

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON FEBRUARY 28, 2013

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, February 28, 2013 at 6:30 p.m.

Roll Call: Present: Troy Hickman
Kent Steward
Ron Mellick
Eber Phelps

Absent: Henry Schwaller IV

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

2. MINUTES: There were no additions or corrections to the minutes of the regular session held on February 14, 2013; the minutes stand approved as presented.

3. FINANCIAL STATEMENT: Finance Director Kim Rupp reported that month-to-date sales tax collections for the Sports Complex were \$256,950, which was an increase of \$7,977 when compared to last year. Total year-to-date collections are \$256,950 and inception-to-date collections total \$10,182,799. General Fund sales tax collections for January were \$630,469, up \$19,116 or 3.13% when compared to last year. The six month running average on sales tax collections has increase 3.47%.

The Finance/City Clerk's office invested \$5,500,000 of maturing or renewing certificates with a weighted average interest rate of .21%. The portfolio of certificates of deposit on January 31, 2013 totaled \$52,450,000 with a weighted average interest rate of .23%. The total balance of the Money Market account on January 31, 2013 was \$1,000,000 with a current yield of .20%. Total investments are up \$6,600,000 when compared to this time last year.

Ron Mellick moved, Kent Steward seconded, that the Financial Statement for the month of January 2013 be approved.

Vote: Ayes: Troy Hickman
Kent Steward
Ron Mellick
Eber Phelps

4. CITIZEN COMMENTS: There were no comments.

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

NEW BUSINESS

6. HAYS CONVENTION & VISITORS BUREAU WEBSITE PRESENTATION:

Convention and Visitors Bureau (CVB) Director Jana Jordan and Information Technologies Technician Jessi Jacobs presented the new Hays CVB web-site to the Commissioners.

Through a process begun approximately one year ago, staff from the CVB and Information Technologies (IT) went through a bidding and interviewing process to design and update a new visitors' information website. The firm of Civic Plus, an award winning firm that specializes in city and county government web design, was awarded the contract.

7. AWARD OF BID FOR THE PAINTING OF TWO WATER AND ONE WASTEWATER CLARIFIER BASINS:

In 2012, the West Secondary clarifier at the Water Treatment Plant was painted. This year, the East Secondary clarifier and small West Primary Basin need to be painted. Final #1 Wastewater clarifier is also in need of paint. The clarifiers are constructed of metal and concrete. The paint on the metal has degraded over time and will be painted with a specified industrial coating system.

Ron Mellick moved, Eber Phelps seconded, that the City Manager be authorized to enter into a contract with Lindner Painting Inc., Lincoln, NE, in the amount of \$121,740 for painting of two Water Treatment and one Wastewater

clarifier basins, funded out of the 2013 Capital Improvement Reserves - Water/Wastewater Fund.

Vote: Ayes: Troy Hickman
Kent Steward
Ron Mellick
Eber Phelps

8. DK RANCH REQUEST FOR REZONING: Ron Mellick moved, Kent Steward seconded, that Ordinance No. 3858, being an ordinance rezoning a tract of land situated on a part of the southwest quarter (SW/4) of Section Twenty-nine (29), Township Thirteen (13) South, Range Eighteen (18) West of the 6th p.m. in Ellis County, Kansas, more particularly described as all of Lots 1-22, Block 1, and Lots 1-8, Block 2, all in the dk ranch Addition to the city of Hays, Kansas, from “A-L” Agricultural District to “R-1” One-Family Dwelling District, be approved.

Vote: Ayes: Troy Hickman
Kent Steward
Ron Mellick
Eber Phelps

9. DK RANCH ADDITION PLAT: The owner of the property known as the dk ranch Addition has submitted a replat of the property for consideration. The proposed plat contains 30 residential lots,

Eber Phelps moved, Ron Mellick seconded, that Resolution No. 2013-004, being a resolution accepting the final plat known as dk ranch Addition, be approved.

