

MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON NOVEMBER 25, 2003

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas, met in reconvened session on Tuesday, November 25, 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 of the recessed session held on November 13, 2003; they were approved as written.

3. FINANCIAL STATEMENT: City Manager Randy Gustafson reported that sales tax revenue is 4.27% higher compared to the same time last year.

Sunell Koerner moved, Wayne Billinger seconded, that the Financial Statement for the month of October 2003 be approved.

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

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: Henry Schwaller IV moved, Sunell Koerner seconded, that Resolutions AR – 17 through AR – 25 be approved, those resolutions expressing appreciation for establishing a new business in the City of Hays.

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

The Resolutions were presented to the following business owners:

Southgate Java Brew Coffee Bar – Kirk Johnston
Main Street 66 Auto Repair – Art Budig/Bryce Glick
Phaze 2 Team Gear and Screen Printing – Terry Karlin/Becky Shirley
Salon Ten O Seven – Dereama Allenbaugh
Simply Charmed – Tammy McClellan
Tiger Alley Concessions – Kim Day
The Bakery Shop – Pam Burgardt
Sewphisticate Studio – Karen Gutierrez
Tandy’s Hallmark – Tandy Kornechuck

NEW BUSINESS

6. PARKING IN FRONT YARD ORDINANCE: This ordinance modifies the ordinance regarding parking in front yards. It removes all references to “front” yard and identifies that portion of yard located between the residence and the street with the term “front yard setback”. The modified ordinance also allows for parking on surfaces that are paved, graveled, bricked, sanded, or asphalted.

Wayne Billinger moved, Kent Steward seconded, that Ordinance No. 3632, being an ordinance amending Title 10, Chapter 10.20 of the City of Hays, Kansas, Municipal Code, by modifying Section 10.20.280 regarding parking in front yards, be approved.

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

Henry Schwaller IV

7. 2004 UNION CONTRACT APPROVALS: Kent Steward moved, Wayne Billinger seconded, that the 2004 Memorandums of Agreement with the Hays Firefighters Local 2119, Hays Service Employees Local 513, and the Fraternal Order of Police Lodge 48, be approved.

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

8. HEALTH INSURANCE CONTRACT: City Manager Gustafson stated that with the help of a consulting firm, the City has taken bids for health insurance coverage for the 2004 year. Two companies have been considered, Blue Cross-Blue Shield (BCBS), which is the present provider, and Preferred Health Services (PHS). The City Manager recommended PHS be selected because they have provided a comparable and in some cases a better health insurance package for a competitive price. Additionally, BCBS refused to provide complete historical information on our group so that other companies could use that data in order to prepare their bid. For the prior three years, this information has been provided willingly.

Charles Krull, local agent for BCBS, argued that the Health Insurance Portability and Accountability Act (HIPAA) prevented his company from disclosing the information. He stated the City wanted names and claims history.

City Attorney John Bird disputed that statement; the City asked for claim totals and other financial data. In his opinion, BCBS is hiding behind HIPAA rules that don't apply to this situation.

Kent Steward moved, Sunell Koerner seconded, that the City of Hays enter into a contract with Preferred Health Services for employee health insurance coverage for 2004.

Vote: Ayes: Troy Hickman
Sunell Koerner

Kent Steward
Wayne Billinger
Henry Schwaller IV

9. NEIGHBORHOOD REVITALIZATION PLAN RENEWAL: The original Neighborhood Revitalization Plan was implemented on January 1, 2001 and states that a review for continuance must be completed after a 3-year period ending December 21, 2003.

The Plan is intended to promote the revitalization and development within a specified area of the City by stimulating new construction, rehabilitation and/or redevelopment of the identified area by offering certain incentives, including tax rebates. Twenty (20) applications were received and approved by the Ellis County Appraiser's Office during the past 3-year period.

Commissioner Schwaller commented that to date over 1.9 million dollars of investment in both materials and labor has been spent in this area.

Henry Schwaller IV moved, Wayne Billinger seconded, that Ordinance No. 3633, being an ordinance amending the existing Neighborhood Revitalization Plan in the City of Hays, Kansas, be approved.

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

Henry Schwaller IV moved, Wayne Billinger seconded, that Resolution No. 452, being a resolution establishing the Neighborhood Revitalization/Downtown Development Review Board of the City of Hays, Kansas, describing and stating its charge and goal, details involving the constitution and membership of the committee, date of commencement of the committee, and the ending date or event that will terminate the committee's work, and other matters, be approved.

Vote: Ayes: Troy Hickman
Sunell Koerner
Kent Steward

Wayne Billinger

Henry Schwaller IV

10. CITYWIDE TRAFFIC STUDY: At the September 18, 2003 Work Session, the Commission authorized City staff to work with HWS Consulting Group to refine the scope of services for a traffic study and to develop a contract for such services. The contract consists of five phases of work to include public involvement, policy review, traffic system overview, one-way street analysis, arterial and collector street analysis, and a proposal for on-call consultation. The total cost of all phases would not exceed \$92,250.

Commissioner Billinger stated he felt the first three phases of the study should be done. He cannot support all the phases at this time unless he hears evidence to convince him otherwise. He thinks there is redundancy in the areas to be studied; there is data available from studies done over the last few years that he feels could be used.

Director of Public Works Brenda Herrman stated that HWS would use any information the City already has; they won't be duplicating previous information that has been gathered.

Commissioner Steward stated he agrees that this project would cost a lot of money, however, he is in favor of proceeding with the whole study. He feels this study will be used and information gathered will be implemented. There needs to be a comprehensive view, not a piecemeal view. This would be money well spent.

City Manager Gustafson stated a lot of the information would be furnished to HWS. The City receives more traffic complaints than any other type of complaint. A comprehensive plan would address all those complaints.

Commissioner Schwaller stated he has been supportive of having a traffic study done since 1999, however, he is concerned about the cost. He would like to see the results of the first three phases. After those phases have been completed, the project could be stopped for 30 days for review before proceeding with the other two phases.

Kent Steward moved, Henry Schwaller IV seconded, that the first three phases of the contract with HWS Consultants be approved, with the understanding that within 30 days of the completion of the third phase, the Commission will consider whether to move forward to the last two phases.

Chairperson Hickman stated he would vote against the motion because he feels the whole study should be performed at once in order to receive the information quicker.

Vote: Ayes: Sunell Koerner

Kent Steward

Wayne Billinger

Henry Schwaller IV

No: Troy Hickman

11. REPORT OF THE CITY MANAGER: City Manager Gustafson had no additional comments to add to his written report.

12. COMMISSION INQUIRIES AND COMMENTS: There were no inquiries or comments.

13. EXECUTIVE SESSION: There was no executive session.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board