

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON AUGUST 11, 2011

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, August 11, 2011 at 6:30 p.m.

Roll Call: Present: Barbara Wasinger

Troy Hickman

Kent Steward

Ron Mellick

Absent: Henry Schwaller IV

Chairperson Wasinger 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 July 28, 2011; the minutes stand approved as presented.

3. CITIZEN COMMENTS: There were no comments.

4. CONSENT AGENDA: Troy Hickman moved, Kent Steward seconded, that Resolution No. AR – 03, Series of 2011, being a resolution expressing appreciation to Matt Lyon for establishing a new business (State Farm Insurance – Matt Lyon Agency) in the city of Hays, be approved.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Kent Steward

Ron Mellick

NEW BUSINESS

5. GENERAL OBLIGATION BONDS, SERIES 2011-A ORDINANCE: Finance Director Kim Rupp reported that D. A. Davidson and Company submitted the lowest true interest cost bid of 2.585387% for the General Obligation Bonds

Series 2011-A, totaling approximately \$2,220,000. The proceeds of the bonds will be used to pay for improvements to Vine Street and improvements in five special assessment districts.

Ron Mellick moved, Kent Steward seconded, that Ordinance No. 3839, being an ordinance authorizing and providing for the issuance of General Obligation Internal Improvement Bonds, Series 2011-A, of the City of Hays, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto, be approved, and that the bid submitted by D. A. Davidson and Company be accepted.

Vote: Ayes: Barbara Wasinger
Troy Hickman
Kent Steward
Ron Mellick

6. GENERAL OBLIGATION BONDS, SERIES 2011-A – RESOLUTION: Kent Steward moved, Troy Hickman seconded, that Resolution 2011-013, being a resolution prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Bonds, Series 2011-A, of the City of Hays, Kansas, previously authorized by Ordinance No. 3839 of the issuer: making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith, be approved.

Vote: Ayes: Barbara Wasinger
Troy Hickman
Kent Steward
Ron Mellick

7. BICKLE-SCHMIDT SPORTS COMPLEX PLAYGROUND EQUIPMENT PROPOSAL: Ron Mellick moved, Kent Steward seconded, that the bid in the amount of \$88,100, submitted by Sterling West for playground equipment for the Bickle-Schmidt Sports Complex, be accepted.

Vote: Ayes: Barbara Wasinger
Troy Hickman
Kent Steward
Ron Mellick

8. VACATE OF GRAYSTAR ADDITION: The Graystar First Addition was accepted by the City Commission on April 22, 2010. At the November 9, 2010 City Commission meeting, the Commissioners considered approving a resolution for establishing a special benefit district to fund improvements to the Addition. The resolution was not approved due to the high assessment cost that would have been imposed on adjacent property owners. The developer has chosen to vacate the plat of the Graystar First Addition. However, the plat contains dedicated right-of-way for an area where 33rd Street could potentially connect Highway 183 Alternate to Columbine Drive. It would be logical to retain this right-of-way for future use and the developer is in agreement. Staff recommended vacating the plat with the exception of the 35' right-of-way for future 33rd Street improvements along the south side of the plat. The City will not have to maintain the right-of-way.

Kent Steward moved, Ron Mellick seconded, that Resolution 2011-014, being a resolution vacating Lots 1 through 7, Block 1 and Lots 1 through 7, Block 2, Graystar First Addition, together with all streets, easements and dedications contained therein, except for the 35 feet of platted right-of-way along the south side of the plat, be approved.

Vote: Ayes: Barbara Wasinger
Troy Hickman
Kent Steward
Ron Mellick

41ST STREET CONCEPTUAL PLANS: At the August 4, 2011 work session, Chuck Bartlett, senior project manager for Benesch and Associates, presented four options for reconstructing 41st Street from US 183 By-pass to Hall Street. The Commissioners were in agreement about choosing Option 1 with the following features:

- 3-lane concrete road the entire distance from the By-pass to Hall St.
- Curb and gutter
- Storm sewer
- Reinforced concrete boxes at two drainage crossings
- Ten-foot wide concrete multi-use path along north side of the road and the entire length of the project.

This project was submitted to KDOT in 2008 for the KDOT 5-year plan with an estimated construction cost of \$2,943,000. Since that time, changes have been made to increase the six-foot concrete path to 10 feet, as well as make stormwater improvements to reduce the impact on downstream flooding. Due to those changes and a general increase in construction costs, the estimated cost exceeds the amount budgeted.

The total project cost will be \$4.5 million, with KDOT's share being \$3.12 million and the City's share being \$1.42 million. Alternate funding for the multi-use path is to be funded from the Special Parks Fund at approximately \$102,000 and funding from the Stormwater Fund, in the amount of \$133,500, will be budgeted for stormwater control systems. The remainder, \$1,178,850, will be funded out of Capital Projects.

Troy Hickman moved, Ron Mellick seconded, that Special Parks Funds and Stormwater Funds be used to offset the higher cost of Option 1.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Kent Steward

Ron Mellick

10. 2012 BUDGET PRESENTATION, PUBLIC HEARING AND APPROVAL OF

BUDGET: Assistant City Manager Paul Briseno presented a brief review of the 2012 Budget. Mr. Briseno stated the 2012 Budget is a balanced budget. There will be no increase in the mill levy for the third year in a row; the mill levy remains at 25 mills.

Chairperson Wasinger opened the public hearing to hear comments on the 2012 Budget.

Vernon Befort, 1404 West 44th Street, commented on the raises for City employees that are included in the 2012 Budget. He feels a 2% merit increase and a 2% cost of living adjustment is excessive.

There being no further comments, Troy Hickman moved, Kent Steward seconded, that the public hearing be closed.

Vote: Ayes: Barbara Wasinger
Troy Hickman
Kent Steward
Ron Mellick

Troy Hickman moved, Ron Mellick seconded, that the 2012 Budget be approved.

Vote: Ayes: Barbara Wasinger
Troy Hickman
Kent Steward
Ron Mellick

11. REPORT OF THE CITY MANAGER: The City Manager thanked department heads and staff for their part in producing the 2012 Budget.

12. COMMISSION INQUIRIES AND COMMENTS: Commissioner Steward expressed some concern about the possibility of a protest group appearing in Hays during the funeral of Bryan Nichols, who was recently killed in a tragic war incident. He does not want to intrude on their civil rights but wanted to know what their limitations are.

City Attorney John Bird commented that he and the Police Chief have discussed this; there are sufficient safeguards/laws in place should the group come to Hays.

The meeting was adjourned at 7:46 p.m.

Submitted by: _____

City Clerk