Vote: Ayes: Troy Hickman
Kent Steward
Ron Mellick
Eber Phelps

10. DK RANCH ADDITION ANNEXATION: The owners of property known as the dk ranch Addition have submitted a petition for annexation into the city limits. The owners intend to develop the property into a single-family residential development containing 30 lots. Annexation will facilitate the development and

allow for connection of city utilities and extension of city services. The cost of extending city infrastructure through the development will be the responsibility of the owner.

Troy Hickman moved, Ron Mellick seconded, that Ordinance No. 3859, being an ordinance annexing land to the city of Hays, Kansas, be approved.

Vote: Ayes: Troy Hickman
Kent Steward
Ron Mellick
Eber Phelps

11. VEHICLE ABATEMENT – 3406 SUMMER LANE: The abandoned vehicle located at 3406 Summer Lane has expired tags deeming it inoperable. All proper notification has been given to the owner of the property; however no action has been taken by the owner of the property or the vehicle.

Kent Steward moved, Ron Mellick seconded, that Resolution No. 2013-005, being a resolution authorizing the City of Hays or its designated agent to abate nuisance located on the property at 3406 Summer Lane, be approved.

Vote: Ayes: Troy Hickman
Kent Steward
Ron Mellick
Eber Phelps

12. VEHICLE ABATEMENT – 509 EAST 5TH: This item was resolved prior to the meeting; therefore no action was necessary.

13. VEHICLE ABATEMENT – 1102 EAST 17TH: The abandoned vehicle located at 1102 East 17th has expired tags deeming it inoperable. All proper notification has been given to the owner of the property; however no action has been taken by the owner of the property or the owner of the vehicle.

Eber Phelps moved, Kent Steward seconded, that Resolution No. 2013-007, being a resolution authorizing the City of Hays or its designated agent to abate nuisance located on the property at 1102 East 17th, be approved.

Vote: Ayes: Troy Hickman
Kent Steward
Ron Mellick
Eber Phelps

14. SOLID WASTE POLYCARTR PURCHASE: Eber Phelps moved, Kent Steward seconded, that the purchase of 350 ninety-five (95) gallon polycarts from America-Kart, for solid waste collection activities, at a cost of \$20,250, be approved, funded from the Solid Waste Reserves Fund.

Vote: Ayes: Troy Hickman
Kent Steward
Ron Mellick
Eber Phelps

14.1. ADD-ON: City Attorney John Bird stated that in 2010, the Commissioners approved Ordinance No. 3811 that allowed property belonging to A-1 Scaffold that is used in A-1's business of manufacturing to be tax exempt. There was an error in Ordinance No. 3811; therefore the ordinance needs to be re-passed. A Nunc Pro Tunc Ordinance has been prepared to correct the error.

Eber Phelps moved, Ron Mellick seconded, that Nunc Pro Tunc Ordinance No. 3811, being an ordinance exempting certain property in the city of Hays from ad valorem taxation for economic development purposes, be approved.

Vote: Ayes: Troy Hickman
Kent Steward
Ron Mellick
Eber Phelps

15. PROGRESS REPORT: There was no progress report.

16. REPORT OF THE CITY MANAGER: The City Manager had no additional items to report on.

17. COMMISSION INQUIRIES AND COMMENTS: Commissioner Phelps requested staff provide a report on the recycling program at a future work session.

18. EXECUTIVE SESSION: Ron Mellick moved, Troy Hickman seconded, that the Governing Body recess to executive session at 7:30 p.m. for 45 minutes to discuss personnel issues and possible property acquisition. The executive session included the Commissioners, the City Manager, the Assistant City Manager, the Public Works Director, the Assistant Public Works Director, and the City Attorney. K. S. A. 75-4319 authorizes the use of executive session to discuss the topics stated in the motion.

Vote: Ayes: Troy Hickman
Kent Steward
Ron Mellick
Eber Phelps

Chairperson Hickman called the meeting back to order at 8:15 p.m.

Ron Mellick moved, Kent Steward seconded, that the City Manager be given a 3% merit increase in pay retroactive to January 1, 2013, pending approval of an addendum to the City Manger's employment contract.

Vote: Ayes: Troy Hickman
Kent Steward
Ron Mellick
Eber Phelps

The meeting adjourned at 8:16 p.m.

Submitted by: _____

Doris Wing – City Clerk