

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON APRIL 26, 2012

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, April 26, 2012 at 6:30 p.m.

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

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 April 12, 2012; the minutes stand approved as presented.

3. FINANCIAL STATEMENT: Assistant City Manager Paul Briseno presented the Financial Statement for the month of March 2012. He reported that month-to-date sales tax collections for the Sports Complex were \$230,136, which was a decrease of \$4,315 when compared to March of 2011. Year-to-date collections are \$763,723 and inception-to-date collections total \$7,704,806. Month-to-date General Fund sales tax collections were \$563,583, down \$12,430 or -2.16% compared to last year. The six month running average on sales tax collections is 7.59%.

The Finance/City Clerks Office invested \$3,500,000 of maturing or renewing certificates with a weighted average interest rate of .16%. The portfolio of certificates of deposit on March 31, 2012 totaled \$47,400,000 with a weighted average interest rate of .28%. The total balance of the Money Market account on March 31, 2012 was \$850,000 with a current yield of .20%. Total investments are up \$7,700,000 when compared to this time last year.

Ron Mellick moved, Barbara Wasinger seconded, that the Financial Statement for the month of March 2012 be approved.

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

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: Henry Schwaller IV moved, Ron Mellick seconded, that the following consent agenda items be approved:

- A. Cereal Malt Beverage License for Blue Moon LLC/Doerfler-1100 East 43rd St.
- B. The following Mayoral appointments:

Airport Advisory Committee

Dan Stecklein – 3-year term to expire April 30, 2015

Hays Convention & Visitors Bureau Advisory Committee

Gregg Wahlers – unexpired term to expire December 1, 2013

Fort Hays Municipal Golf Course Advisory Board

Karen Schueler – 3-year term to expire July 1, 2015

Neighborhood Revitaliation/Downtown Development Review Board

Justin McClung – unexpired term to expire January 1, 2013

Hays Public Library

Judy Flax – 4-year term to expire April 30, 2016

Sister Cities Advisory Board

Tom Thomas – 3-year term to expire January 1, 2015

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

C. Chairperson Hickman presented the following list of proposed appointments that will be presented for approval at the May 10, 2012 Commission meeting:

Fort Hays Municipal Golf Course Advisory Board

Bill Bieker – 3-year term to expire July 1, 2015

Hays Area Board of Zoning Appeals

Jerry Befort – 3-year term to expire May 1, 2015

Jerry Sonntag -3-year term to expire May 1, 2015

Hays Area Planning Commission

Paul Phillips – 3-year term to expire April 30. 2015

Pam Rein – 3-year term to expire April 30, 2015

UNFINISHED BUSINESS

6. ECONOMIC DEVELOPMENT POLICY: The Commission gave staff guidance to develop a tax abatement matrix based on jobs and capital investment. Other changes throughout the economic development policy include set criteria for claw backs when performance standards are not met, create a high-tech business definition, option for Commission to deviate from the policy, Community Improvement District renewal, and Option for Commission to grant sales tax exemption for Industrial Revenue Bonds on a case by case basis.

Assistant City Manager Paul Briseno reviewed the revisions to the Economic Development Policy.

Barbara Wasinger moved, Kent Steward seconded, that the revisions to the Economic Development Policy be approved.

Vote: Ayes: Troy Hickman

Kent Steward

Henry Schwaller IV

Ron Mellick

Barbara Wasinger

NEW BUSINESS

7. ACQUISITION OF LUECKE LAND ON VINEYARD ROAD: To properly develop Vineyard Road Park, adequate entrances and parking must be provided. Currently, the park has not been developed because the northernmost boundary of the property has inherent issues including wetland areas that make entry almost impossible. Safety issues exist with entering and exiting the park area onto 41st Street due to a dip in the road. The best solution for an entry-exit and a parking lot is to purchase 1.6 acres of land on top of the hill, which is adjacent to the property on the east side. The Luecke Family Trust has agreed to sell the 1.6 tract of land for \$7,500 to the City for this purpose.

