

MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON DECEMBER 11, 2003

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, December 18, 2003, at 7:30 p.m.

Roll Call: Present: Troy Hickman

Sunell Koerner

Kent Steward

Henry Schwaller IV

Absent: Wayne Billinger

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: Larry Berg, representing the United Way of Ellis County, thanked the City of Hays for their support. He noted that United Way exceeded their goal by 105 percent and is still receiving donations.

4. CONSENT AGENDA: Kent Steward moved, Sunell Koerner seconded that the following consent items, be approved:

Mayoral appointments to various committees:

Hays Convention and Visitors Bureau Advisory Committee

Anita Ruder -- 3 year term expiring 12-1-06

Bob Wilhelm – 3 year term expiring 12-1-06

Steve Wood – 3 year term expiring 12-1-06

Terry Mannell – 3 year term expiring 12-1-06

Trades Board

Bill Dandurand – 4 year term expiring 8-27-07

Beer License Renewals for 2004:

Class A - General Retailer

For Consumption on Premises Only

<u>Business Name</u>	<u>Business Location</u>
Chinese Food Express	1312 Main Street
China Garden	2503 Vine Street
Greek's Pizzeria	130 West 9th Street

For Consumption on Premises Only - Sunday Sales Allowed

<u>Business Name</u>	<u>Business Location</u>
Larks Park-Hays Baseball Assn.	4th & Oak Streets
Pizza Hut	2102 Vine Street
Taco Shop	333 West 8th Street
Taco Grande	412 East 23rd Street

Class B - Limited Retailer

For Sale in Original and Unopened Containers and Not for Consumption on Premises

<u>Business Name</u>	<u>Business Location</u>
Five Star Amoco	1300 Vine Street
Dillon Store #61	1902 Vine Street
Dillon Store #14	27th & Hall
Holiday 66 Food Plaza #2	3701 Vine Street
Golden Ox Truck Stop	3610 Vine Street
Dash In Deli-N-Groc	2101 East 13th Street
Cerv's	2701 Vine Street
Continental Development Corp.	3505 Vine Street
Hays North Amoco	3601 Vine
Casey's General Store	1600 East 27th Street
Kwik Shop	1301 Vine Street
The Outdoor Edge	1003 East 37th Street
Love's Country Store	2500 Vine Street
Casey's General Stores, Inc.	1301 Canterbury Drive
Diamond Shamrock Convenience	1000 East 41st Street
Sunmart #767	2704 Vine Street
Mr. Quick No. 2	335 West 8th Street
Kabredlo's - Cenex #261	1601 Main Street
Cerv's	2722 Hall Street
Southside Convenience	703 Vine Street
Wal-Mart Supercenter #664	4301 Vine Street

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

5. DOWNTOWN STREETScape CONCEPTUAL PLAN: The City Manager Reported that the Commission reviewed the Streetscape Conceptual Plan at the November 20, 2003 meeting. The Downtown Hays Development Corporation has approved this conceptual plan and is asking the City Commission to support and endorse the plan as well.

Commissioner Koerner said she did not want to sound negative; she has been a proponent of the Downtown for a long time. She has trouble supporting this plan even as a concept because there are many things in the plan that cannot happen. It bothers her that the City is spending money on a study that is not based on reality. The plan is not built to scale; there are items missing, and other errors. For example, the plan shows diagonal parking in areas when in reality there is parallel parking at that location. The plan shows one railroad track when in reality there are two. She has difficulty spending \$15,000 for a plan that cannot become a reality.

Commissioner Schwaller said he too has noticed discrepancies in the plan. There are some real fundamental changes that would have to take place and some things are beyond reality. He remembered the Park Master Plan being a two step process. Concepts, ideas and recommendations were brought forth by one set of consultants, and the Commission half-heartedly supported the plan because it was very poor. Another consulting group helped bring those ideas into reality, put together a timetable, and developed an estimated budget. He feels the Downtown Group is aware that the plan is lacking in a number of areas. He believes that another consultant should be hired.

Commissioner Koerner said that is her concern; the Park Master Plan was poorly done the first time, but yet we paid for it, and now we are paying \$15,000 for another poorly done plan.

Commissioner Schwaller believed the plan should be endorsed as a concept. It is a good starting point even though it was expensive. Perhaps with some recommendations from the City Commission, the Downtown Development Committee can move ahead with the plan.

Commissioner Steward said Commissioner Koerner's concerns are valid. He viewed the plan as a general concept and a step in the right direction. He would give his approval, as long the Commission is not going to be bound by any of the specifics, especially the financial items at the end of the report.

Commissioner Hickman agreed that the plan is a concept plan. The overall characteristics that are being achieved are noted in the plan, and that is what is appealing not necessarily the final design.

Sabrina William, Downtown Development Coordinator, said originally the intent was to do more of a detailed plan, but because the funding from the grant was less than applied for, the plan had to be scaled back to a conceptual plan. What you see is the characteristics that we wanted to see in Downtown Hays. She said the Downtown Development Corporation realizes that there is a lot of work that needs to be done as far as picking out the finer points to be implemented.

Henry Schwaller moved, Kent Steward seconded, that the conceptual Streetscape Plan for Downtown Hays be approved as presented, pending and awaiting more specific information regarding plans, improvements, time table, and budget.

Vote: Ayes: Troy Hickman

Kent Steward

Henry Schwaller IV

No: Sunell Koerner

6. ELLIS COUNTY COALITION FOR ECONOMIC DEVELOPMENT

STRATEGIC PLAN: During the December 4, 2003 Work Session, representatives from the Ellis County Coalition for Economic Development made a presentation involving the Coalition's recently developed Strategic Plan. The

Plan outlines core values, a core purpose, a core goal, a mission, a cooperative partnering philosophy and specific goals for the organization.

