

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON APRIL 22, 2010

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, April 22, 2010 at 6:30 p.m.

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

Chairperson Channell 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 April 8, 2010; the minutes stand approved as presented.

3. FINANCIAL STATEMENT: Finance Director Kim Rupp reported that the portfolio of certificates of deposit on March 31, 2010 totaled \$40,000,000, which is a \$60,000 decrease when compared to March 2009. The weighted average interest rate on the total certificate portfolio as of March 31st is .49%. No certificates of deposit were renewed in March; the money was transferred to a Money Market account; this is the reason for the decrease in the portfolio of certificates of deposit. The total balance of the Money Market account on March 31, 2010 was \$4,150,000, with a current yield of .56%.

Month-to-date sales tax collections for the Sport Complex were \$225,128 and year-to-date collections total \$645,897. Inception-to-date collections total \$2,163,043; inception to date expenditures total \$911,566. General Fund sales tax collections fell in March with a year-to-date decrease of -\$142,809 from a year ago or -8.25%. Total year-to-date collections are \$1,587,251 for the General Fund. The six month running average on sales tax collections in the General Fund are down -\$75,859 or -2.25%.

Ron Mellick moved, Henry Schwaller IV seconded, that the Financial Statement for the month of March 2010 be approved.

Vote: Ayes: Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

4. CITIZEN COMMENTS: Curtis Brown, 1216 Motz Avenue, addressed the Commission on behalf of five property owners on Motz Avenue and Centennial Boulevard, whose basements were recently flooded with sewer water. He requested the Commission do a complete investigation into how this occurred and who is responsible. He also requested the status of the insurance claims that have been filed with the City's insurance carrier and information about the City's sewer line maintenance program.

Finance Director Kim Rupp stated that all of the reports about this incident have been submitted to the City's insurance carrier and it is his understanding that they are working on these claims.

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

Airport Advisory Committee

Lyle Noordhoek – 3-year term to expire April 30, 2013

Gary Wentling – 3-year term to expire April 30, 2013

Hays Area Planning Commission

Louis Caplan – 3-year term to expire April 30, 2013

Hays Area Board of Zoning Appeals

Louis Caplan – 3-year term to expire May 1, 2013

Hays Public Library Board

Avry St. Peter – 4-year term to expire April 30, 2014

Kerri Sunley – 4-year term to expire April 30, 2014

Hays Sports Complex Project Development Advisory Committee

Tom Lippert – term will be for length of the Hays Sports Complex project development/construction

Neighborhood Revitalization/Downtown Development Review Board

Jake Glover (Member at Large) – 3-year term to expire January 1, 2013

Public Wholesale Water Supply District #15 Board

Curtis Longpine – 3-year term to expire March 1, 2013

Vote: Ayes: Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

NEW BUSINESS

6. ADDENDUM TO LEASE WITH HEART OF AMERICA DEVELOPMENT

CORPORATION: After developing the Airport Industrial Park, the City of Hays entered into a lease with the Heart of America (HOA) Development Corporation. This lease option allows HOA to purchase this property for \$500 per acre to facilitate the location of businesses to the community. The lease requires an annual payment of \$1,500.

The Hays Regional Airport utilizes a VORTAC guidance system. Due to the location of the VORTAC, a portion of the Airport Industrial Park has been rendered undevelopable. City staff has requested that the Federal Aviation Administration upgrade or relocate the current VORTAC in order to remedy the problem; however, the requests have been unsuccessful at this time.

HOA has requested that the current lease be amended to eliminate the \$1,500 payment until such time that the VORTAC no longer prevents development of the remaining property. The addendum to the lease states that in the event the VORTAC no longer prevents development, the payments would be reinstated January 1st of the following year.

Henry Schwaller IV moved, Barbara Wasinger seconded, that the Addendum to the lease between the City of Hays and the Heart of America Development Corporation waiving the annual lease payment until such time as the VORTAC no longer prohibits development of the remaining unsold property, be approved.

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

7. AWARD OF BID FOR GOLF COURSE BAT-WING ROTARY MOWER: In the 2010 Budget, an amount of \$43,775 is budgeted for the purchase of a new bat-wing rotary mower for the Fort Hays Municipal Golf Course. The low bid, submitted by Kansas Golf and Turf in the amount of \$43,969 is \$194 over the budgeted amount. Staff recommended purchasing the proposed mower and relocating the existing mower to the Hays Regional Airport. This would allow the Airport to auction off a John Deere F-932 that is in a state of disrepair at this time.

Troy Hickman moved, Barbara Wasinger seconded, that the bid submitted by Kansas Golf and Turf, in the amount of \$43,969, for the purchase of a bat-wing rotary mower be accepted.

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

8. AWARD OF BID FOR HAYS SPORTS COMPLEX: Nine bids were received for the construction of the Hays Sports Complex. The bid documents were structured with a base bid and 17 alternates for various additional amenities. The bids were reviewed by the Project Development Advisory Committee (PDAC), which recommended entering a contract with Eby

Construction for the base bid, plus alternates for gravel parking, three additional soccer/football fields, a concession-restroom building at the southwest ball fields, lighting the two ball fields at the southwest ball-plex, acquiring four softball scoreboards at the northeast 4-plex and shade for the softball bleacher areas. The base bid with the alternates defined above is identified as Option #1 and contains a total of six softball fields and eight soccer/football fields.

Option 2 allows for the eventual construction of all eight softball and 8 soccer fields. Under this option, the three alternate soccer fields would be constructed in-house. Alternates under this scenario would include two alternate ball fields in the SW 4-plex, a concession/restroom facility in the SW 4-plex, four scoreboards, and gravel parking for 75% of the main parking area.

