

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON SEPTEMBER 22, 2011

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, September 22, 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 September 8, 2011; 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 \$227,732, which was a decrease of \$4,220 when compared to last year. Year-to-date collections are \$2,038,953 and year-to-date expenditures are \$270,246. Inception-to-date collections total \$6,189,513 and inception-to-date expenditures total \$7,398,170. General Fund sales tax collections were \$555,561, down \$12,428 compared to last year. Year-to-date collections are up 9.91% or \$408,992 from a year ago. Total year-to-date General Fund sales tax collections are \$4,535,163. The six month running average is up 6.93%.

The Finance/City Clerk's Office invested \$1,400,000 of maturing or renewing certificates with a weighted average interest rate of .22%. The portfolio of certificates of deposit on August 31, 2011 totaled \$38,400,000 with a weighted average interest rate of .36%. The total balance of the Money Market account on

August 31, 2011 was \$750,000 with a current yield of .20%. Total investments equal what they were a year ago.

Ron Mellick moved, Troy Hickman seconded, that the Financial Statement for the month of August 2011 be approved.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Kent Steward

Ron Mellick

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: **A. Business Resolution:** Ron Mellick moved, Kent Steward seconded, that Resolution No. AR – 04, being a resolution expressing appreciation to Thomas Coker, Jr. for establishing a new business (All Seasons Plumbing, Heating, & A.C., LLC) in the City of Hays, be approved.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Kent Steward

Ron Mellick

B. Mayoral Committee Appointment: Ron Mellick moved, Kent Steward seconded, that Roger Mettlen be appointed to a four-year term to the Building Trades Board, the term expiring August 27, 2015.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Kent Steward

Ron Mellick

NEW BUSINESS

6. 2012 FIREWORKS ORDINANCE: Based on the City Commission's directive from the August 4th and September 15th work sessions, an ordinance has been developed which addresses the dates of sale and discharge of fireworks, as well as granting the Mayor additional powers to suspend or modify the sale and use

of fireworks. Language has been added to the proposed ordinance requiring visible signage be placed at the entrance of fireworks stands explaining the regulation of fireworks and possible fines and jail time to anyone found to be in violation of the ordinance.

Discussion was held about the dates of fireworks sale and discharge. State law allows fireworks to be sold June 27th through July 5th.

Kent Steward stated he would like to see only two days of selling fireworks and two days of discharging fireworks.

Troy Hickman moved, Barbara Wasinger seconded, that Ordinance No. 3842, being an ordinance amending Chapter 32 of the City of Hays, Kansas, Municipal Code, by modifying Article II., Division 3, Section 32-76, regarding fireworks sales, be approved, said ordinance allowing the sale of fireworks between June 27th and July 5th and the consumer use of fireworks shall be limited to July 2, 3, and 4 of each year between the hours of 10:00 a.m. and 11:00 p.m. on each of those days.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Ron Mellick

No: Kent Steward

7. 46th STREET 2ND ADDITION ANNEXATION: Kent Steward moved, Troy Hickman seconded, that Ordinance No. 3843, being an ordinance annexing land to the city of Hays, Kansas be approved.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Kent Steward

Ron Mellick

8. 46th STREET 2ND ADDITION FINAL PLAT: Ron Mellick moved, Kent Steward seconded, that Resolution No. 2011-015, being a resolution approving the final plat of the 46th Street 2nd Addition, be approved.

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

9. 46TH STREET 2ND ADDITION REZONING: Troy Hickman moved, Kent Steward seconded, that Ordinance No. 3844, being an ordinance rezoning a tract of land situated on a part of the east half of Section Twenty, Township Thirteen South, Range Eighteen West of the 6th P.M. in Ellis County, Kansas, from “A-L” Agriculture District to “R-3N” Two-Family Neighborhood District, be approved.

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

The area identified in the plat as a park is to remain Agricultural District.

10. PRE-ANNEXATION AGREEMENT FOR PUBLIC WATER SERVICE FOR 2520 CANTERBURY DR.: Due to a failing water well, Donald and Lavon McGinnis, owners of 2520 Canterbury Dr., have requested a water connection for a single-family dwelling at that address. This property is located outside of the city limits.

Ron Mellick moved, Troy Hickman seconded, that a Pre-Annexation Agreement and Provision of Water Service, which would allow the owner of 2520 Canterbury Dr. to connect one-single family dwelling to City water, be approved.

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

11. REPORT OF THE CITY MANAGER: Assistant City Manager Paul Briseno presented a monthly report of various City related activities and projects.

Commissioner Steward requested the Police Chief present a report on the DARE program and how effective it is in our community.

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

13. EXECUTIVE SESSION: Ron Mellick moved, Barbara Wasinger seconded, that the Governing Body recess to executive session 7:00 p.m. for 15 minutes to discuss possible property acquisition. The executive session included the Commissioners, the City Manager, the Assistant City Manager, the City Attorney, and the Utilities Director. K.S.A. 75-4319 authorizes the use of executive session to discuss property acquisition.

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

Chairperson Wasinger called the meeting back to order at 7:15 p.m. She stated no action was taken during executive session.

The meeting was adjourned.

Submitted by: _____

City Clerk