

MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON NOVEMBER 13, 2003

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas, met in regular session on Thursday, November 13, 2003, at 7:30 p.m.

Roll Call: Present: Troy Hickman
Sunell Koerner
Kent Steward
Wayne Billinger
Henry Schwaller IV

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

2. MINUTES: There were no corrections to the minutes; they were approved as written.

3. CITIZEN COMMENTS: Wally Hay, 206 West 15th Street, appeared before the Commission. He plans to donate a piece of land he owns south of town on US 183 to the City of Hays for a welcome sign.

4. CONSENT AGENDA: There were no items on the consent agenda.

UNFINISHED BUSINESS

5. MAYOR-APPOINTED BOARDS AND COMMITTEES: This item was tabled from the October 23, 2003, Commission meeting due to several typographical errors and changes that needed to be made to the resolution.

Wayne Billinger moved, Sunell Koerner seconded, that Resolution No. 450, being a resolution regarding the policy of the City Commission of the City of Hays regarding the establishment, constitution and membership and term of existence for committees, be approved.

Vote: Ayes: Troy Hickman

Sunell Koerner
Kent Steward
Wayne Billinger
Henry Schwaller IV

NEW BUSINESS

6. HRC 2003 POOL SEASON REPORT: The Hays Recreation Commission (HRC) is responsible, by contract, for general operations of the Hays Aquatic Park and Wilson Pool for the City of Hays. Rick Claiborn, superintendent of the HRC reported on the 2003 pool season.

Mr. Claiborn reported that there were fewer admissions to the pool this year due to the cooler weather in June, resulting in a drop in revenue of \$19,880.10 from the 2002 season. Total expenses for the pool dropped by \$47,790.50 from the previous year. The total loss of revenue for the year was \$33,790.33 compared to a loss of \$58,513.82 in 2002. The current contract the City has with HRC states the City will cover 60% of the loss which amounts to \$20,274.20 for 2003 with HRC covering the remaining loss of \$13,516.13. The City subsidized the pool operation in 2003 by \$129,215.00 in general maintenance costs.

7. HAYS RECREATION COMMISSION / CITY OF HAYS CONTRACT RENEWALS: The current contracts with the Hays Recreation Commission (HRC) for Pool Services and Recreational Facilities will expire December 31, 2003. The renewal contracts represent three-year contracts ending December 31, 2006, for the services outlined in each agreement. Most of the changes in the agreements pertain to general operations and hours of service. However, the Section 5 Compensation portion of the Pool Services Agreement changed from a 60/40 (City/HRC) split for operational loss to a 50/50 split.

City Manager Randy Gustafson stated that the City Commission and HRC would meet in a joint meeting after the first of the year to discuss issues involving the general operations.

Commissioner Schwaller commented that HRC and the City, as a partnership, need to figure out how to keep costs more in check while keeping the service level the same.

Commissioner Steward stated he is impressed with the efficient operation of the pool, however, he thinks the Commission should take a serious look into raising pool fees.

Mr. Claiborn stated all cities subsidize pool operations. Increased fees may result in lower attendance, which won't help the bottom line. He will do some research for further discussion at the joint meeting.

Sunell Koerner moved, Kent Steward seconded, that the Pool Services Agreement between the City of Hays and the Hays Recreation Commission be approved.

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

Sunell Koerner moved, Kent Steward seconded, that the Recreation Facilities Agreement between the City of Hays and the Hays Recreation Commission be approved with a change in Section I – 2 clarifying the language for when City workers pick-up trash.

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

8. UPDATE BUILDING AND FIRE CODES: An extensive review of the new codes has been performed and it is the belief of staff that adoption of the 2003 International Codes is the direction to proceed. The effective date of the ordinances is January 1, 2004.

Kent Steward moved, Wayne Billinger seconded, that the following ordinances be approved:

Ordinance No. 3621, being an ordinance amending Title 2, Chapter 2.24 of the City of Hays, Kansas, Municipal Code regarding the Fire Department, and;

Ordinance No. 3622, being an ordinance amending Title 8, Chapter 8.08 of the City of Hays, Kansas, Municipal Code regarding the Fire Code, and;

Ordinance No. 3623, being an ordinance amending Title 15, Chapter 15.04 of the City of Hays, Kansas, Municipal Code, by modifying Sections 15.04.010, 15.04.020, and 15.04.090 regarding the rules and regulations for the building code, and;

Ordinance No. 3624, being an ordinance amending Title 15, Chapter 15.08 of the City of Hays, Kansas, Municipal Code regarding the rules and regulations for the Uniform Housing Code, and;

Ordinance No. 3625, being an ordinance amending Title 15, Chapter 15.12 of the City of Hays, Kansas, Municipal Code, by modifying Section 15.12.030 regarding the minimum standards for plumbing and mechanical work, and;

Ordinance No. 3626, being an ordinance amending Title 15, Chapter 15.16 of the City of Hays, Kansas, Municipal Code, by modifying Section 15.16.030 regarding the standard code for electrical work.

