

MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF HAYS, KANSAS  
HELD ON AUGUST 13, 2009

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, August 13, 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 23, 2009; the minutes stand approved as presented.

**3. CITIZEN COMMENTS:** Vernon Befort, 1404 West 44<sup>th</sup> Street, commented about the City being in good shape financially, but noted that property taxes are expected to go up 10%.

**4. CONSENT AGENDA:** Mayor Mellick presented the following proposed mayoral appointments to the Hays Beautification Committee:

Loretta Dorn – 3-year term to expire August 1, 2012  
Pam Herl – unexpired term to expire August 1, 2011  
Beck Kiser – 3-year term to expire August 1, 2012  
Terri MacDonald – 3-year term to expire August 1, 2012

The proposed appointments will be presented for approval at the August 27, 2009 City Commission meeting.

## **NEW BUSINESS**

### **5. and 6. SKYLINE DRAW STORMWATER IMPROVEMENT – PUBLIC**

**MEETING / PUBLIC HEARING:** 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. 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, the City must hold a public meeting and a public hearing to provide information to the public concerning this project. Public notice of the meeting/hearing was published in the Hays Daily News on July 3<sup>rd</sup> and July 5<sup>th</sup>, 2009.

Troy Hickman moved, Barbara Wasinger seconded, to open the public meeting and hearing.

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

Dan Holloway, representing Cook, Flatt & Strobel Engineers, presented the NPS Project Management Plan regarding the Skyline Draw Stormwater Improvement Project. The Project is a hybrid extended dry detention basin and infiltration basin within an existing 4.75 acre open space with a highly defined stormwater channel running through it. The project will reduce the risk of flash flooding downstream and also will improve stormwater quality within the City of Hays and the stormwater entering Big Creek which drains downstream into Kanopolis Reservoir, a public drinking water supply. The NPS Project Management Plan provides details regarding the proposed improvements, the need for the project, the intended benefits, the goals and objectives, stormwater

best management practices to be installed, short and long term maintenance, estimated costs, and implementation schedule. The current schedule calls for a December 9, 2009 bid letting date with construction to begin early in 2010.

Assistant Public Works Director John Braun and James Leiker, KSU Big Creek and Middle Smoky Hill River Watershed Technician, were present to answer questions from the Commissioners.

There was no one from the public present at the hearing to address the project.

Henry Schwaller IV moved, Troy Hickman seconded, that the public meeting and hearing be closed.

Vote: Ayes: Ron Mellick

Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller

**7. SKYLINE DRAW STORMWATER IMPROVEMENT – NPS PROJECT**

**MANAGEMENT PLAN ADOPTION:** Barbara Wasinger moved, Christopher Channell seconded, that the NPS Project Management Plan regarding the Skyline Draw Stormwater Improvement Project be adopted.

Vote: Ayes: Ron Mellick

Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller

**8. ABATEMENT OF DANGEROUS STRUCTURE AT 700 EAST 6<sup>TH</sup> STREET,**

**LOT #1:** Director of Public Works Brenda Herrman reported that attempts have been made to prepare the trailer that is located on Lot #1 to be moved; however, she requested approval of the resolution so that if the trailer is not moved within the 10 day period, the City has the authority to demolish the structure.

Henry Schwaller IV moved, Barbara Wasinger seconded, that Resolution No. 2009-024, being a resolution authorizing the City of Hays or its designated

agent to abate the dangerous structure (single-family mobile home) located on the property at 700 East 6<sup>th</sup> Street, Lot #1, Hays, Kansas, be approved.

Vote: Ayes: Ron Mellick

Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller

**9. ABATEMENT OF DANGEROUS STRUCTURE AT 203 WEST 5<sup>TH</sup> STREET:**

The property has been abated; no action was required by the Commission.

**10. REZONING OF PROPERTY AT 610 PARK STREET AND 507 WEST 6<sup>TH</sup>**

**STREET:** Fort Hays State University, owner of the property, has made a request to change the zoning of property located at 610 Park St. and 507 West 6<sup>th</sup> St. from “R-4” (Multi-Family Dwelling District) to “U” (University District). If the rezoning is approved, FHSU plans to construct a parking lot on the property.

