

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON MAY 24, 2012

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, May 24, 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 additions or corrections to the minutes of the regular session held on May 10, 2012; the minutes stand approved as presented.

3. FINANCIAL STATEMENT: Finance Director Kim Rupp reported month-to-date sales tax collections for the Sports Complex were \$208,015, an increase of \$20,676 when compared to last year. Total year-to-date collections are \$971,738 and inception-to-date collections total \$7,912,821. Month-to-date General Fund sales tax collections for April were \$509,945, up \$49,879 or 10.84% as compared to last year. Year-to-date General Fund sales tax collections are up \$121,096 or 5.34%. The six month running average on sales tax collections is up 7.69%.

The Finance/City Clerk's office invested \$1,200,000 of maturing or renewing certificates with a weighted average interest rate of .25%. The portfolio of certificates of deposit on April 30, 2012 totaled \$45,050,000 with a weighted average interest rate of .28%. The total balance of the Money Market account on April 30, 2012 was \$1,000,000 with a current yield of .20%. Total investments are up \$6,300,000 when compared to this time last year.

Henry Schwaller IV moved, Ron Mellick seconded, that the Financial Statement for the month of April 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, Barbara Wasinger seconded, that the following mayoral appointments be approved:

Airport Advisory Committee

Don Benjamin – 3-year term to expire April 30, 2015

Building Trades Board

Dave Schoendaller – 4-year term to expire August 27, 2016

Arlen Flax – 4-year term to expire August 27, 2016

Hays Public Library Board

Marcia Dinkel – 4-year term to expire April 30, 2016

Hays Recreation Commission

Mark Junk – 4-year term to expire August 1, 2016

Neighborhood Revitalization/Downtown Development Review Board

Elodie Jones – unexpired term to expire January 1, 2013

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

NEW BUSINESS

6. SINGERS BUILDING PROJECT: At the May 3, 2012 work session, the City Commission tabled the request for the Singers building project (roof removal) at

116 East 12th Street and gave Adam Comeau further guidance to work with the State Historical Preservation Office for an agreeable design by both parties.

At the heart of the issue is that a City roof demolition permit was not issued before the work began. Mr. Comeau stated in an earlier meeting that it was not their intent to totally remove the roof, just the roof covering. A permit is not needed to remove the roof covering. However, while removing the roof covering, the roof's trusses allegedly collapsed since they too were in disrepair and were apparently being held in place by the roof covering.

Henry Schwaller IV moved, that based on the information presented in the agenda packet and provided by the contractor, that it be determined that removing the roof structure as proposed will not harm the historic character of the building or its environs and that the project can proceed as planned. Barbara Wasinger seconded the motion.

Commissioner Wasinger stated that she does not see a historical value in the roof, it is a flat roof and no-one will be able to tell or care that the roof has been removed. She appreciates that so much has been done to the building which helps improve the entire neighborhood.

Commissioner Schwaller agreed with Commissioner Wasinger. His concern is how to proceed with alterations, demolition and reconstruction in this historic neighborhood in the future. Going forward, he is hopeful that the City permitting process is changed to provide direction on demolition/reconstruction projects such as this one.

Commissioner Steward stated he too appreciates what is being done to the property; it is a great improvement to the business and the historic neighborhood.

Commissioner Mellick stated he has lost confidence in the information provided by Adam Comeau. If Liberty Group had maintained the roof during the last 10 years they have owned the property, this would not have happened. Liberty Group is a group that wants to preserve historic downtown Hays; he wonders how many other buildings will be lost because they have failed to provide minimal preservation maintenance to those buildings. If the City had

known the roof was in need of repair, the City could have forced them to repair the roof. The City has made homeowners fix roofs that had holes in the roof.

Mr. Comeau replied that when the building was purchased 10 years ago, the holes were already in the roof; no maintenance was done because the roof was already deteriorated past the point of maintenance. Liberty Group has invested quite a bit of money preserving some of the historic buildings in downtown Hays; they have worked with the State and did everything to their standards. There has never been a single project in this entire district that Liberty Group has found it necessary to come to the City to get around the State regulations until this roof project. They work with the State and have done due diligence on all of the buildings. Liberty Group is proud of all of the work they have done.

Dave Gray, owner of the Singers property, stated he hired Liberty Group as a general contractor because he felt there was no one more capable of helping with preservation efforts/standards than Liberty Group.

Vote: Ayes: Troy Hickman

Kent Steward

Henry Schwaller IV

Barbara Wasinger

No: Ron Mellick

7. 16-34 RUNWAY PROJECT – AWARD OF BID & GRANT APPLICATION:

Barbara Wasinger moved, Henry Schwaller IV seconded, that contingent upon FAA awarding a grant for federal funding, the low bid submitted by Smoky Hill, LLC, in the amount of \$6,849,601.17 to reconstruct Runway 16-34 along with other improvements included in the project at the Hays Regional Airport be approved and that the City Manager be authorized to submit a grant application to FAA for Federal Assistance for funding this project and to take all actions necessary to carry out this project.

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

8. 16-34 RUNWAY PROJECT – ENGINEER’S INSPECTION: The reconstruction of Runway 16-34 requires inspection and observation of the construction according to FAA guidelines to satisfy the terms of the grant funding and to assure proper adherence to the plans and quality construction. Burns and McDonnell, the City’s airport engineering consultant, has submitted a scope of services and fee to accomplish the required oversight and project documentation. The cost for said services is \$550,637; of which 90% will be funded by the FAA, leaving \$55,063.70 to be funded by the City.

Ron Mellick moved, Henry Schwaller IV seconded, that contingent upon FAA awarding a grant for federal funding, the Work Authorization from Burns and McDonnell, in the amount of \$550,637, be authorized and the City Manager be authorized to execute Authorization No. 2.

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

9. 2012 CITY COMMISSION FINANCIAL POLICY PROJECTS: In 2011, the Commission went to a pay-as-you-go system to keep the mill levy at 25 for 2012 and the foreseeable future. The final remaining project to bond is the second phase of Vine Street (13th to 22nd Street) reconstruction, at a cost of \$1,400,000.

Funds available in the City Commission Financial Policy line item have increased due to enhanced sales tax revenues realized in 2011. Policy allows the use of excess revenues to buy down the mill and fund capital projects. Excess funds remain available to fully fund the second phase of Vine Street while keeping all three reserves fully funded.

Barbara Wasinger moved, Henry Schwaller IV seconded, that a 2012 transfer from the City Commission Financial Policy Projects line item to the Capital Projects Fund, in the amount of \$1,400,000, to pay cash for the second phase of Vine, be approved.

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

10. PROGRESS REPORT: Assistant City Manager Paul Briseno presented a monthly report of City activities, projects, and events that have taken place during the past month.

11. REPORT OF THE CITY MANAGER: The City Manager had no additional items to report on.

12. COMMISSION INQUIRIES AND COMMENTS: Commissioner Mellick requested the City Attorney to look into ramifications of the owner of Singers not applying for a permit before the roof was removed.

The meeting was adjourned at 7:17 p.m.

Submitted by: _____

Doris Wing – City Clerk