

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON MAY 27, 2010

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, May 27, 2010 at 6:30 p.m.

Roll Call: Present: Christopher Channell

Troy Hickman

Ron Mellick

Absent: Barbara Wasinger

Henry Schwaller IV

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 May 13, 2010; the minutes were approved as presented.

3. FINANCIAL STATEMENT: Finance Director Kim Rupp reported that the portfolio of certificates of deposits on April 30, 2010 totaled \$40,000,000 with a weighted average interest rate of .5164%. Two certificates were renewed for a total of \$4,000,000 at a weighted average interest rate of .555%. The total balance of the Money Market account on April 30, 2010 was \$3,250,000 with a yield of .56%. Total investments are up \$2,000,000 from a year ago.

Month-to-date sales tax collections for the Sports Complex are \$170,382 and year-to-date collections are \$816,279. Inception-to-date collections total \$2,333,425 and inception-to-date expenditures total \$1,119,092. General Fund sales tax collections fell in April with a year-to-date decrease of -\$207,527 from a year ago or -9.38%. Total year-to-date collections in the General Fund are \$2,004,613. The six month running average on sales tax collections in the General Fund are down -\$138,020 or -4.28%.

Ron Mellick moved, Troy Hickman seconded, that the Financial Statement for the month of April 2010 be approved.

Vote: Ayes: Christopher Channell

Troy Hickman

Ron Mellick

4. CITIZEN COMMENTS: Wendy Gallington, 300 West 17th Street, requested that the Commissioners consider changing the Animal Control ordinance to allow chickens in the city limits of Hays. She presented information that the Commissioners will review and discuss at a future work session.

5. CONSENT AGENDA: There were no items on the consent agenda.

NEW BUSINESS

6. SMOKY WELLFIELD EXPANSION PROJECT PRESENTATION: Joe Obholz, Director of Utilities, and Brian Meier, engineer from Burns and McDonnell, updated the Commissioners on the completion and cost of the Smoky Wellfield Expansion Project.

7. JOB BOUNTY APPLICATION FOR A-1 SCAFFOLD, MFG., INC.: Section 10 of the City's Economic Development Policy outlines the City of Hays Job Bounty Program. Under this program, an employer that is either expanding or locating in Hays can request a job bounty for full-time workers making more than \$10.00 or more than \$15.00 per hour. Under this program, if an employer is adding at least 10 full-time employees at an hourly rate no less than \$10.00 per hour, the City will pay the employer \$1,000 per job paid in 20% increments over a five-year period. For full-time jobs exceeding \$15.00 per hour, the City will pay \$1,500 per job over the same five-year period.

A-1 Scaffold Mfg., Inc. has submitted a job bounty application for approval. A-1 Scaffold Mfg. is a new company developed from the loss of A-1 Plank and Scaffold Manufacturing, Inc. The new business will sell similar products while providing on-going employment. Their job bounty application requests program funding for 12 full-time employees with a base hourly wage of \$14.25 per hour.

Troy Hickman moved, Ron Mellick seconded, that the Job Bounty Program Application/Agreement submitted by A-1 Scaffold Mfg., Inc. be approved.

Vote: Ayes: Christopher Channell

Troy Hickman

Ron Mellick

8. 2010 FIREWORKS RESOLUTION: Every year prior to June 15th, the Commissioners are required to set by resolution the dates and hours of consumer use of fireworks within the city limits of Hays. Staff recommended that fireworks be allowed from 10:00 a.m. to midnight on July 3rd and July 4th and from 10:00 a.m. to 10:00 p.m. on July 5th.

Ron Mellick moved, Troy Hickman seconded, that Resolution No. 2010-017, being a resolution setting the days and hours for consumer use of fireworks within the city limits of the City of Hays, Kansas for 2010, those times and dates being 10:00 a.m. to midnight on July 3rd and July 4th, and from 10:00 a.m. to 10:00 p.m. on July 5, 2010, be approved.

Vote: Ayes: Christopher Channell

Troy Hickman

Ron Mellick

9. TALLGRASS PHASE IV ADDITION – RESOLUTION FOR PUBLIC IMPROVEMENTS: Tallgrass at Hays, Inc. has submitted a new petition to the City for improvements to an area containing 19 lots within the Tallgrass Addition. Originally, a petition was submitted in January 2010, and subsequently, a resolution authorizing the improvements was passed in February 2010. Since then, bids for construction were received; however, the bid for street construction was higher than the original petition and resolution amount. Therefore, a revised petition has been submitted and a new resolution drafted for approval.

Troy Hickman moved, Ron Mellick seconded, that Resolution No. 2010-018, being a resolution determining the advisability of the making of certain internal improvements in the City of Hays, Kansas, making certain findings with respect thereto; and authorizing and providing for the making of the

improvements in accordance with such findings (water, sewer, storm sewer and street improvements/Tallgrass Addition); and repealing Resolution No. 2010-005, be approved.