Christopher Channell moved, Troy Hickman seconded, that Ordinance No. 3775, being an ordinance rezoning Block Five (5), Lots One (1) Two (2) and Three (3) of the C. W. Reeder Addition to the City of Hays, Ellis County Kansas, from “R-4” Multi-Family Dwelling District to “U” University District, be approved.

Vote: Ayes: Ron Mellick

Christopher Channell

Barbara Wasinger

Troy Hickman

Henry Schwaller IV

**11. GENERAL OBLIGATION INTERNAL IMPROVEMENT BOND ISSUANCE**

**2009-A:** General Obligation Internal Improvement Bonds, Series 2009-A, in the amount of \$915,000, are bonds to reimburse the City for costs of improvements associated with two special assessment districts, Golden Belt Estates 2<sup>nd</sup> Addition and North Hays Addition, and for improvements to the Lincoln Draw Tunnel.

Henry Schwaller IV moved, Barbara Wasinger seconded, that Resolution No. 2009-025, being a resolution authorizing the offering for sale of General

Obligation Internal Improvement Bonds, Series 2009-A, of the City of Hays, Kansas, be approved.

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

**12. 2010 BUDGET PRESENTATION, PUBLIC HEARING AND APPROVAL OF**

**BUDGET:** City Manager Toby Dougherty presented the 2010 Budget to the Commissioners for their approval. He gave an overview of the budget process and reviewed the proposed 2010 Budget; the mill levy for the 2010 Budget is 25.039.

The City Manager stated he is proud of City staff for prioritizing the issues needed for a sustainable budget and is proud of this Commission and past Commissions for putting policies in place to implement sound fiscal practices. He noted that there is 3% decrease in the mill levy overall and general fund operating expenditures are decreasing 3% compared to the 2009 Budget.

Chairperson Mellick opened the 2010 Budget public hearing.

Vernon Befort, 1404 West 44<sup>th</sup> Street, questioned the health insurance benefit for City employees. He felt employees should have higher co-pay in order to keep premiums lower.

The City Manager stated this has been discussed and will be addressed at such time as the union contracts are up for renegotiation. He also noted that many employees could make more money working in the private sector, but have chosen government service in order to get a better benefit. A recent wage and compensation study indicated that City employees, when compared to the private sector, were almost across the board, lower in salaries, but higher in benefits.

Lee Staab, 417 East 19<sup>th</sup> Street, expressed concern about replacing the sidewalk in front of his house. He feels the City is responsible for some of the repairs because there will be increased foot traffic once the new Immaculate Heart of Mary Church is completed.

Commissioner Schwaller stated there is money in the budget that pays for a portion of the sidewalk replacement if the City notifies you that work needs to be done.

City Manager Dougherty stated that \$50,000 is budgeted each year for sidewalk replacement to pay for materials only. He requested to visit with Mr. Staab to discuss the matter at a later date.

Mike Michaelis, executive director of the Ellis County Coalition for Economic Development, made an appeal to the Commissioners to fund at least a portion of the "Hays Has Jobs" program in 2010. The funding was eliminated during the budget process.

Commissioner Hickman stated the mill levy cannot be changed at this point in time; however, funding could come from some other line item.

Henry Schwaller IV moved, Troy Hickman seconded, that the public hearing be closed.

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

Barbara Wasinger moved, Henry Schwaller IV seconded, that the 2010 Budget be approved.

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

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

**14. COMMISSION INQUIRIES AND COMMENTS:** Commissioner Schwaller requested that signage and solid waste pick-up be discussed at a future work session.

Chairperson Mellick requested that the Commissioners review the sample evaluation forms that have been given to them regarding the City Manager's evaluation and email any comments to the City Manager's executive assistant. The Commissioners, as a group, will then discuss the form at a future work session.

The meeting was adjourned.

Submitted by: \_\_\_\_\_

City Clerk