

MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON OCTOBER 10, 2002

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, October 10, 2002 at 7:30 p.m.

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

2. REORGANIZATION OF GOVERNING BODY: At the April 11, 2002 regular Commission meeting, it was voted upon that Henry Schwaller IV continue as Mayor for an additional six months. After six months, Commissioner Hickman would be appointed to serve as Mayor until April 10, 2003.

Sunell Koerner moved, Dick Bedard seconded, that Troy Hickman be nominated to serve as Mayor.

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

Troy Hickman moved, Henry Schwaller IV seconded, that Sunell Koerner be nominated to serve as Vice-Mayor.

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

Mayor Hickman thanked Commissioner Schwaller for serving as Mayor for the last 18 months. He reviewed many of the activities and programs that have taken place while Commissioner Schwaller served as Mayor. Commissioner Schwaller was presented with a gavel.

3. MINUTES: Dick Bedard moved, Sunell Koerner seconded, that the minutes of the regular meeting held on September 26, 2002, be approved.

Commissioner Schmidt stated he would abstain because he was not at that meeting.

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

Abstain: Larry Schmidt

5. CITIZEN COMMENTS: Ed Howell and Charlotte Linsner, representing the Northwest Kansas Family Shelter, informed the Commission that October is recognized as Domestic Violence Awareness Month.

Mayor Hickman read a proclamation relating to Domestic Violence Awareness Month.

Sales Tax Presentations:

Elden Hammerschmidt, Public Works Director, gave a presentation regarding the upcoming 10-year ½ cent sales tax proposition. He explained how a portion of the sales tax receipts would be spent to improve streets and storm water facilities if the sales tax proposition passes.

Jim Braun, Police Chief, spoke of the space needs at the Police Department. The Police Department moved into their current location in 1976. There are 29 more employees now than there were in 1976, which has created a space crunch. A portion of the sales tax receipts would be spent to convert garage space to office and storage space. Other areas in the building would be converted to provide more efficient use of usable space.

Joe Taylor, Deputy Fire Chief, spoke of the need for a second fire station in the City of Hays. Response time would be reduced with the addition of a second fire station and this facility would also house training rooms.

5. CONSENT ITEMS: There were no consent items.

NEW BUSINESS

6. SPEED STUDY – NORTH VINE STREET: The Kansas Department of Transportation, Bureau of Traffic Engineering advised that they have recently conducted speed studies along US 183 from 29th Street to 48th Street. Based on the results of their studies and on their practice in setting speed limits, they are recommending the speed zones along US 183 inside and along the outskirts of the City of Hays be changed.

City Manager Randy Gustafson stated staff recommends the changes be approved which would reduce the speed limit by five miles per hour in that area.

Commissioner Schwaller stated he would be voting against this change. He is opposed to the 65-mph speed limit at 48th Street. He doesn't feel reducing the speed limit by 5 miles in the area south of 48th Street is sufficient. Many complaints are received about the speed limits in this area.

Police Chief Jim Braun stated the City does not have control over what the State of Kansas does north of I-70. The road north of I-70 is not inside the city limits.

City Manager Gustafson suggested that the Commission might take these in two separate issues, the first being from 29th Street north to I-70, which lowers the speed limit from 45 mph to 40 mph. The proposed ordinance change would reflect the new speed limit in that area. The Commission could then give KDOT their opinion with regard to US 183 north of I-70.

Commissioner Schmidt suggested waiting five years until all the development in that area is completed. Most people are driving at the lower speed anyway.

City Manager Gustafson recommended that this item be tabled until further research is conducted.

Henry Schwaller IV moved, Dick Bedard seconded, that action on the Speed Study – North Vine Street, be tabled.

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

7. WATER STUDY RECOMMENDATION: In early 2002, Enersys representatives approached City staff concerning water service to their plant located in the northwest corner of the City. Their concerns along with some system testing warranted that a study be conducted by an outside consulting firm. In February 2002, the Commission directed that a Request for Proposal be prepared to study the water problem issues in the northwest part of the City. The selection committee recommended that Bartlett & West Engineers from Topeka, Kansas be chosen to conduct the study at a cost not to exceed \$29,000.

