

MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF HAYS, KANSAS  
HELD ON MARCH 10, 2011

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, March 10, 2011 at 6:30 p.m.

Roll Call: Present: Barbara Wasinger  
Henry Schwaller IV  
Ron Mellick  
Kent Steward

Absent: Troy Hickman

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

**2. MINUTES:** There were no corrections or additions to the minutes of the regular session held on February 24, 2011; the minutes stand approved as presented.

**3. CITIZEN COMMENTS:** There were no comments.

**4. CONSENT AGENDA:** Chairperson Wasinger presented the following mayoral appointments to be considered for approval at the March 24, 2011 Commission meeting:

Hays Housing Authority Board

Daron Jamison – 4-year term to expire February 14, 2015

CARE Council

Kayla Lonnon – 2-year term to expire March 1, 2013

**NEW BUSINESS**

**5. REQUEST FOR RESOLUTION OF SUPPORT FOR MIXED MARTIAL ARTS EVENTS – CROSS THE LINE, LLC:** Lawrence Gaytan of Cross the Line, LLC

requested a resolution for a mixed martial arts event. State statute requires sanctioned events to have a resolution from the local governing body.

Kent Steward moved, Ron Mellick seconded, that Resolution No. 2011-005, being a resolution approving the hosting of Regulated Sporting Events regulated by the Kansas Athletic Commission, by Cross the Line, LLC, for 2011, be approved.

There was no one in the audience representing Cross the Line to answer questions from the Commissioners.

No vote was taken on the motion and second for approval.

Henry Schwaller IV moved, Kent Steward seconded, to table the request for resolution of support until the March 24, 2011 Commission meeting.

Vote: Ayes: Barbara Wasinger

Henry Schwaller IV

Ron Mellick

Kent Steward

**6. CONSIDERATION OF TAXI LICENSE FOR ABC TRANSPORTATION, INC:**

Kathy Payne, owner of ABC Transportation, Inc., from Blue Springs, MO has applied for a Taxi License to provide shuttle transportation services between the Hays Regional Airport and various destinations throughout Hays. ABC may provide shuttle service in the near future for Fort Hays State University. Beyond that, ABC has no intentions to function as a taxi cab business at this time. The Taxi License would allow ABC to function as a full-time taxi service if they choose to do so in the future. Three local drivers will operate the shuttle service. They are Barney Boos, Charles Patterson, and Wayne Wittman. The Police Department has done a background check on the owner of ABC as well as the three drivers; all have a clean record. The applicant has met all criteria for operating a taxi service as defined in Sec. 14-206 of the Hays Municipal Code.

Henry Schwaller IV moved, Ron Mellick seconded, that the Taxi License for ABC Transportation, Inc. be approved.

Vote: Ayes: Barbara Wasinger

Henry Schwaller IV

Ron Mellick

Kent Steward

**7. ELLIS COUNTY COALITION FOR ECONOMIC DEVELOPMENT:** Several months ago, the Commissioners discussed funding for the Coalition for fiscal year 2011. At that time, it was suggested that the Coalition work on an updated job description as well as finalize the recruitment brochure and bring them back to the Commission for review along with a disbursement request. The recruitment brochure and updated job description have been provided.

Henry Schwaller IV moved, Ron Mellick seconded, that the full 2011 allocation of funds (\$87,500) for economic development purposes, be released to the Ellis County Coalition for Economic Development.

Commissioner Steward felt that funding should not be given to the Coalition until after a director is hired and a plan has been put together to indicate the direction the Coalition will be taking in economic development.

Commissioner Mellick stated he is in favor of releasing the funds at this time. The Coalition has made all the changes requested by the Commission; this money will show confidence to the new director that the City of Hays is behind and believes in the Coalition.

Commissioner Schwaller agreed with Commissioner Mellick. He feels the Coalition has become more focused; releasing the funds demonstrates that the City is behind the Coalition and makes the recruitment process a little easier.

Chairperson Wasinger stated that the Coalition has done everything that was asked of them and provided all the information requested. Funding is not a given that should be expected every year; it is something that has to be earned. The Coalition has done everything that has been requested of them.

