

MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF HAYS, KANSAS  
HELD ON APRIL 23, 2009

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, April 23, 2009 at 7:30 p.m.

Roll Call: Present: Barbara Wasinger  
Ron Mellick  
Christopher Channell  
Allan Lytton  
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 April 9, 2009; the minutes stand approved as presented.

**3. MAYOR'S COMMENTS:** As her mayoral term was ending this evening, Mayor Wasinger commented how proud and honored she was to be the Mayor of Hays and represent this community at many events. She thanked all of the Commissioners she has worked with during the past four years as well as City staff.

**4. SWEARING IN CEREMONY:** City Clerk Doris Wing conducted the swearing in ceremony for the following three new in-coming commissioners: Barbara Wasinger, Troy Hickman, and Henry Schwaller IV.

**5. REORGANIZATION OF GOVERNING BODY:** A. Henry Schwaller IV moved, Christopher Channell seconded, that Ron Mellick be nominated as the Mayor.

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

B. Troy Hickman moved, Henry Schwaller IV seconded, that Christopher Channell be nominated as Vice-Mayor.

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

**6. RECOGNITION OF FORMER COMMISSIONER:** Chairperson Mellick congratulated Commissioner Wasinger on her tenure as Mayor and commented on the many projects and events that occurred during her term in office this past year. A plaque was presented to Commissioner Wasinger.

Allan Lytton was recognized for his term as Commissioner. Chairperson Mellick thanked Mr. Lytton for his hard work and dedication while serving as a Commissioner. A plaque was presented to Mr. Lytton.

**7. FINANCIAL STATEMENT:** Finance Director Kim Rupp reported that investments on March 31, 2009 totaled \$40,600,000, which is a \$1,200,000 increase when compared to March 2008. The weighted average interest rate on the total investment portfolio as of March 31<sup>st</sup> is 1.6142%. In March, the Finance/City Clerk's Office invested \$6,700,000 of maturing certificates of deposit with a weighted average interest rate of .93%. Year-to-date sales tax collections when compared to 2008 are up \$19,850 or .81%.

Troy Hickman moved, Barbara Wasinger seconded, that the Financial Statement for the month of March 2009 be approved.

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

**8. CITIZEN COMMENTS:** Mark Kellerman, 1605 East 27<sup>th</sup> Street Terrace, thanked the Commissioners for honoring Randy Sparks and The New Christie Minstrels by proclaiming Thursday, April 30, 2009 as Randy Sparks and The

New Christie Minstrels Day in conjunction with their performance at the Fox Pavilion.

**9. CONSENT AGENDA:** Henry Schwaller IV moved, Troy Hickman seconded, that the following Business Resolutions in Series 2009 be presented expressing appreciation for establishing a new business in the City of Hays:

Resolution No. AR – 02 Patrick Toepfer, owner, Ecco City Motors

Resolution No. AR – 03 Mark & Cynthia Pfeifer, owners, Crystal Memories 3D Portrait Shop

Vote: Ayes: Ron Mellick

Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Commissioner Wasinger left the meeting.

### **NEW BUSINESS**

**10. HIDDEN HEROES PRESENTATION:** Hidden Heroes is a Kansas Youth Leadership program paying particular attention to students who have yet to discover their leadership skills due to lack of opportunities, family environment, and/or lack of financial resources. Through a partnership with local community members and with funding from the City of Hays Special Alcohol Tax Fund, the Hidden Heroes program provides opportunities for these students to develop the underlying leadership skills they are unaware of possessing.

Shantel Arnhold, director of the Kansas Leadership Academy, presented a Power Point presentation about the Hidden Heroes Program.

Chairperson Mellick presented Hidden Hero certificates to the following:

Kenny Basgall	Delphine Burns	Cheyenne Ellard
Spencer Greathouse	Austin Knoll	Diane Lee
Emily Leiker	Sara Malott	Hailey Mandeville
Maria Marcotte	Jordan Staab	Taylor Staab
Alivia Inlow	Andrew Urban	

**11. AWARD OF BID FOR PAVEMENT BREAKER:** Christopher Channel moved, Ron Mellick seconded, that the bid submitted by Logan Contractors Supply of Olathe, KS in the amount of \$89,427 for a pavement breaker be accepted.

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

**12. AWARD OF BID FOR LOADER FOR PARKS DEPARTMENT:** Troy Hickman moved, Christopher Channell seconded, that the bid submitted by Berry Tractor of Topeka, KS in the amount of \$125,000 for the purchase of a loader for the Parks Department be accepted.

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

**13. USE OF POOL RESERVE FUNDS TO BECOME COMPLIANT WITH THE VIRGINIA GRAEME BAKER POOL AND SPA SAFETY ACT AND TO PURCHASE NEW FROG TONGUE SLIDE:** One bid, in the amount of \$33,343.50, from Associated Pool Builders, was received to cover costs of materials and labor to complete all tasks associated with making the two City pools compliant with the Virginia Graeme Baker Pool and Spa Safety Act.

