

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON AUGUST 23, 2012

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, August 23, 2012 at 6:30 p.m.

Roll Call: Present: Kent Steward
Henry Schwaller IV
Ron Mellick
Absent: Troy Hickman
Barbara Wasinger

Vice-chairperson Steward 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 August 9, 2012; the minutes stand approved as presented.

3. FINANCIAL STATEMENT: Finance Director Kim Rupp reported that month-to-date sales tax collections for the Sports Complex were \$253,580, which was an increase of \$20,480 when compared to last year. Total year-to-date sales tax collections are \$1,724,270 and inception-to-date collections total \$8,665,353. General Fund month-to-date collections were \$621,448, up \$51,027 or 8.95% compared to last year. Year-to-date General Fund sales tax collections are up \$248,583 or 6.25%. The six month running average on sales tax collections is 5.25%.

The Finance/City Clerk's Office invested \$1,000,000 of new or renewing certificates with a weighted average interest rate of .19%. The portfolio of certificates of deposit on July 31, 2012 totaled \$48,750,000, with a weighted average interest rate of .25%. The total balance of the Money Market account on July 31, 2012 was \$1,000,000 with a current yield of .20%. Total investments are up \$8,350,000 when compared to this time last year.

Henry Schwaller IV moved, Ron Mellick seconded, that the Financial Statement for the month of July 2012 be approved.

Vote: Ayes: Kent Steward

Henry Schwaller IV

Ron Mellick

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: There were no items for consideration or approval.

NEW BUSINESS

6. JOB BOUNTY APPLICATION FOR ENERGY PIONEER SOLUTIONS:

Energy Pioneer Solutions (EPS) provides energy assessments and upgrades for residential, commercial, industrial and government. EPS has submitted a job bounty application for job incentives for 12 full-time employees costing \$15,500. Their request meets requirements outlined within Section 10 of the City Commission Economic Development Policy. If approved, staff will release payment of 20% (\$3,100) over 5 years, approximately one year after audited payroll proves they have met their obligation.

Henry Schwaller IV moved, Ron Mellick seconded, that the Job Bounty Application from Energy Pioneer Solutions be approved.

Vote: Ayes: Kent Steward

Henry Schwaller IV

Ron Mellick

7. HAYS COMPREHENSIVE PLAN:

At the August 2, 2012 work session, RDG presented the Comprehensive Plan to the City Commission. This was the result of an 18 month process with guidance from the Steering Committee and Planning Commission, citizen input and numerous public meetings. Throughout the process, RDG studied the community's current/future economics, development, infrastructure, demographics, land use, housing, transportation, environmental resources and green spaces. The document meets all statute requirements, and necessary processes have been met.

City Manager Toby Dougherty reviewed the essential elements of the Comprehensive Plan. Once approved, the Comprehensive Plan will be reviewed annually by staff and the Planning Commission to stay consistent with changes in the community.

Jean Ross, Harry Watts, and Errol Wuertz, members of the Steering Committee, commented on the Comprehensive Plan and the privilege and opportunity to serve on this committee.

Vice-chairperson Steward presented the members of the Steering Committee with plaques to honor them for their service.

Ron Mellick moved, Henry Schwaller IV seconded that Ordinance No. 3850, being an ordinance concerning the approval of the Comprehensive Plan for the City of Hays and its extraterritorial jurisdiction in Ellis County, Kansas, be approved.

Vote: Ayes: Kent Steward
Henry Schwaller IV
Ron Mellick

8. 2011 AUDIT: As required by Kansas statute, the City of Hays hires an outside firm to conduct an annual audit of City finances. The audit represents an unbiased opinion of business practices and the financial soundness of all City funds.

Ken Beran and Melissa Romme of Adams, Brown, Beran and Ball presented the 2011 Audit Report.

Henry Schwaller IV moved, Ron Mellick seconded, that the 2011 Audit for the City of Hays as presented by Adams, Brown, Beran and Ball, be accepted.

Vote: Ayes: Kent Steward
Henry Schwaller IV
Ron Mellick

9. HAYS REGIONAL AIRPORT CATCHMENT STUDY: I. D. Creech, Director of Public Works, reported on the recently completed Hays Regional Airport Catchment Study performed by Sixel Company. A catchment study is designed

by geographical region and the population within that region and who uses the airport services within that region for commercial services.

10. FIREWORKS ORDINANCE MODIFICATION: Every year the sale and use of fireworks is a contentious issue for the residents of Hays for a myriad of reasons. Discussion was held about amending the fireworks ordinance to reflect the following:

- Sale of fireworks between June 27 –July 5
- Discharge of fireworks limited to July 2,3, & 4
- Discharge of hours between 10 a.m. and 11 p.m.
- Signage required by fireworks vendor at entrance to sales area
- Commission determination allowing the sale and discharge of fireworks at the 2nd regular meeting in May
- Option to rescind Commission approval if conditions change

For discussion only, Henry Schwaller IV moved, Ron Mellick seconded, that Ordinance No. 3851 be approved to allow the discharge of fireworks July 2-4 and the sale of fireworks June 27 – July 5 with determination made the final meeting in May.

Commissioner Mellick stated he is concerned about the sale of fireworks; he favors selling July 2, 3, & 4 only.

Henry Schwaller IV amended his motion to allow the sale and use of fireworks July 2, 3, & 4. Ron Mellick seconded the amended motion.

Vote: Ayes: Kent Steward

Henry Schwaller IV

Ron Mellick

Jacob Merridy, Wholesale Fireworks, requested that the days of sale be determined when July 1st falls on a weekend to allow an extra day of sales during those years.

Vice-chairman Steward stated he is in favor of keeping the dates July 2, 3, & 4. It will be easier for everyone if the date is not changed, but stays consistent year to year.

Vice-chairman Steward called for the vote on the fireworks ordinance as amended.

Vote: Ayes: Kent Steward
Henry Schwaller IV
Ron Mellick

11. PROGRESS REPORT: The Progress Report will be given at the next meeting.

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

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

The meeting adjourned at 7:52 p.m.

Submitted by: _____

Doris Wing – City Clerk