Dick Bedard moved, Sunell Koerner seconded for the purposes of discussion, that the Mayor be authorized to sign a contract with Bartlett & West Engineers, Inc. for an amount not to exceed \$29,000 to provide engineering services for the 2002 Water Distribution Study.

Commissioner Koerner asked if any studies were done when the new water tower north of Vine Street was built.

City Manager Gustafson stated a study was done in 1996. There is some question about how the new tower was built and its efficiency. This new study would resolve all of the concerns about those issues.

The Mayor called for the vote.

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

Henry Schwaller IV

8. HAYS REGIONAL AIRPORT MINIMUM STANDARDS: These standards were established following a request made by the Federal Aviation Administration which was preceded by an informal complaint regarding an issue of economic development at the Hays Regional Airport.

Discussion was held and minor changes to the language in the document were made to the draft document.

Henry Schwaller IV moved, Sunell Koerner seconded, that the Minimum Standards for Fixed Base Operators at the Hays Municipal Airport be approved as discussed.

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

9. FORT HAYS MUNICIPAL GOLF COURSE FEE RESTRUCTURING: The Golf Course Advisory Board has reviewed the current fee structure for the Fort Hays Municipal Golf Course and is recommending a daily green fee increase of \$2.00 for all categories as well as a \$60.00 increase in membership fees for single, couple, and family memberships. The City has been subsidizing the Golf Course and this would reduce the subsidy by 1/3. Over the next three years, the fees would increase gradually so that the City would no longer have to subsidize the Golf Course.

Commissioner Schwaller stated he agreed the Golf Course should be self sufficient at some point, however, he was concerned that the fees would get too high which would limit the number of golfers using the course.

Park Director Jeff Boyle stated that is a concern of the Golf Course Advisory Board. If there is a drastic increase in membership fees, a lot of members will be lost.

Dick Bedard moved, Sunell Koerner seconded, that the daily green fee increase of \$2.00 for all categories as well as a \$60.00 increase in membership fees for single, couple, and family memberships be approved.

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

10. RECREATION/FITNESS TRAIL: Members of the Recreation/Fitness Trail Committee along with City staff would like to pursue Tea-21 grant funding to provide 80/20 funding with the City responsible for 20% of the cost. It is estimated the City's share would be approximately \$200,000.00. The grant application, if approved, will not provide funding until 2004. This would be for Phase 1, which would be a 10-foot wide, concrete trail along Chetolah Creek from 27th Street south to Frank Stramel Ballfields.

Park Director Jeff Boyle stated the \$200,000.00 for the City's share is a high estimate. He estimated there would be approximately \$140,000.00 in the Special Alcohol Fund by 2004 that could be used toward this project.

Sunell Koerner moved, Dick Bedard seconded, that staff be authorized to pursue a Tea-21 Grant for the installation of a recreation/fitness trail for the City of Hays.

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

11. HAYS AQUATIC PARK SIGN: The bids received for the installation of a sign at the Hays Aquatic Park exceeded the expectations and costs of the Pool Task Force as well as City staff. Staff would like to research other alternatives for a sign at the Aquatic Park.

Henry Schwaller IV moved, Dick Bedard seconded, that all bids received for the Hays Aquatic Park sign be rejected.

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

12. FINAL PLAT – WYNDAM ADDITION: After the completion of Wyndam Place, the remainder of the platted land was not desirable for marketing due to an alley splitting up the property. This alley had been approved as a secondary access for emergency vehicles. The developer approached staff about moving the alley west to adjoin the property that is located on the corner of 29th Street and Hall. The fire department reviewed the plan and agreed that the new alley placement would be an acceptable secondary access. The fire department requested the alley be built to a 25-foot width, instead of the normal 20-foot width. The developer has offered to rock the alley according to City standards. Approval of new plat would benefit the City with public right-of-way and easement issues.

Commissioner Schwaller stated the original plat should not have been approved because this development is poor use of the lot and the building was not constructed as originally presented. The developers also have not been open to discussion with the neighboring property owners about shared stormwater detention facilities. Proper planning did not occur and he will not vote for this unless the alley is paved and maintained at the owner's expense.

Commissioner Koerner agreed that the alley should be paved.

