

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON JULY 9, 2009

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, July 9, 2009 at 6:30 p.m.

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

Chairperson Mellick 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 June 25, 2009; the minutes stand approved as presented.

3. CITIZEN COMMENTS: There were no citizen comments.

4. CONSENT AGENDA: Henry Schwaller IV moved, Barbara Wasinger seconded, that a Cereal Malt Beverage License be approved for Eric Schuette, for a Blues and BBQ event to be held at Union Pacific Park at 10th & Main Street.

Vote: Ayes: Ron Mellick
Barbara Wasinger
Henry Schwaller IV

UNFINISHED BUSINESS

5. ABATEMENT OF DANGEROUS STRUCTURE AND YARD DEBRIS AT 101 EAST 16TH STREET: This item was discussed at the June 4, 2009 work session and June 11, 2009 Commission meeting, but was tabled until July 2, 2009 due to an extension request by the owner.

Barbara Wasinger moved, Henry Schwaller IV seconded, that Resolution No. 2009-022, being a resolution authorizing the City of Hays or its designated agent to abate the inadequately maintained structure and property located at 101 East 16th Street, Hays, Kansas, be approved.

Dave Galindo, the owner of the property, stated he has done a lot of debris clean-up and is hopeful to have all the work completed by next week.

Vote: Ayes: Ron Mellick

Barbara Wasinger

Henry Schwaller IV

NEW BUSINESS

6. BOND CALL OF SERIES 1999-A AND 1999-C: Currently there are two bond issues, Series 1999-A and 1999-C, which are very near maturity. The remaining bonds for 1999-A are averaging 4.55% and 1999-C are at 5.3%. After some research, it has been discovered that both could be called on or after September 1, 2009 to realize a savings in interest of \$106,295.06. The total to call both series is \$1,743,793.13. Staff requested Commission approval to fund \$1,120,000 out of the Financial Policy Projects line item with the remaining coming from the amount already budgeted for these payments in the Bond and Interest Fund.

Henry Schwaller IV moved, Barbara Wasinger seconded, that the call of Bonds, Series 1999-A and 1999-C be approved, for a total of \$1,743,793.13, with the money coming from the Financial Policy Projects and Bond and Interest Fund.

Vote: Ayes: Ron Mellick

Barbara Wasinger

Henry Schwaller IV

7. AWARD OF BID – AIRCRAFT RESCUE AND FIRE FIGHTING (ARFF)

TRUCK: Two bids were received for the acquisition of an Aircraft and Rescue and Fire Fighting (ARFF) Truck at the Hays Regional Airport. The low bidder

was General Safety Equipment with a bid of \$567,991. The proposed truck is anticipated to be funded by a Federal Aviation Administration (FAA) grant that would cover 95% of the cost. The City will enter into a contract for acquisition of the ARFF Truck when the grant offer is received.

Barbara Wasinger moved, Henry Schwaller IV seconded, that the bid for a new ARFF Truck at the Hays Regional Airport, in the amount of \$567,9991 be accepted from the low bidder, General Safety Equipment, contingent upon FAA grant funding.

Vote: Ayes: Ron Mellick

Barbara Wasinger

Henry Schwaller IV

8. LETTER AGREEMENT FOR DEVELOPMENT OF PAUL & WERTENBERGER PROPERTY:

Paul & Wertenberger Investments has submitted a letter agreement in hopes of getting approval to build a small development located at the northwest corner of 33rd and Hall Street. Currently, there is one single-family home on the property which will remain, and several town-homes or condo style homes are planned to be constructed on the property. The property will be accessed from a private road. The developers plan on building additional concrete streets off of this access road which will remain private. Water and sanitary sewer utilities will also be added which will be constructed to City standards, placed in front easements, and will become city lines once accepted. There is a water line loop that will be extended at the request of the City as part of this development. This portion of the waterline (approximately 100' of line) will be paid for by the City, and is estimated to cost about \$9,000. All costs associated with this project, except for the waterline loop, will be paid for 100% by the developer. No special benefit district is being requested, as the project will be completely funded by the developer. The letter agreement spells out the conditions which would be acceptable to both the City and the developer and provides for the methods in which the infrastructure would be built and financed.

Barbara Wasinger moved, Henry Schwaller IV seconded, that the Letter of Agreement for Development of Paul & Wertenberger property for development of property located at 33rd and Hall Street be approved.

Kirk Potter, 1121 Oakmont, owner of property abutting the development, had questions about landscaping improvements that have been made in the right-of-way. The right-of-way is owned by the City. Mr. Potter was informed that he will need to move the improvements.

Vote: Ayes: Ron Mellick

Barbara Wasinger

Henry Schwaller IV

9. AMENDMENT TO GREENBRIAR AGREEMENT: In January 2009, the City entered into an agreement with Smoky Hill Country Club regarding the conveyance of Greenbriar Street to the City of Hays, and for the City to assume maintenance responsibilities of that street. Due to a misunderstanding regarding the actual description of the street right-of-way to be dedicated to the City, the transfer never took place, and therefore the City has not yet assumed maintenance responsibility. An amendment to the agreement has been developed which clarifies the right-of-way issues.

Henry Schwaller IV moved, Barbara Wasinger seconded, that the Amendment to the January 29, 2009 agreement with Smoky Hill Country Club regarding the dedication of right-of-way and future maintenance of Greenbriar Street be approved.

Vote: Ayes: Ron Mellick

Barbara Wasinger

Henry Schwaller IV

10. MEMORANDUM OF AGREEMENT WITH THE HAYS FRATERNAL ORDER OF POLICE, LODGE 48 (FOP): The bargaining units for the City of Hays and Fraternal Order of Police, Lodge 48, have reached a tentative agreement for 2010, 2011, and 2012.

Barbara Wasinger moved, Henry Schwaller IV seconded, that the Memorandum of Agreement with the Hays Fraternal Order of Police, Lodge 48, be approved.

Vote: Ayes: Ron Mellick

Barbara Wasinger

Henry Schwaller IV

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

12. COMMISSION INQUIRIES AND COMMENTS: Chairperson Mellick stated he has received several inquiries as to when the frog slide at the Hays Aquatic Park will be repaired. The Parks Department informed him that the repaired part has to be treated with a chemical by the manufacturer before it can be shipped and the manufacturer is waiting to receive the chemical.

The meeting was adjourned.

Submitted by: _____

City Clerk