Vote: Ayes: Troy Hickman

Sunell Koerner

Kent Steward

Wayne Billinger

Henry Schwaller IV

9. WATER RATE STUDY: The current rate system in place has not been revised since 1995. The current system has five user classes, eight-meter minimum charge classifications, and as many as ten rate step increases depending upon user class, in addition to a three step surcharge system for users who exceed their water allocation.

The proposed system consists of two user classes, maintains the eight-meter minimum charge classifications, and has not more than two rate steps in each of the two classes and eliminates the surcharges completely. It is necessary to modify all related ordinances with an effective date of February 1, 2004.

Commissioner Steward commented on Big Creek Sewer District and Prairie Acres Sewer District accounts being in arrears. He wanted to make it clear that even though the amount they will be billed with the new sewer rate schedule will be lower, it in no way removes any responsibility on their part to settle what they owe the City. He would like to see this matter settled. He stated he feels that whatever rate is charged for outside city limit customers should be the same rate applied to the two Sewer Districts.

Sunell Koerner moved, Wayne Billinger seconded, that the following ordinances be approved:

Ordinance No. 3627, being an ordinance amending Title 13, Chapter 13.04 of the City of Hays, Kansas, Municipal Code, by modifying Sections 13.04.090 and 13.04.100 regarding the duties of the City Clerk and City Treasurer regarding the Water and Sewer System, and;

Ordinance No. 3628, being an ordinance amending Title 13, Chapter 13.08 of the City of Hays, Kansas, Municipal Code by repealing Section 13.08.100 and modifying Sections 13.08.150, 13.08.190, 13.08.300, and 13.08.350 regarding the Water Service System, and;

Ordinance No. 3629, being an ordinance amending Title 13, Chapter 13.12 of the City of Hays, Kansas, Municipal Code, by modifying Sections 13.12.030, 13.12.050, 13.12.060, and 13.12.090 regarding water rates and charges, and;

Ordinance No. 3630, being an ordinance amending Title 13, Chapter 13.20 of the City of Hays, Kansas, Municipal Code, by modifying Section 13.20.020 regarding sewer service connection fees, and;

Ordinance No. 3631, being an ordinance amending Title 13, Chapter 13.24 of the City of Hays, Kansas, Municipal Code, by repealing Section

13.24.040 and modifying Sections 13.24.030, 13.24.060, and 13.24.070 regarding sewer rates and charges.

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

10. AWARD OF BID FOR INFORMATION TECHNOLOGY VAN: The Information Technology Division budgeted \$10,000 for the purchase of a mini-van to assist with transporting equipment, as well as to respond to service call requests. There were nine responses to the Request for Bids.

Mark Loughry, Information Technology Coordinator, recommended that the 2nd lowest bid in the amount of \$13,897 for a 2004 Chevy Venture be accepted from Ed Bozarth, Topeka, Kansas. This van would be purchased by utilizing a state contract, which cities are allowed to use to save funding. The lowest bid in the amount of \$12,600 is for a 2001 Ford Windstar with 20,983 miles. Mr. Loughry feels the additional \$1,297 for the 2004 Chevy Venture is justified by the fact that it is a new vehicle and has a full manufacturer's warranty. The additional \$3,897 will be taken out of the new equipment account.

Kent Steward moved, Wayne Billinger seconded, that the bid from Ed Bozarth, Topeka, Kansas, in the amount of \$13,897 for a 2004 Chevy Venture be accepted.

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

11. MUNICIPAL PARK MASTER PLAN: Municipal Park should be Master Planned prior to installing shelter houses, drinking fountains, etc. so that the park is properly equipped for all users of the park. Once the Master Plan is completed, the Wild West Festival (WWF) Committee is prepared to pay for improvements beginning with a new shelter house and drinking fountains. WDM

Architects began preliminary work on this park two years ago as part of the citywide review of existing facilities. It will cost \$6,000 to fully Master Plan the park. The WWF Committee has agreed to pay \$3,000 of this cost if the City will cover the remaining \$3,000.

