

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON JUNE 25, 2009

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, June 25, 2009 at 6:30 p.m.

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

Chairperson Mellick declared that a quorum was present and called the meeting to order.

2. MINUTES: Commissioner Channell made a correction to the minutes to the regular meeting held on June 11, 2009. The minutes were changed to reflect Commissioner Channell's "No" vote on Resolution No. 2009-019 (Abatement of Dangerous Structure at 410 East 13th Street).

3. FINANCIAL STATEMENT: Finance Director Kim Rupp reported that investments on May 31, 2009 totaled \$40,850,000, which is an increase of \$1,150,000 when compared to May 2008. The weighted average interest rate on the total investment portfolio as of May 31, 2009 is 1.329%. In May, the Finance/City Clerk's Office invested \$3,100,000 of maturing certificates of deposits with a weighted average interest rate of .32%. Year-to-date total sales tax collections, when compared to 2008, are down \$65,019 or 1.70%. Mr. Rupp stated that an anomaly occurred in this collection cycle. Many of the top 15 city sales tax collectors only paid half of their liability; approximately \$100,000 is still outstanding. Next month's collections should reflect that amount. Additionally, the June disbursement will reflect the first full collection that began in April for the ½ cent sales tax collected for the Sports Complex.

Ron Mellick moved, Christopher Channell seconded, that the Financial Statement for the month of May 2009 be approved.

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

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: Henry Schwaller IV moved, Barbara Wasinger seconded, that the following be approved:

- A. A Cereal Malt Beverage License for Wild West Saloon
- B. Mayoral Appointments to Fort Hays Municipal Golf Course Advisory Board:
 - Bill Bieker – 3-year term to expire July 1, 2012
 - Karen Schueler – 3-year term to expire July 1, 2012

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

NEW BUSINESS

6. COMMERCIAL INSURANCE RENEWAL: Insurance Planning has reviewed the completed application for commercial insurance with all appropriate department heads and staff. In addition to commercial coverage, the 2009/2010 policy renewal includes Public Entity Cyber Liability, R9 Ranch General Liability, Public Wholesale Water Supply District #15 Linebacker Liability, and Hangarkeepers Optional Coverage for an annual premium amount of \$177,565.

Henry Schwaller IV moved, Barbara Wasinger seconded, that the proposal from Insurance Planning for insurance coverage for 2009/2010 with an annual premium amount of \$177,565 be accepted and that the City Manager be authorized to renew the 2009/2010 Commercial Insurance Policy.

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

7. REZONING OF 108 AND 110 WEST 16TH STREET: The rezoning request is an extension of the C-1 zoning district already in place. This is on property owned by the City of Hays and is contiguous with City Hall and the Fire Station. If the rezoning is approved, the plan is to construct a parking lot to provide extra parking for City staff and customers.

Christopher Channell moved, Barbara Wasinger seconded, that Ordinance No. 3772, being an ordinance rezoning Block Forty-Three (43), Lot Eight (8) and the West 49.8 feet of Lot Ten (10) of the Original Town of Hays City, Ellis County, Kansas, from “R-3” Two-Family Dwelling District to “C-1” Neighborhood Shopping District, be approved.

Commissioner Schwaller stated he will be abstaining from the vote. He is uneasy about the process, but he wants the project to move forward.

Vote: Ayes: Ron Mellick
Christopher Channell
Barbara Wasinger

Henry Schwaller IV did not vote, therefore his vote was counted with the majority. The motion carried by a vote of 4-0.

8. SCHEDULING OF PUBLIC HEARING – SKYLINE DRAW STORM WATER IMPROVEMENT: The City of Hays was selected for American Recovery and Reinvestment Act of 2009 (ARRA) funding for an Innovative Green Infrastructure Project for Improvements to the Skyline Draw area. Funding in the amount of \$120,000 will be provided as a loan from the Kansas Water Pollution Control Revolving Fund (KWPCRF). Principal forgiveness of 75% (\$90,000) will be applied to all eligible project costs for the design and construction of these improvements following completion and verification of the construction process. To meet the public participation requirements of KWPCRF, the City must hold a

public meeting and a public hearing to provide information to the public concerning this project.

Barbara Wasinger moved, Henry Schwaller IV seconded, that the date of August 13, 2009 be set for a public meeting/hearing for the Skyline Draw Storm Water Improvement Project.

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

9. SCHEDULING OF PUBLIC HEARING FOR SPECIAL ASSESSMENTS: It is required that a resolution be approved to set the date of July 23, 2009 for a public hearing to consider proposed assessments for sanitary sewer improvements to a portion of the North Hays Addition and the installation of water and sewer lines, storm sewers, grading, paving, curbing and guttering of Vista Drive in Golden Belt Estates Second Addition.

Barbara Wasinger moved, Christopher Channell seconded, that Resolution No. 2009-021, being a resolution providing notice of a public meeting to consider proposed assessments as to the public improvements for (a) North Hays Addition; (b) Golden Belt Estates Second Addition, be approved.

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

10. MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF HAYS AND HAYS FIREFIGHTERS LOCAL 2119: The bargaining units for the City of Hays and the Hays Firefighters Local 2119 have reached a tentative agreement for 2010, 2011 and 2012.

Henry Schwaller IV moved, Barbara Wasinger seconded, that the Memorandum of Agreement between the City of Hays and Hays Firefighters Local 2119 be approved.

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

11. REPORT OF THE CITY MANAGER: Assistant City Manager Mark Loughry updated the Commissioners on various projects that have been completed in the past month.

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

The meeting was adjourned.

Submitted by: _____

City Clerk