Vote: Ayes: Christopher Channell

Troy Hickman

Ron Mellick

10. TALLGRASS PHASE IV ADDITION – AWARD OF BID FOR STREET AND

STORM SEWER IMPROVEMENTS: Agenda item #9 detailed a resolution authorizing street and storm sewer improvements to a portion of the Tallgrass Phase IV addition. The low bid for the construction of the streets and storm sewer portion of the Tallgrass Phase IV Addition project, in the amount of \$273,793.76, was submitted by APAC-Kansas.

Ron Mellick moved, Troy Hickman seconded, that the City Manager be authorized to enter into a contract with APAC-Kansas, Inc., in the amount of \$273,793.76, for the construction of street and storm sewer improvements within the Tallgrass Phase IV Addition.

Vote: Ayes: Christopher Channell

Troy Hickman

Ron Mellick

11. TALLGRASS PHASE IV ADDITION – AWARD OF BID FOR WATER AND

SANITARY SEWER IMPROVEMENTS: The low bid for the construction of the water and sanitary sewer portion of the Tallgrass Phase IV Addition project, in the amount of \$130,878.25, was submitted by Nowak Construction.

Christopher Channell moved, Troy Hickman seconded, that the City Manager be authorized to enter into a contract with Nowak Construction, in the amount of \$130,878.25, for the construction of water and sanitary sewer improvements within the Tallgrass Phase IV Addition.

Vote: Ayes: Christopher Channell

Troy Hickman

Ron Mellick

12. TALLGRASS PHASE IV ADDITION – ENGINEERING SERVICES

CONTRACT: Baughman Company, P.A. has submitted a contract for engineering/inspection services for the construction of Tallgrass Phase IV Addition. Baughman Co. will be providing inspection services throughout the project and will oversee the construction of the streets, storm sewer, water lines, and sanitary sewer lines. The total dollar amount of the contract is \$25,700.

Public Works Director Brenda Herrman stated that typically inspections are done by City employees; however, this project is unique because two different contactors are doing the work. Staff feels that it would be better to have an independent inspector on this job. Additionally, the cost for inspections services can be passed onto the property owner through special assessments.

Ron Mellick moved, Troy Hickman seconded, that the City Manager be authorized to enter into a contract with Baughman Company, P.A., in the amount of \$25,700, for engineering/inspection services for the Tallgrass Phase IV Addition.

Vote: Ayes: Christopher Channell

Troy Hickman

Ron Mellick

13. AWARD OF BID FOR 2010 STREET MAINTENANCE PROGRAM: Bids were received for the 2010 Street Maintenance Projects, including the reconstruction of southbound Canal from 27th Street to 30th Street; the reconstruction of 37th Street east of Vine; and brick street repairs in various locations around the City. The lowest bids were received from APAC-Kansas, in the amount of \$589,160.20. 37th Street is to be reconstructed using concrete. There was an option to reconstruct Canal using asphalt; however, the additional cost for concrete was less than the future maintenance costs of an asphalt street. Therefore, staff recommended concrete for Canal as well. Funding for the project will come from the Special Highway Budget, which is funded through fuel sales tax reimbursements from the State. Construction would be completed by the end of 2010,

Ron Mellick moved, Troy Hickman seconded, that the City Manager be authorized to execute a contract with APAC-Kansas, Inc., for the 2010 Street Maintenance Project, in the amount of \$589,160.20.

Vote: Ayes: Christopher Channell

Troy Hickman

Ron Mellick

14. WASHING MACHINE REBATES: As of March 23, 2010, the \$15,000 budgeted for washer rebates was depleted. The City had 93 applications held over from last year and 57 utilized in 2010. This program assists citizens in lowering the appliance cost, but more importantly, the program contributes to our community's water conservation efforts. To date, eighteen applications have been held in the event additional funds are made available. At a minimum, \$5,000 could be utilized this year. Staff recommended the use of \$5,000 from the Projects line item of the Water & Sewer Non-Operating Budget.

Ron Mellick moved, Troy Hickman seconded, that additional funding in the amount of \$5,000 to be paid out of the Projects line item of the Water & Sewer Non-Operating Budget for remaining 2010 washer rebate applications be approved.

Vote: Ayes: Christopher Channell

Troy Hickman

Ron Mellick

15. REPORT OF THE CITY MANAGER: Assistant City Manager Paul Briseno presented a report on various projects and activities that have either been completed or are on-going in the city.

16. COMMISSION INQUIRIES AND COMMENTS: Commissioner Hickman had some questions about the electrical outlets at the Sports Complex; staff will research the issue and report back to Commissioner Hickman.

Discussion was held about the separation of the buffalo bull from the newborn bulls at Hays Frontier Park.

17. EXECUTIVE SESSION: Ron Mellick moved, Troy Hickman seconded, that the Governing Body recess to executive session at 7:20 p.m. for 15 minutes to

discuss labor negotiations, personnel issues, and attorney-client privileged information. The executive session included the City Commissioners, the City Manager, the Assistant City Manager, and the City Attorney. K.S.A. 25-4319 authorizes the use of executive session to discuss the topics stated in the motion.

Vote: Ayes: Christopher Channell
Troy Hickman
Ron Mellick

The Governing Body reconvened at 7:35. Chairperson Channell stated no action was taken during executive session.

The meeting was adjourned.

Submitted by: _____

City Clerk