

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

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

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

Chairperson Hickman 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 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 \$278,977, which was a decrease of \$5,637 when compared to last year. Total year-to-date collections are \$535,927 and inception-to-date collections total \$10,461,776. Month-to-date general fund sales tax collections were \$687,316, down \$14,982 or -2.13% when compared to last year. The six month running average on sales tax collections is down -.16%.

The Finance/City Clerk's Office invested \$4,500,000 of maturing or renewing certificates with a weighted average interest rate of .18%. The portfolio of certificates of deposit on February 28, 2013 totaled \$51,950,000 with a weighted average interest rate of .23%. The total balance of the Money Market account on February 28, 2013 was \$900,000 with a current yield of .20%. Total investments are up \$5,750,000 when compared to this time last year.

Ron Mellick moved, Henry Schwaller IV seconded, that the Financial Statement for the month of February 2013 be approved.

Vote: Ayes: Troy Hickman
Kent Steward
Henry Schwaller IV
Ron Mellick
Eber Phelps

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: A. Ron Mellick moved, Eber Phelps seconded, that the following mayoral appointment be approved:

Hays Beautification Committee

Judy Dawson – term to expire August 1, 2015

Vote: Ayes: Troy Hickman
Kent Steward
Henry Schwaller IV
Ron Mellick
Eber Phelps

B. Chairperson Hickman presented the following mayoral appointments, which will be presented at the April 11, 2013 Commission meeting for approval:

CARE Council

Kayla Lonnon – two-year term to expire March 1, 2015

Trisha Sauer – two year term to expire March 1, 2015

NEW BUSINESS

6. WORKERS' COMPENSATION INSURANCE: City staff presented two bids for workers' compensation insurance coverage set to begin April 1, 2013. One bid is from the City's current workers' compensation insurance carrier for \$193,101, or a 12% increase from last year. The other bid is from the Kansas Municipal Insurance Trust for \$163,626 but requires that the City join the League of Kansas Municipalities, which would cost an additional \$9,351.25, making the

total cost \$172,977.25. KMIT would pro-rate the cost for the months of April through December.

Henry Schwaller IV moved, Kent Steward seconded, that the City of Hays join the League of Kansas Municipalities for \$9,351.25, to be paid out of the City Manager's Other Contractual Services budget, accept the proposal from the Kansas Municipal Insurance Trust for the pro-rated amount of \$123,626 for workers' compensation coverage from April 2013 through December 2013, to be paid out of the Employee Benefit Levy, and approve Resolution No. 2013-009 accepting the Kansas Municipal Insurance Trust Bylaws and Interlocal Cooperation Agreement.

Commissioner Steward commented that he would not vote in favor of the City re-joining the League except for the reason to save money on workers' compensation insurance. If the City is going to become part of the League, he is hopeful the City can make a positive contribution and that the League can do the same for us.

Vote: Ayes: Troy Hickman
Kent Steward
Henry Schwaller IV
Ron Mellick
Eber Phelps

7. FORT HAYS MUNICIPAL GOLF COURSE MOWER PURCHASE: Eber Phelps moved, Ron Mellick seconded, that the purchase of a Lastec 3300 mower from Van Wall Equipment for the Fort Hays Municipal Golf Course, in the amount of \$34,689 to be paid from the 2013 Vehicle Replacement Fund, be approved.

Vote: Ayes: Troy Hickman
Kent Steward
Henry Schwaller IV
Ron Mellick
Eber Phelps

8. CITY HALL PUBLIC RESTROOM RENOVATIONS: Bids were taken to renovate and modernize the public restrooms in City Hall, which are almost 40

years old. The project includes gutting both restrooms, expanding the men's restroom, adding ductwork and fans, installing energy efficient LED lighting, high efficiency hand dryers, and replacing the toilets with low-flow units. The sinks will incorporate automatic water and soap dispensers. Karst Construction submitted the low bid of \$34,000. The project is to be funded out of the Fire Department Repairs to Buildings and Structures line item (\$19,000) and from the Utilities Department Water Conservation Projects line item (\$15,000).

