission showing their share of the financing.

Vote: Ayes: Henry Schwaller IV

Troy Hickman

Sunell Koerner

Dick Bedard

Larry Schmidt

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board