Galen Rome, representing Wyndam Place, stated minimum standards require rocking of alleys. He feels the rules are being changed. There were issues and discussions with the adjoining property owners about sharing stormwater detention facilities and they couldn't agree on who would pay some of the costs.

Commissioner Koerner stated the alley should be constructed in asphalt or concrete and maintained at their expense.

City Manager Gustafson suggested a compromise that if the alley were constructed properly, the City would maintain the alley.

Mayor Hickman suggested that City staff get together with the developer and discuss this issue and arrive at a recommendation.

Sunell Koerner moved, Henry Schwaller IV seconded, that this item be tabled until the October 24th meeting.

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

13. AMENDMENT OF ORDINANCE FOR HOUSE MOVING: The current ordinance is outdated and in need of amending to reflect current costs and state statute requirements.

Dick Bedard moved, Sunell Koerner seconded, that Ordinance No. 3595, being an ordinance amending Title 15, Chapter 15.28 of the City of Hays, Kansas, Municipal Code, by modifying Sections 15.28.020, 15.28.040, Subsection A., 15.28.070 and 15.28.080 regarding the application for permits to move structures within city limits, be approved.

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

14. KANSAS DEPARTMENT OF TRANSPORTATION (KDOT) FUNDING PUBLIC FORM: Four public forums are being conducted across Kansas in October to gather public input regarding proposed revenue reductions in the 1999 Comprehensive Transportation Program. The City Commission is being asked to show their support for full funding by approving and signing a resolution.

The support is for the approved KDOT projects in Hays and saving Special Highway funds that the City relies on for street related issues.

Community Development Director Brenda Herrman stated a reduction in revenue would affect our System Enhancement Project north of I-70 on US 183. If Special Highway funding were cut, it would have a big impact on the City of Hays.

Commissioner Schwaller stated he values these projects and wants to secure the funding for them, however, he is concerned about balancing the state budget and one of the ways will be to find efficiencies in KDOT. KDOT is wasteful and he can't support the resolution.

Commissioner Schmidt stated that most of funding is coming from the federal government. It is money paid in from gasoline taxes and the federal government is just giving it back to cities. It should be used on streets rather than funneling it off to something else.

Commissioner Schwaller stated he agreed with that, but doesn't support all the KDOT programs that cities are participating in today. He feels the System Enhancement Program could be postponed a year or two. The city needs to accept a cut in funding until the state budget situation changes.

Mayor Hickman felt the Commission should support the Enhancement Program by adopting the resolution, which shows the City supports the projects.

Sunell Koerner moved, Dick Bedard seconded, that Resolution No. 415, being a resolution expressing support for full funding of the 1999 Comprehensive Transportation Program, be approved.

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

No: Henry Schwaller IV

15. COMMISSION INFORMATIONAL MEMORANDUM: There were no comments.

16. ADD-ON ITEMS: Henry Schwaller IV moved, Dick Bedard seconded, that a change order from J Corp in the amount of \$11,621.50 for the sanitary sewer construction along 13th Street to Commerce Parkway be approved.

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

City Manager Gustafson stated the 2003 Pay Range and Job Classification Schedule was not formally approved. The Commission voted to accept the pay plan study from the consultant, but did not vote to accept the 2003 Pay Range and Job Classification Schedule.

Henry Schwaller IV moved, Troy Hickman seconded, that Resolution No. 416, being a resolution amending the pay range and job classification schedule for City employees, be approved.

Commissioner Schmidt stated he would be voting against the resolution for the same reason he voted against the pay plan study. He feels the study did not give any weight to the insurance benefit as part of the entire pay package.

City Manager Gustafson stated the Commission did not accept the results of the consultant's recommendation with regard to the extent of the raises that were recommended.

The Mayor called for the vote.

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

Commissioner Schwaller requested City staff review stormwater plans that have been submitted for new developments to give the Commission a better understanding of what they look like, what sort of structures are being built and how they comply.

Commissioner Schwaller requested the City Manager look into the cash balance of the Public Wholesale Water Supply District #15. Their financial statement indicates that there is almost \$400,000.00 in cash along with earning \$4,000.00 in interest. Additionally, the Commission approved an increase of the Impress Fund about 18 months ago thinking PWWSD#15 would be proceeding with construction of a project that now looks like will not be constructed. He would like the City Manager to advise the Commission about that also.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board