It is also necessary to replace the frog tongue slide. WaterPark Experts, Inc. has submitted a bid in the amount of \$5,847 for the replacement tongue slide.

Henry Schwaller IV moved, Troy Hickman seconded, that the bid submitted by Associated Pool Builders in the amount of \$33,343.50 be accepted.

Assistant City Manager Mark Loughry requested the motion be amended to approve an amount up to \$45,000 from the Pool Reserve Fund to make the necessary repairs and to purchase a new frog tongue slide.

Commissioner Schwaller amended his motion to approve an amount up to \$45,000. Commissioner Hickman seconded the amended motion.

Parks Director Jeff Boyle stated that Associated Pool Builders built the pools at the Hays Aquatic Park. They did a very good job and the City was satisfied with their work. The May 15<sup>th</sup> start date, with completion date expected to be May 24<sup>th</sup>, is pending materials availability. Standards for the grates were only approved on April 1<sup>st</sup>, with manufacturing following. The City pool grates are field fabricated; if work is started on May 15<sup>th</sup>, Mr. Boyle feels the work should be done by May 24<sup>th</sup>. It will be necessary to have an inspection after the work is done by a registered architect. Then the pools can be filled and stabilized, followed by life guard training that needs to be done on-site. The best case scenario for opening the pools is June 11<sup>th</sup>.

Vote: Ayes: Ron Mellick

Christopher Channell

Troy Hickman

Henry Schwaller IV

Commissioner Hickman left the meeting.

**14. NETMOTION CELLULAR DATA PROJECT:** The City of Hays currently has an antiquated method of providing data to the mobile data terminals in police vehicles. The method now in place is no longer supported and replacement parts are no longer available. After reviewing what other cities have successfully deployed, it was determined that a cellular connection in conjunction with a software product called Netmotion would allow the best scenario for the City of Hays. The total price for this project is \$41,313.

A. Christopher Channell moved, Henry Schwaller IV seconded, that the proposal from Portable Computer Systems for the purchase of Netmotion software, for a cost of \$15,407, be accepted.

Vote: Ayes: Ron Mellick

Christopher Channell

Henry Schwaller IV

B. Christopher Channell moved, Henry Schwaller IV seconded, that the proposal from Nex-Tech for the purchase of cellular service and internet-related equipment, for a cost of \$25,906, be accepted.

Vote: Ayes: Ron Mellick

Christopher Channell

Henry Schwaller IV

**15. WATERLINE UPGRADES – DESIGN ENGINEERING SERVICES:** The City's current Capital Improvement Program includes upgrades or extension of various waterlines throughout the City. The schedule calls for having plans and specifications ready to bid in the fall of 2009.

Ron Mellick moved, Christopher Channell seconded, that the City Manager be authorized to enter into an agreement with Olsson Associates for professional services related to waterline improvements at a cost of \$26,870.

Vote: Ayes: Ron Mellick

Christopher Channell

Henry Schwaller IV

**16. WATER & SEWER REVENUE BOND ISSUANCE, SERIES 2009-A:** The Water and Sewer Revenue Bond, Series 2009-A issuance is for the reimbursement of expenditures by the City associated with construction of improvements to the water and sewer system. It is necessary to pass a resolution to give notice of the bond sale.

Dave Arteberry, with George K. Baum & Company, financial advisors to the City on debt issues, reviewed the financing plan. Water and Sewer Bonds are paid back through utility revenues. The amount to be bonded is estimated to be \$3,860,000.

Henry Schwaller IV moved, Christopher Channell seconded, that Resolution No. 2009-010, being a resolution authorizing the offering for sale of Water and Sewage System Revenue Bonds, Series, 2009-A, of the City of Hays, Kansas, be approved.

Vote: Ayes: Ron Mellick

Christopher Channell

Henry Schwaller IV

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

**18. COMMISSION INQUIRIES AND COMMENTS:** Commissioner Schwaller thanked current and past Commissioners for their support during the transition period and for their exemplary leadership over the past two years.

Commissioner Channell requested that meeting times be discussed at the next work session. He thanked Allan Lytton for his service as a Commissioner for the past two years and the past mayor, Barbara Wasinger, for her work during her term as mayor. He congratulated Mayor Mellick on being elected mayor and welcomed Henry Schwaller IV back to the Commission.

Chairperson Mellick also welcomed Commissioner Schwaller and thanked the Commissioners for electing him to the position of mayor.

John Braun, Assistant Public Works Director presented a brief overview of the 2009 waterline upgrades and improvements scheduled for 2009-2010. See Agenda Item No. 15.

The meeting was adjourned.

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

City Clerk