The City Manager said the City Commission is being asked to approve a Resolution reconfirming support for the qualifying regional Strategic Plan and requesting that the Secretary of Commerce re-approve the County of Ellis as a Kansas Enterprise Zone designated non-metropolitan business region.

Sunell Koerner moved, Kent Steward seconded, that Resolution No. 454, being a Resolution reconfirming support for a regional Strategic Plan and requesting that the Kansas Secretary of Commerce re-approve Ellis County as a non-metropolitan business region, be approved.

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

7. NEIGHBORHOOD REVITALIZATION PLAN – BOUNDARY ALTERATION:

The Neighborhood Revitalization Review Board met on November 20, 2003, to hear a request from Galen Romme for the property located at 201 E. 12th, the old Coca-Cola Bottling Plant. It has historic value and meets the criteria for inclusion in the Plan. The property is on the northeast corner of the intersection of 12th and Oak. It is contiguous with the existing Plan boundary.

The Review Board approved the request with a vote of 4-0. With this boundary approval, the realtor can finalize the sale of the property. It is anticipated that a tax rebate will be applied for in 2004 when the improvements to the structure have been identified.

Henry Schwaller moved, Troy Hickman seconded, that the property located at 201 East 12th be included in the Neighborhood Revitalization Plan.

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

8. PURCHASE OF FOUR (4) T-HANGARS AT THE HAYS REGIONAL

AIRPORT: The City of Hays is proposing to purchase four T-hangars located between Taxiway G and Taxiway F at the Hays Regional Airport. The Airport Advisory Committee is recommending this purchase. It will allow the City to have some flexibility for storage of planes. The price of \$62,420 is the appraised value and funds are available in the Airport Budget.

Sunell Koerner moved, Kent Stewart seconded, that City of Hays purchase four T-hangars for a total price of \$62,420.

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

9. MULTIPURPOSE BUILDING FOR GLASSMAN BALL FIELDS: Rick

Claiborn, Hays Recreation Director, reported on plans to install a 40 x 80 multipurpose building at Glassman Ball Fields which would provide restrooms, concession area, lockers, storage and an indoor practice area. The building is estimated to cost \$75,000. The facility will be funded by a combination of construction donations, general donations and through the use of \$35,000 HRC/City contract agreement allocations.

Commissioner Steward noted that under the agreement with the HRC to operate the City parks, the HRC is required to contribute \$35,000 for improvements each year and this \$35,000 contribution will fulfill the agreement for 2004.

Sunell Koerner moved, Troy Hickman seconded, the approval of the installation of a multipurpose building at Glassman Ball Fields and the approval of a cash allocation of \$35,000 from the Hays Recreation Commission.

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

10. BG CONSULTANTS – ENGINEERING AGREEMENT: City Manager Gustafson reported that BG Consultants is the City's current engineer for Capital Improvement Projects. City staff would like to continue the Agreement with BG Consultants for 2004 by entering into the Contract provided. This will be a one-year contract. It has been the practice to offer three one-year contracts, then send out Requests for Proposals for the consulting services.

Kent Steward moved, Sunell Koerner seconded, that a one-year contract with BG Consultants for engineering services for capital projects, be approved.

Vote: Ayes: Troy Hickman

Sunell Koerner

Kent Steward

Henry Schwaller IV

11. STATE OF KANSAS – WATER INITIATIVES RESOLUTION: City Manager Gustafson explained that in various meetings throughout 2003, staff has met with the Director of the Kansas Water Office and other State representatives, regarding regional water issues. City of Hays/City of Russell/PWWSD #15 representatives have been engaged in the task of identifying and securing water sources to residents of the cities and surrounding regions. This Resolution and its approval demonstrate this cooperative effort by the Governing Body.

Sunell Koerner moved, Henry Schwaller seconded, that Resolution 453, being a Resolution regarding cooperation between and among the City of Hays, Kansas, the City of Russell, Kansas, Public Wholesale Water Supply District No. 15 and the State of Kansas in respect to water supplies for the region.

Commissioner Steward asked if the City of Russell does not approve this Resolution, does this make the cooperative effort null and void. City Attorney Bird said it does not, although it would obviously not have the salutary effect the City would like it to have. He said it is unlikely that the City of Russell would not adopt the same Resolution.

Commissioner Steward noted that this Resolution would not bind us to Wilson over some other option.

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

12. AUDIT CONTRACT: Henry Schwaller moved, Sunell Koerner seconded, that the City Manager be authorized to enter into a contract with Adams, Brown, Beran and Ball for audit services for the 2003 fiscal budget year.

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

13. REPORT OF THE CITY MANGER: The City Manager had nothing to report.

14. COMMISSION INQUIRIES AND COMMENTS: Commissioner Steward read a prepared statement, which is on file in the City Clerk's Office regarding a proposed no smoking ordinance. He stated he would oppose a no smoking ordinance in any form. He feels the ordinance is well intended, but a misplaced intrusion on our fundamental rights as Americans. He hopes the day will arrive soon when all or nearly all businesses in Hays ban smoking, either out of conscience or out of financial self-interest. He stated that if 87% of the people of Hays don't want smoking in restaurants and other businesses, as the proponents of this ordinance assert, then all they need to do is vote with their feet and the problem will be quickly solved.

15. EXECUTIVE SESSION: Sunell Koerner moved, Kent Steward seconded, that the City Commission recess to executive session for 30 minutes for the purpose of negotiations. The City Commission, City Attorney, City Manager and the Assistant City Manager were included in the executive session, which began at 8:20 p.m.

Mayor Hickman called the meeting back to order at 8:42 p.m. and stated that no action was taken.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board