Henry Schwaller IV moved, Barbara Wasinger seconded, that the purchase of 1.6 acre tract of land, adjacent to the Vineyard Road Park, from the Luecke Family Trust for \$7,500 be approved.

Vote: Ayes: Troy Hickman

Kent Steward

Henry Schwaller IV

Ron Mellick

Barbara Wasinger

8. AWARD OF BID FOR SAND BLASTING AND PAINTING OF WATER PLANT CLARIFIER: The West Secondary Clarifier was installed in conjunction with the 1975 Water Plant Expansion Project. Clarifiers are used to settle solids that are formed from the initial water softening process and are constructed primarily of metal and concrete. Two clarifiers are used during the water softening process. After years of constant submersion, the basins are in need of rehabilitation to ensure continued serviceability. The metal parts have degraded over time. Staff requested approval of a bid in the amount of \$59,502, submitted by Genesis Environmental Solutions, Inc. for sand blasting and painting of the West Secondary Clarifier.

Barbara Wasinger moved, Ron Mellick seconded, that the bid submitted by Genesis Environmental Solutions, Inc., in the amount of \$59,502, for sand blasting and painting of the West Secondary basin, be approved.

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

9. KING'S GATE PARK IMPROVEMENTS – RESOLUTION TO ESTABLISH

BENEFIT DISTRICT: Covenant Builders, Inc. has petitioned the City for park improvements within the King's Gate development north of 41st St. 100% of the owners within the petition area have agreed to and signed the petition. The engineer's estimate for total construction cost is \$75,000. The park will consist of playground equipment, a shelter, benches, a small basketball court, and associated landscaping.

Ron Mellick moved, Barbara Wasinger seconded, that Resolution No. 2012-004 authorizing the creation of a special benefit district for park improvements within King's Gate Addition, in the estimated amount of \$75,000, be approved.

Commissioner Schwaller commented there is a need for a park in that neighborhood, but he is concerned that, given the size of the development, that if the City would allow this going forward, there would be many municipal parks to care for. The Park Master Plan stated there are too many small parks throughout the City. He feels that the Commission should discuss the development of neighborhood parks at a future work session. He will support this park, however; he feels there is a better way to plan for parks in future developments.

Vernon Befort, 1404 West 44th Street, questioned who would be assessed for the improvements.

City Manager Toby Dougherty assured him that only property owners in King's Gate will be special assessed for the park improvements.

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

10. KING'S GATE PARK IMPROVEMENTS – ENGINEERING SERVICES

AGREEMENT: Ruder Engineering and Surveying, LLC has prepared a contract for engineering services for the development of park improvements in King's Gate. The contract is for a not-to-exceed amount of \$5,600.

Kent Steward moved, Ron Mellick seconded, that the Engineering Services Agreement with Ruder Engineering and Surveying, LLC, for an amount not to exceed \$5,600, for the development of the King's Gate park improvements be approved.

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

11. REPORT OF THE CITY MANAGER: City Manager Toby Dougherty reported that the opening weekend at the Bickle-Schmidt Sports Complex was very successful. The playground equipment is in place and quite a few trees have been planted.

Assistant City Manager Paul Briseno presented a monthly report of various activities and projects that have been completed or occurred during the month of March.

12. COMMISSION INQUIRIES AND COMMENTS: Commissioner Wasinger reported that she went on the Fire Department Ride-Along for three hours. The Ride-Along is a great program and she encouraged citizens to partake of it.

13. EXECUTIVE SESSION: Henry Schwaller IV moved, Barbara Wasinger seconded, that the Governing Body recess to executive session at 7:20 p.m. for 20 minutes to discuss attorney-client privileged information, pending litigation,

and discussion of union negotiations. The executive session included the City Commissioners, the City Manager, the Assistant City Manager, and the City Attorney.

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

Chairperson Hickman called the meeting back to order at 7:40 p.m. He stated no action was taken during executive session.

The meeting was adjourned.

Submitted by: _____

Doris Wing – City Clerk