

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON JULY 23, 2009

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, July 23, 2009 at 6:30 p.m.

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

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 July 9, 2009; the minutes stand approved as presented.

3. FINANCIAL STATEMENT: Finance Director Kim Rupp reported that investments on June 30, 2009 totaled \$46,650,000, which is a \$5,700,000 increase compared to June 2008. The weighted average interest rate on the total investment portfolio as of June 30th is 1.145%. In June, the Finance/CityClerk's Office invested \$9,000,000 of new and maturing certificates of deposit with a weighted average interest rate of .447%. Year-to-date General Fund sales tax collections are down \$147,129 (4.52%). June was the first full collection of the new ½% Sports Complex sales tax since it was enacted on April 1, 2009. Those collections totaled \$196,508. Mr. Rupp noted that sales tax collections for the top fifteen businesses collecting sales tax are up 1.25% over 2008 and continue to represent 50% of the total sales tax collected.

Barbara Wasinger moved, Troy Hickman seconded, that the Financial Statement for the month of June 2009 be approved.

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

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: Troy Hickman moved, Barbara Wasinger seconded, that a Cereal Malt Beverage License for the Hays Area Chamber of Commerce / Downtown Hays Development Corporation be approved.

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

NEW BUSINESS

6. ANNEXATION OF THE GOLDEN BELT ESTATES FOURTH ADDITION:

The owners of land near 45th and Hall Street have requested by petition and consent in writing to have said land annexed into the city limits of Hays. The property is contiguous with current city limit boundaries.

Henry Schwaller IV moved, Barbara Wasinger seconded, that Ordinance No. 3773, being an ordinance annexing land to the City of Hays, Kansas, be approved.

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

7. AIRCRAFT RESCUE AND FIRE FIGHTING (ARFF) FACILITY – FEDERAL AVIATION ADMINISTRATION (FAA) GRANT AWARD/AMENDMENT FOR ARFF TRUCK:

The Federal Aviation Administration (FAA) has submitted a grant offer to the City for the construction of a new fire station at the Hays Regional Airport. The acceptance of the bid was contingent upon FAA grant approval to fund 95% of the eligible costs. The total cost of the project is \$1,496,175, with the City's share being \$133,376.

Barbara Wasinger moved, Christopher Channell seconded, that the City Manager be authorized to enter into an agreement with the Federal Aviation Administration for the construction of the Aircraft Rescue and Fire Fighting Facility at the Hays Regional Airport.

Vote: Ayes: Ron Mellick

Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

The low bid received on the ARFF Truck is \$593,491. On June 25, 2009, FAA issued an Amendment to the Phase A grant reducing the grant amount to \$563,816, which is the FAA 95% share. The City's share for the ARFF Truck is \$29,675. The Amendment is in accordance with Special Condition 13 of the February 17, 2009 grant agreement; therefore no formal action by the City Commission is necessary.

8. AIRCRAFT RESCUE AND FIRE FIGHTING (ARFF) FACILITY – PROFESSIONAL SERVICES AGREEMENT:

At the May 14, 2009 Commission meeting, the City entered into an agreement with Burns and McDonnell (BMcD) for professional engineering services related to the inspection of the ARFF building at the Hays Regional Airport. The Federal Aviation Administration (FAA) required certain changes in that agreement related to the clear identification of costs associated with the inspection of items of work not eligible under the FAA grant; those items being the brick veneer and PA system. BMcD has prepared a revised Authorization under the existing Agreement for Professional Services

dated June 16, 2006. This authorization defines a scope of services and sets the fee for said services at \$229,950.00, with the City's share of that being \$11,972.50.

Christopher Channell moved, Barbara Wasinger seconded, that the City Manager be authorized to enter into an agreement with Burns and McDonnell for professional services related to the inspection of the Aircraft Rescue and Fire Fighting Facility at the Hays Regional Airport.

Vote: Ayes: Ron Mellick

Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

9. PROPOSED RATE INCREASES AT THE HAYS REGIONAL AIRPORT:

City staff recommended a 10% rate increase in both ground leases for privately-owned hangars and city-owned hangars in a phased effort over a period of time to achieve \$.20/sf for ground leases and \$1.50/sf for city-owned hangars.

Henry Schwaller moved, Christopher Channell seconded, that rates be increased by 10% for privately-owned hangars and city-owned hangars as recommended by City staff.