Commissioner Koerner stated she would vote against this. She feels that many of the people who use the park have some good ideas and could put this park together with help from City staff. She would rather see the money spent on facilities than on a Master Plan.

Wayne Billinger moved, Kent Steward seconded, that the bid in an amount not to exceed \$6,000 from WDM Architects for architectural services for a Master Plan for Municipal Park be accepted.

Vote: Ayes: Troy Hickman
Kent Steward
Wayne Billinger
Henry Schwaller IV
No: Sunell Koerner

12. MUNICIPAL PARK TENNIS COURTS: The Parks Department is requesting approval for tennis court repairs at Municipal Park. In 2003, an amount of \$11,000 was budgeted for this purpose. The lowest bid submitted was \$16,000 from Riggs Recreation. Funding is available in contractual services for the additional cost.

Sunell Koerner moved, Wayne Billinger seconded, that the bid from Riggs Recreation in the amount of \$16,000 for tennis court repairs at Municipal Park be accepted.

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

13. STREET IMPROVEMENTS – CRACK SEAL AND POLYPATCH: Bids were received from five contractors for the installation of crack seal and polypatch

materials on various streets throughout the City. The bids were structured with three priorities of work. Due to budgetary reasons, staff recommends awarding only Priority 1 work in the amount of \$124,279 to Stripe and Seal.

City Manager Gustafson stated that if the Commission approves the bid, \$50,000 of this cost would be taken from the 2003 Budget and the remainder will be taken out of the 2004 Budget.

Sunell Koerner moved, Kent Steward seconded, that the bid from Stripe and Seal in the amount of \$124,279 for crack seal and polypatch on various streets throughout the City be accepted. \$50,000 of this cost is to be taken from the 2003 Budget and the remaining \$74,279 will be taken from the 2004 Budget.

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

14. STREET IMPROVEMENTS – MICRO-SURFACING: Bids were received from three contractors for the installation of microsurfacing materials on various streets throughout the City. The bids were structured as a base with 15 alternates. To optimize the use of budgeted funds, staff recommended awarding the base bid and alternates 1 through 14 in the amount of \$289,525 to Vance Brothers. This project will be paid out of the 2004 Budget.

Sunell Koerner moved, Wayne Billinger seconded, that the bid from Vance Brothers in the amount of \$289,525 for the installation of microsurfacing materials on various streets throughout the City be accepted. This project will be paid out of the 2004 Budget.

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

15. REPORT OF THE CITY MANAGER: City Manager Gustafson noted that enplanements at the Hays Municipal Airport are up and the “Fly Hays” program is making a positive difference.

16. COMMISSION INQUIRES AND COMMENTS: Commissioner Schwaller echoed the City Manager’s comments about the higher number of enplanements and is pleased that Hays can retain the dual hub service through Essential Air Service from the federal government.

Commissioner Schwaller asked how the negotiations with the Humane Society are going.

City Manager Gustafson replied that staff is expecting to hear back from the Humane Society Executive Director by Monday, November 17th. An accountant has been doing some cost reviews. He will update the Commission with any information he receives after that time.

Commissioner Schwaller stated the motion to approve the contract with the Humane Society for services for 2004 was based on what was known at that time. If we don’t hear from them by the end of November, the City may not have a provider for animal control.

Commissioner Billinger shared some information he picked up at the annual League of Municipalities meeting in October about “white topping”, which is used in street repairs.

Commissioner Billinger spoke on another session he attended on youth involvement, in particular, a youth court. He found the session very interesting.

Commissioner Billinger also addressed landscaping the area between 27th Street and I-70. It has been suggested to use statutes depicting our heritage. It may be possible to get corporate sponsorship or grants to support this.

Commissioner Steward requested a study be done to show how incentives provided by the City in various economic development ventures has benefited the community. He would like to discuss this further at the next work session.

City Manager Gustafson stated that some information is available and will be distributed with the next agenda packet.

The next Commission meeting will be held on Tuesday, November 25, 2003, due to the Thanksgiving holiday.

Wayne Billinger moved, Sunell Koerner seconded, that the Governing Body recess until November 25, 2003.

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

Thereupon the meeting was recessed.

Submitted by: _____

Clerk of the Board