

MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF HAYS, KANSAS  
HELD ON MARCH 24, 2011

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, March 24, 2011 at 6:30 p.m.

Roll Call: Present: Barbara Wasinger  
Troy Hickman  
Henry Schwaller IV  
Ron Mellick

Absent: Kent Steward

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 March 10, 2011; the minutes stand approved as presented.

**3. FINANCIAL STATEMENT:** City Manager Toby Dougherty reported that the Finance/City Clerk's Office invested \$1,500,000 of maturing or renewing certificates with a weighted average interest rate of .3213%. The portfolio of certificates of deposits on February 28, 2011 totaled \$37,750,000 with a weighted average interest rate of .40%. The total balance of the Money Market account on February 28, 2011 was \$1,450,000 with a current yield of .20%. Total investments are down \$2,300,000 from a year ago.

Month-to-date sales tax collections for the Sports Complex are \$278,323, which is an increase of \$77,018 when compared to last year. Year-to-date collections are \$688,678 and year-to-date expenditures are \$0. Inception-to-date collections total \$4,839,238 and inception-to-date expenditures total \$7,127,925. General Fund sales tax collections indicate a month-to-date increase of \$190,705. This brings the year-to-date up 18.81% from a year ago. Total year-

to-date collections for the General Fund are \$1,230,004. The six month running average on sales tax collections is up 5.75%.

Henry Schwaller IV moved, Ron Mellick seconded, that the Financial Statement for the month of February 2011 be approved.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

**5. CONSENT AGENDA:** Henry Schwaller IV moved, Troy Hickman seconded, that the following be approved:

**A.** A Cereal Malt Beverage License for Xtra Innings Concessions

**B.** The following mayoral appointments:

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

Vote: Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

### **UNFINISHED BUSINESS**

#### **6. REQUEST FOR RESOLUTION OF SUPPORT FOR MIXED MARTIAL ARTS**

**EVENTS – CROSS THE LINE, LLC:** Lawrence Gaytan of Cross the Line, LLC has requested a resolution for a mixed martial arts event. State statute requires sanctioned events to have a resolution from the local governing body.

This item was tabled at the March 10, 2011 Commission meeting. The Commissioners requested staff to contact Mr. Gaytan to have a representative present to answer any questions the Commissioners may have.

Joe Proffitt, representing Lawrence Gaytan, informed the Commissioners about the specifics of the event that will be held at the Ramada Inn.

City Attorney John Bird stated the City has no liability if the Commissioners approve the resolution and then something happens; the State licenses these events. Cities have the ability to make decisions whether or not they want to allow events like this in the city limits.

Commissioner Schwaller stated that he will abstain from voting on this issue because, in looking at the process, he feels the state regulations are arcane, and he does not understand the impact on the city.

Ron Mellick moved, Troy Hickman 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.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Ron Mellick

Not Voting: Henry Schwaller IV

## **NEW BUSINESS**

**7. ACCEPTANCE OF VETERANS PARK FROM GARY HASELHORST:** At the September 23, 2011 meeting, the Commission tentatively approved the acceptance of Veterans Park from the American Legion contingent upon the City Manager and City Attorney's approval and review of the title documents. The requested paperwork was never provided to the City. Gary Haselhorst, current property owner, made a request for the City to accept the donation of Veteran's Park.

Ron Mellick moved, Henry Schwaller IV seconded, that the donation of Veterans Park from Gary Haselhorst be accepted.

Vote: Ayes: Barbara Wasinger  
Troy Hickman  
Henry Schwaller IV  
Ron Mellick

**8. COMPREHENSIVE PLAN STEERING COMMITTEE SELECTION:** Troy Hickman moved, Ron Mellick seconded, that the following be appointed to serve on the Comprehensive Plan Steering Committee:

Errol Wuertz, Sr.	Tyler Thompson	Paul Phillips
Harry Watts, M.D.	Toby Dougherty	Henry Schwaller IV
Mark Bannister	Sandy Jacobs	Jeannine Ross
Rick Kuehl	Tammy Wellbrock	Kurt David

Vote: Ayes: Barbara Wasinger  
Troy Hickman  
Henry Schwaller IV  
Ron Mellick

**9. UPDATE ON COMPREHENSIVE PLAN TIMELINE:** City Manager Toby Dougherty stated the Comprehensive Plan link on the City of Hays website details the schedule of events, provides information, and has a place for comments.

**10. VINE STREET RECONSTRUCTION (22<sup>ND</sup> TO 27<sup>TH</sup>) SOIL/CONCRETE TESTING – AWARD OF BID:** The City has received KDOT Connecting Link funding to assist in funding the cost of the Vine Street Reconstruction Project (22<sup>nd</sup> to 27<sup>th</sup> Street). A project of this type is required to follow KDOT specifications for soil and concrete testing throughout the project. City inspectors will be performing limited daily construction observation and inspection; however, KDOT requires some specific testing that the City does not have the capability to perform in-house. Bids were solicited for the soil/concrete testing; the low bid was submitted by Penco Engineering, P.A.

Troy Hickman moved, Henry Schwaller IV seconded, that the City Manger be authorized to enter into a contract with Penco Engineering, P.A. for the testing requirements portion of the reconstruction of Vine Street from 22<sup>nd</sup> Street to 27<sup>th</sup> Street.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

**11. REPORT OF THE CITY MANAGER:** The City Manager presented the monthly report on the various activities and work performed by City employees during the past month. Inmates from the Stockton Correctional Facility have assisted in picking up trash on collector streets. An update was also given on the progress of the Sports Complex project.

The City Manager announced that Police Chief Jim Braun is retiring on April 1, 2011 after 32 years of dedicated work for the City.

**12. COMMISSION INQUIRIES AND COMMENT:** Commissioner Schwaller asked if there are plans to put up some sort of signage at 18<sup>th</sup> and Fort Street, the location of the only real Boot Hill in Kansas.

The City Manager will look into the matter and report back.

The meeting was adjourned at 7:05 p.m.

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

City Clerk