Henry Schwaller IV moved that all bids be rejected and reallocate \$15,000 to fund the purchase of additional showerheads, toilets, and clothes washer rebates.

The motion died for lack of a second.

Kent Steward moved, Ron Mellick seconded, that the bid from Karst Construction, in an amount not to exceed \$34,000 be approved to renovate the City Hall public restrooms with \$19,000 funded from the Fire Department Repairs to Buildings and Structure line item and \$15,000 funded from the Utilities Department Water Conservation Projects line item.

Commissioner Schwaller stated this is an exorbitant and unnecessary expenditure. The cost savings are very minimal and there are better things the City could do with the money. He cannot support this.

Commissioner Mellick stated that he does not feel the bid is out of line compared to the cost of what a remodel would cost a homeowner. The bathrooms are being gutted; three new toilets, two new urinals, and two sinks along with new counters and new tile will be installed. The present bathrooms are not up to ADA requirements.

Commissioner Steward stated he does not think it is unreasonable to renovate 40 year old public restrooms. Based on his own experience, this does not seem out of line.

Commissioner Phelps stated that since the City will have demonstration low water usage outdoor plantings in front of City Hall, it only makes sense that the interior of City Hall have water efficiency fixtures.

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

No: Henry Schwaller IV

9. UPDATE ON CEDAR BLUFF RELEASE: Director of Utilities Bernie Kitten and Water Plant Superintendent Jim Cooper presented an update on the release of water from the Cedar Bluff Reservoir artificial recharge storage pool, which started on March 4, 2013.

The water flows about 30 miles before it gets to the Smoky Wellfield; it took five days to get to the Wellfield. A preliminary report from Burns and McDonnell, the City's engineering firm, indicates that groundwater level monitoring sites show the majority of the Smoky Wellfield has seen a rise in groundwater levels between 1 to 7 feet, with an average of 3.5 feet. The Wellfield is still re-charging.

10. CITY MANAGER EMPLOYMENT AGREEMENT – SIXTH ADDENDUM:

The City Commission, upon the completion of a performance evaluation of the City Manager, has requested that the Sixth Addendum to the City Manager's Employment Agreement be presented and voted upon. The Agreement is amended and modified to provide for an increase of 3% of the base salary for the year 2013 as a cost of living adjustment, effective as of December 23, 2012, which is the beginning for the first payroll period in 2013. This is the same cost of living increase that was given to all City employees.

Kent Steward moved, Ron Mellick seconded, that the Sixth Addendum to City Manager Toby Dougherty's Employment Agreement, dated June 28, 2007, be approved.

Vote: Ayes: Troy Hickman
Kent Steward
Henry Schwaller IV
Ron Mellick
Eber Phelps

11. CITY COMMISSION POLICY FOR FUNDING RECOGNITION: The City of Hays provides funds for several agencies outside of city governmental operations. The City Commission feels it is important for those agencies to publically recognize the use of taxpayer dollars for their project, program, or operation.

Kent Steward moved, Henry Schwaller IV seconded, that the City Commission Policy for Funding Recognition be approved.

Vote: Ayes: Troy Hickman

Kent Steward

Henry Schwaller IV

Ron Mellick

Eber Phelps

12. PROGRESS REPORT: Assistant City Manager Paul Briseno presented a monthly report of city-related activities, services and programs.

13. REPORT OF THE CITY MANAGER: City Manager Toby Dougherty reported the reconstruction of Vine Street from 13th to 22nd Street will begin April 3, 2013.

The City Manager reported that there will be a stakeholders meeting for the Housing Study group on April 23-24, 2013. More information will follow.

14. INQUIRIES AND COMMENTS: Commissioner Mellick requested a presentation of the City of Hays Water Conservation Plan at a future City Commission meeting. He would also like information on what the City itself plans to do as far as water conservation if this drought continues.

The meeting was adjourned at 7:37 p.m.

Submitted by: _____

Doris Wing – City Clerk