Vote: Ayes: Ron Mellick

Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

10. 2009-2011 ESSENTIAL AIR SERVICE (EAS) RECOMMENDATION:

Every two years the Department of Transportation (DOT) sends out Request for Proposals for Essential Air Service (EAS). The five communities in western Kansas with air service discuss the proposals and offer comments to the DOT for air carrier selection and air schedule service.

There were two proposals received this year; one from Great Lakes Airlines and another from Sovereign Air, Inc. Sovereign was not considered by

any of the five communities due to the fact they are not an authorized EAS provider. Great Lakes was selected to continue service to all five airports. The option decided by the City Commission in May 2009 was for all-Denver service starting August 1, 2009.

Christopher Channell moved, Troy Hickman seconded, that Great Lakes Airlines be selected to provide air service for the Hays Regional Airport for the two-year period of 2009-2011, with the option selected of all-Denver service.

Commissioner Schwaller requested that efforts be focused on encouraging charter flights out of the Hays Regional Airport.

Vote: Ayes: Ron Mellick

Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

11. SKYLINE DRAW DETENTION / INFILTRATION BASIN PROJECT: It is required that a resolution be approved authorizing the City Manager to execute and file documents on behalf of the City of Hays for a loan to aid in the construction of a detention/infiltration basin in Skyline Draw northwest and adjacent to Dan Rupp Park.

Barbara Wasinger moved, Troy Hickman seconded, that Resolution No. 2009-023, being a resolution authorizing filing of application with the Kansas Department of Health and Environment for a loan under the Kansas Water Pollution Control Revolving Fund Act (K.S.A. 1988 Supp. 65-3321 through 65-3329) be approved.

Vote: Ayes: Ron Mellick

Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

12. PUBLIC HEARING FOR SPECIAL ASSESSMENTS: Christopher Channell moved, Barbara Wasinger seconded, that the public hearing be opened to hear

comments regarding the levying of special assessments for improvements in the North Hays Addition and Golden Belt Estates Second Addition.

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

There were no comments.

Henry Schwaller IV moved, Christopher Channell seconded, that the public hearing be closed.

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

Troy Hickman moved, Barbara Wasinger seconded, that Ordinance No. 3774, being an ordinance levying assessments on lots, pieces and parcels of land in the City of Hays, Kansas, for the purpose of paying all of the costs for improvements related to the North Hays Addition Improvement District authorized by Resolution 2006-010 and the Golden Belt Estates Second Addition Improvement District authorized by Resolution 2007-012, be approved.

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

13. MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF HAYS AND HAYS SERVICE EMPLOYEES LOCAL 513 (SEIU): The bargaining units for the City of Hays and SEIU have reached a tentative agreement for 2010, 2011, and 2012.

Barbara Wasinger moved, Troy Hickman seconded, that the Memorandum of Agreement between the City of Hays and Hays Service Employees Local 513 be approved.

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

14. SCHEDULE OF PUBLIC HEARING FOR 2010 BUDGET: Troy Hickman moved, Henry Schwaller IV seconded, that the date of August 13, 2009 be set for a public hearing to hear comments regarding the 2010 Budget with an associated mill levy of 25.05.

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

15. REPORT OF THE CITY MANAGER: City Manager Toby Dougherty reported that Assistant City Manager Mark Loughry has been appointed City Administrator for the City of Basehor, KS. He congratulated Mr. Loughry and wished him well.

The City Manager also offered condolences to the Virgil Basgall family. Mr. Basgall was born and raised in Hays and was a former City Manager in Hays from 1945-1950.

Mark Loughry, Assistant City Manager, reviewed various projects that City employees have been working on.

16. COMMISSION INQUIRIES AND COMMENTS: Commissioner Hickman commented on the new wayfinding signs and thanked City staff for their efforts.

Chairperson Mellick asked if Commissioner Schwaller has resigned from the Public Wholesale Water Supply District #15 board of directors.

Commissioner Schwaller stated he is waiting to hear about having City representatives from both Hays and Russell serving as ex-officio members.

The City Manager stated he has contacted the Russell City Manager and the matter will be discussed.

Chairperson Mellick recognized and thanked the City employees who have to work in the extreme heat this summer.

The meeting was adjourned.

Submitted by: _____

City Clerk