

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON SEPTEMBER 10, 2009

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, September 10, 2009 at 6:30 p.m.

Roll Call: Present: Ron Mellick
Christopher Channell
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 August 27, 2009; the minutes stand approve as presented.

3. CITIZEN COMMENTS: There were no comments.

4. CONSENT AGENDA: Henry Schwaller IV moved, Troy Hickman seconded, that the appointment of Phyllis Kellerman to the Sister Cities Advisory Board for an unexpired term to expire January 1, 2012, be approved.

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

Chairperson Mellick presented the following proposed mayoral appointments to the Hays Beautification Committee:

Mary Hart-Detrixhe – unexpired term to expire August 1, 2010

Joni Phelps – unexpired term to expire August 1, 2010

The proposed appointments will be presented for approval at the September 24, 2009 Commission meeting.

NEW BUSINESS

5. PRESENTATION OF GENERAL OBLIGATION BONDS, SERIES 2009-A,

SALE RESULTS: Dave Arteberry with George K. Baum, the City's financial advisor, presented the results of the bond sale for General Obligation Internal Improvement Bonds, Series 2009-A. These bonds will be used to reimburse the City for improvements made in the Golden Belt Estates 2nd Addition and the North Hays Addition, as well as upgrades to the Lincoln Draw Tunnel.

Mr. Arteberry stated the principal amount of the issue was \$900,000. Three bids were received; the winning bid was received from Commerce Bank at a true interest cost of 3.547040%.

6. GENERAL OBLIGATION BONDS, SERIES 2009-A ORDINANCE: Henry Schwaller IV moved, Troy Hickman seconded, that Ordinance No. 3776, being an ordinance authorizing and providing for the issuance of \$900,000 principal amount of General Obligation Internal Improvement Bonds, Series 2009-A, of the City of Hays, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connections therewith; and making certain covenants with respect thereto, be approved.

Vote: Ayes: Ron Mellick

Christopher Channell

Troy Hickman

Henry Schwaller IV

7. GENERAL OBLIGATION BONDS, SERIES 2009-A – RESOLUTION:

Troy Hickman moved, Henry Schwaller IV seconded, that Resolution No. 2009-028, being a resolution prescribing the form and details of and authorizing and directing the sale and delivery of \$900,000 principal amount of General Obligation Internal Improvement Bonds, Series 2009-A, of the City of Hays, Kansas, previously authorized by Ordinance No. 3776 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: Ron Mellick
Christopher Channell
Troy Hickman
Henry Schwaller IV

8. LARKS PARK RESTROOMS: Henry Schwaller IV moved, Troy Hickman seconded, that the proposal received from Paul-Wertenberger, in the amount of \$75,000, for restroom upgrades at Larks Park, be approved.

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

An amount of \$100,000 was budgeted in the 2009 Budget for the restroom upgrades at Larks Park. Parks Director Jeff Boyle suggested that the remaining \$25,000 be used to sandblast and seal the walls in the locker rooms, replace the carpeting, and replace the doors on the front of the building.

9. 2009 UNIFORM PUBLIC OFFENSE CODE: The League of Kansas Municipalities publishes a revised Uniform Public Offense Code (UPOC) on a yearly basis. The majority of the UPOC remains the same year to year, with only a few changes made.

Ron Mellick moved, Christopher Channell seconded, that Ordinance No. 3777, being an ordinance regulating public offenses within the corporate limits of the City of Hays, Kansas, incorporating by reference "The Uniform Public Offense Code for Kansas Cities," Edition of 2009, and repealing Ordinance No. 3752 of the Code of Ordinances of the City of Hays, Kansas, as passed on August 28, 2008, and as published on September 3, 2008, be approved.

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

10. 2009 STANDARD TRAFFIC ORDINANCE: The League of Kansas Municipalities publishes a revised Standard Traffic Ordinance (STO) on a yearly basis. The majority of the STO remains the same from year to year, with only a few changes made.

Ron Mellick moved, Christopher Channell seconded, that Ordinance No. 3778, being an ordinance regulating traffic within the corporate limits of the City of Hays, Kansas, incorporating by reference "The Standard Traffic Ordinance for Kansas Cities," Edition of 2009, providing certain penalties and repealing Ordinance No. 3751 of the Code of Ordinances of the City of Hays, Kansas, as passed on August 28, 2008, and as published on September 3, 2008, be approved.

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

11. RESOLUTION FOR ABATEMENT OF INOPERABLE VEHICLE AT 215 WEST 6TH STREET: Planning, Inspection, and Enforcement staff requested a resolution be approved to abate an inoperable vehicle. The property owner resides in Puerto Rico and has not responded to any correspondence sent by the City. The property located at 215 West 6th Street is in violation of City Ordinance Chapter 26 Article II.

Henry Schwaller IV moved, Troy Hickman seconded, that Resolution No. 2009-029, being a resolution authorizing the City of Hays or its designated agent to abate a nuisance located on the property at 215 West 6th Street, Hays, Kansas, be approved.

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

12. GOLDEN BELT ESTATES 4TH ADDITION FINAL PLAT: The owners of a tract of land located in the vicinity of 45th and Hall Street are wishing to plat the

property. The property is adjacent to previously platted property and is a continuation of a large residential development.

Ron Mellick moved, Henry Schwaller IV seconded, that Resolution No. 2009-030, being a resolution accepting the final plat of the Golden Belt Estates 4th Addition, be approved.

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

13. GOLDEN BELT ESTATES 4TH ADDITION CHANGE OF ZONING

CLASSIFICATION: Henry Schwaller IV moved, Christopher Channell seconded, that Ordinance No. 3779, being an ordinance rezoning Block One (1), Lots One (1) through Five (5) and Block Two (2), Lots One (1) through Sixteen (16) of Golden Belt Estates Fourth Addition, Ellis County, Kansas, from “A-L” Agriculture District to “R-2” Single-Family Dwelling District, be approved.

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

14. PRE-ANNEXATION AGREEMENT FOR A TRACT OF PROPERTY

ALONG EAST 7TH STREET: Roger and Janet Batman, owners of property located on East 7th Street between Canterbury Drive and Commerce Parkway, have requested a pre-annexation agreement that allows for the property to be connected to the City sanitary sewer system.

Henry Schwaller IV moved, Christopher Channell seconded, that a Pre-Annexation Agreement for public sanitary sewer use for a tract of property along East 7th Street between Canterbury Drive and Commerce Parkway, be approved.

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

15. COMMISSION INQUIRIES AND COMMENTS: Commissioner Schwaller requested City staff explore the possibility of purchasing American flags that could be displayed on the banner posts along Vine Street from Memorial Day to Labor Day.

The meeting was adjourned.

Submitted by: _____

City Clerk