Assistant City Manager Paul Briseno reported that bids for the water line came in \$170,000 less than estimated. He recommended that these funds be placed in the contingency fund for any unforeseen cost overruns.

Assistant John Braun reviewed the items included in the base bid and the 16 alternates.

Roger Bixenman, Hays Recreation Commission Superintendent and Stephen Brummer, representing the Project Development Advisory Committee, reviewed the two different options.

Commissioner Schwaller stated the original vision and the people's expectation is to have eight ball fields and eight soccer fields. For that reason, he favors Option 2.

Commissioner Hickman stated that he favors Option 2, but would like to include graveling 100% of the parking lot and adding additional shade structures. He feels the money that has been saved by receiving a lower bid than expected on the water line could be used to fund these items.

Henry Schwaller IV moved, Ron Mellick seconded, that the City Manager be authorized to execute a contract with Eby Construction for the base bid totaling \$4,944,000 and alternates known as Option 2 totaling \$859,725, bringing the total cost of the contract to \$5,803,725.

Vote: Ayes: Christopher Channell

Barbara Wasinger

Henry Schwaller IV

Ron Mellick

No: Troy Hickman

9. VEHICLE ABATEMENT AT 3312 LINCOLN DRIVE: The vehicle has been removed from 3312 Lincoln Drive; therefore, no action by the Commission was necessary.

10. GRAYSTAR FIRST ADDITION FINAL PLAT: The owners of the proposed Graystar First Addition have submitted a final plat for consideration. The area of the proposed plat is located south of 41st Street and just south of the Westridge Addition and would be a continuation of Post Road. The proposed plat contains 14 residential lots.

Ron Mellick moved, Barbara Wasinger seconded, that Resolution No. 2010-014, being a resolution accepting the Final Plat of Graystar First Addition, be approved.

Vote: Ayes: Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

11. AWARD OF BID FOR AIRPORT TAXIWAY LIGHTING AND GRANT APPLICATION: Bids were received for the installation of taxiway lighting, the replacement of lighted guidance signs, and the installation of surface painted hold markings at the Hays Regional Airport. These improvements were identified in the Capital Improvement Plan of the 2010 Budget. The low bid, submitted by L&S Electric in the amount of \$222,281.75, was well below the amount budgeted for the project. The City's engineer recommended accepting the low bid contingent upon Federal Administration Aviation (FAA) grant funding. With the Commissioners' authorization, the Airport Manager will submit a FAA grant application for 95% funding of the improvements.

Barbara Wasinger moved, Troy Hickman seconded, that the bid submitted by L&S Electric in the amount of \$222,281.75, to replace guidance signs, install surface painted hold markings and to install medium intensity taxiway markings at the Hays Regional Airport be accepted, and that the Airport Manager be authorized to submit the grant application to the FAA for 95% funding of the improvements.

Vote: Ayes: Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

12. AWARD OF BID FOR AIRPORT SECURITY GATES: There may be an opportunity for FAA to assist with payment of the gates; staff is pursuing that option.

Ron Mellick moved, Barbara Wasinger seconded, that the bid submitted by Allied Fence & Security in the amount of \$25,068.53 to purchase and install two security gates at the Hays Regional Airport be approved.

Vote: Ayes: Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

13. HANGAR RATE INCREASE AT THE HAYS REGIONAL AIRPORT: On July 23, 2009, the City Commission approved a 10% rate increase for land leases and city-owned hangar leases. It was decided to raise the rates over a 3-year period to be more palatable; therefore the lease rates are to be reviewed annually and adjustments made accordingly.

Public Works Director/Airport Manager Brenda Herrman recommended proposed rates be \$1.82/SF for land leases and a 10% increase for city-owned hangar leases that are not yet paying \$1.50/SF, effective July 1, 2010. There would be another rate increase in 2011 to bring the rates up to market rates.

Barbara Wasinger moved, Troy Hickman seconded, that the lease rental at the Hays Regional Airport be increased to \$1.82/SF for land leases for privately-owned hangars and a 10% increase for city-owned hangars to lessees that are not yet paying \$1.50/SF for hangar space.

Vote: Ayes: Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

14. REPORT OF THE CITY MANAGER: Assistant City Manager Paul Briseno stated that at the April 8, 2010 Commission meeting, the Commissioners honored a request to name a remnant tract of property “Arnhold Park”, which is located south of I-70 near the Golden Belt Estates Development north of 41st Street. This property was given to the City by the heirs of the property owner. The family has since come forward and made a request to name the park “Ed Arnhold Park”.

Henry Schwaller IV moved, Ron Mellick seconded, that the park be named the “Ed Arnhold Park”.

Vote: Ayes: Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

The Assistant City Manager reminded the Commissioners of the Arbor Day celebration at the Dan Rupp Park on Friday, April 24, 2010.

15. COMMISSION INQUIRIES AND COMMENTS: There were no inquiries or comments.

16. EXECUTIVE SESSION: Barbara Wasinger moved, Henry Schwaller IV seconded, that the Governing Body recess to executive session at 7:30 p.m. for 15 minutes to discuss potential property acquisition, negotiations, and attorney-client privileged information. The executive session included the Commissioners,

the Assistant City Manager, the Finance Director, and the City Manager. K.S.A. 25-4319 authorizes the use of executive session to discuss the topics stated in the motion.

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

Chairperson Channell called the meeting back to order at 7:45 p.m. He stated no action was taken during executive session.

The meeting was adjourned.

Submitted by: _____

City Clerk