Vote: Ayes: Barbara Wasinger

Henry Schwaller IV

Ron Mellick

No: Kent Steward

**8. AIRPORT CONSULTANT SELECTION:** Every five years the City enters into an agreement with an engineering firm to provide professional services regarding the next five years of airport capital improvement projects. City staff followed the FAA procedures for the selection of engineering services and a selection committee has recommended entering into an agreement with Burns and McDonnell Engineers. Projects to be covered under this agreement would be Runway 16-34 rehabilitation and reconstruction, wildlife fence improvements, apron drainage improvements, acquisition of a snow blower, and apron expansion.

Ron Mellick moved, Barbara Wasinger seconded, that the City Manager be authorized to execute the master professional services agreement with Burns and McDonnell.

Commissioner Schwaller stated the City has worked with Burns and McDonnell on water issues as well as airport projects and he is not happy with their work. Burns and McDonnell needs to know that they cannot take the City of Hays for granted.

Vote: Ayes: Barbara Wasinger

Ron Mellick

Kent Steward

No: Henry Schwaller IV

**9. SPECIAL ASSESSMENT PROCEEDINGS:** Special assessments for four special improvement districts within the City of Hays are ready to be finalized and assessed to the property owners. To begin the proceedings, a resolution must be approved setting a public hearing date of April 14, 2011 to hear comments regarding the proposed assessments.

Ron Mellick moved, Henry Schwaller IV seconded, that Resolution No. 2011-006, being a resolution providing notice of a public hearing to consider proposed assessments as to the public improvements for: Tallgrass Addition, Phase IV (Street and Storm Sewer); Tallgrass Addition Phase IV (Water and Sanitary Sewer); Golden Belt Estates Third Addition (Water, Sanitary Sewer, Storm Sewer and Streets); Heart of America First Addition (Water, Sanitary

Sewer, Storm Sewer and Streets); and King's Gate First Addition (Water, Sanitary Sewer, Storm Sewer and Streets), be approved.

Vote: Ayes: Barbara Wasinger

Henry Schwaller IV

Ron Mellick

Kent Steward

**10. COMPREHENSIVE FINANCIAL MANAGEMENT POLICY (AUDITING**

**SECTION)** Currently, the Comprehensive Financial Management Policy stipulates that the City will select a firm for auditing services through an RFP process every five years. This requirement was included in the policy based on the recommendation of best practices by the Government Finance Officers Association. However, this has proven to be counter productive to the true intent of the policy. Based on direction from the City Commission, City staff removed the language requiring the RFP every five years.

Kent Steward moved, Ron Mellick seconded, that the revision to the Comprehensive Financial Management Policy removing the requirement to request an RFP for auditing services every five years allowing for it on an "as needed" basis, be approved.

Commissioner Schwaller stated that he has no concern with the current auditing firm; however, one of the hallmarks of good government is to open the process up so that proposals are received from outside firms. He feels that requesting bids every five years makes the auditor more competitive and gives the City transparency and accountability. It is not required to accept the lowest bid; other things can and should be taken into account when awarding the bid.

Commissioner Steward stated that it is not a state requirement to take bids for auditing services because auditing is a highly professional service. You would not necessarily want to take the lowest bid. Changing the Policy does not mean that the City will not take proposals if the need should arise.

Chairperson Wasinger agreed with Commissioner Schwaller.

Vote: Ayes: Ron Mellick

Kent Steward

No: Barbara Wasinger

Henry Schwaller IV

The motion failed.

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

**12. COMMISSION INQUIRIES AND COMMENTS:** Commissioner Schwaller thanked the Ellis County Coalition for getting re-focused and putting a good strategy in place. He also thanked them for setting up a sub-committee to research a convention center.

Commissioner Schwaller also asked for an update on the Skyline Drive stormwater drainage improvement project.

Chairperson Wasinger stated that she has signed a proclamation designating March as Girl Scout month.

**13. EXECUTIVE SESSION:** Barbara Wasinger moved, Henry Schwaller IV seconded, that the Governing Body recess to executive session at 7:07 p.m. for 15 minutes to discuss personnel matters. The executive session included the City Commissioners only. K.S.A. 75-4319 authorizes the use of executive session to discuss personnel matters.

Vote: Ayes: Barbara Wasinger

Henry Schwaller IV

Ron Mellick

Kent Steward

Chairperson Wasinger called the meeting back to order at 7:22 p.m. She stated no action was taken during executive session.

The meeting was adjourned.

Submitted by: \_\_\_\_\_

City Clerk