

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON OCTOBER 27, 2011

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, October 27, 2011 at 6:30 p.m.

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

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 October 13, 2011; the minutes stand approved as presented.

Agenda Item No. 5 followed the approval of the minutes.

5. HAYS EMPLOYEE SERVICE RECOGNITION: Chairperson Wasinger presented service awards to the following employees for their length of service to the Hays community:

5-Year Awards

Clayton Hill	Dave Younger	Kerry Tiernan
Grady Clapp	Stan Moore	Michael Cure

10-Year Awards

Brandon Wright	Dawn McCormick	Tom Roy
Kirk Klein	JoAnn Schroller	Chris Rhoades
Mark Pfeifer	Darin Myers	Justin Kilian
Mike Bachar	Chad Ruder	

15-Year Awards

Curtis Weber Tim Hickert Mitch Berens

20-Year Awards

Mark Windholz Stephan Barnes Doug Randa

25-Year Awards

Donnie Stejskal Dan Roberts

30-Year Award

Mark Darnall

45-Year Award

Doris Wing

3. FINANCIAL STATEMENT: Finance Director Kim Rupp reported that month-to-date sales tax collections for the Sport Complex were \$235,309, which was an increase of \$13,359 when compared to last year. Year-to-date collections are \$2,329,262 and inception-to-date collections total \$6,479,822. Month-to-date General Fund sales tax collections were \$573,336, up \$29,829 compared to last year. The year-to-date collections are up 9.40% or \$438,820 from a year ago. Total year-to-date collections for the General Fund are \$5,108,499. The six month running average on sales tax collections has increased to 7.14%

The Finance/City Clerks Office invested \$8,000,000 of maturing or renewing certificates with a weighted average interest rate of .265%. The portfolio of certificates of deposit on September 30, 2011 totaled \$41,400,000 with a weighted average interest rate of .3314%. The total balance of the Money Market account on September 30, 2011 was \$500,000 with a current yield of .20%. Total investments are up \$3,250,000 when compared to this time last year.

Ron Mellick moved, Kent Steward seconded, that the Financial Statement for the month of September 2011 be approved.

Vote: Ayes: Barbara Wasinger
Troy Hickman
Kent Steward
Henry Schwaller IV
Ron Mellick

4. CITIZEN COMMENTS: There were no comments.

6. CONSENT AGENDA: A. Chairperson Wasinger presented her proposed mayoral appointment of Sue Rouse to a 2-year term on the Northwest Community Corrections Board. The proposed appointment will be presented for approval at the November 10, 2011 City Commission meeting.

B. Troy Hickman moved, Ron Mellick seconded, that the following mayoral appointments be approved:

Building Trades Board

Dale Befort – 4-year term to expire August 27, 2015

Jerry Sonntag – 4-year term to expire August 27, 2015

NEW BUSINESS

7. HAYS ARTS COUNCIL FINANCIAL REQUEST: Due to state funding being cut for the arts in Kansas, the Hays Arts Council (HAC) had requested a one-time allocation of \$35,000 to shore up a three-year projected grant loss of approximately \$51,000. HAC has been working diligently to find new sources of funding and in the past few days has been notified of a successful grant application which will help maintain valuable youth programs through the end of this fiscal year. Therefore, HAC requested their request for financial assistance be removed from the agenda.

8. 2012 JOB CLASSIFICATION AND PAY PLAN: Pay ranges for 2012 will remain at the same level as 2011. All employees will receive a 2% cost of living adjustment at the beginning of the year. A 2% merit increase will be given to the employees who get a satisfactory or above on their annual evaluation. This increase is planned for in the 2012 Budget.

Kent Steward moved, Troy Hickman seconded, that Resolution No. 2011-016, being a resolution amending the pay plan and job classification schedule for City employees, created pursuant to Section 2.252.040 of the Hays Code and repealing all previous resolutions, motions or actions in conflict therewith, be approved.

Vote: Ayes: Barbara Wasinger
Troy Hickman
Kent Steward
Henry Schwaller IV
Ron Mellick

9. VEHICLE ABATEMENT AT 600 EAST 8TH STREET: There are three inoperable vehicles located on the property at 600 East 8th Street that do not have current and legal tags and are in violation of City Ordinance.

Henry Schwaller IV moved, Ron Mellick seconded, that Resolution No. 2011-017, being a resolution authorizing the City of Hays or its designated agent to abate nuisance located on the property at 600 East 8th Street, Hays, Kansas, be approved.

Vote: Ayes: Barbara Wasinger
Troy Hickman
Kent Steward
Henry Schwaller IV
Ron Mellick

10. STORMWATER UTILITY IMPERVIOUS AREA ADJUSTMENTS AND CREDIT POLICY: Nick Willis, Stormwater Superintendent, presented a policy for stormwater utility impervious area adjustments and credits for discussion and formal adoption.

Adjustments and credits are generally based upon reduction in expenditures by the City to operate its stormwater system. During the stormwater utility development, the Stormwater Advisory Committee recommended a credit policy be adopted. Non-residential properties seeking stormwater credits and adjustments to impervious areas must make a formal

application containing information demonstrating cost reductions to the City's stormwater utility.

Barbara Wasinger moved, Ron Mellick seconded, that the policy allowing for adjustments to impervious areas and credits for certain practices on non-residential properties subject to stormwater billing be approved.

Commissioner Schwaller stated he liked the system of credits; it is important to encourage non-residential owners to reduce run-off as much as possible, however; he feels a cap should be placed on the amount of credits allowed, so that the burden of paying for stormwater improvements is not shifted to others.

Commissioner Steward felt the policy is very complicated and it will be hard for a business owner to understand and attempt to comply with it without seeking professional guidance.

City Manager Toby Dougherty replied the Stormwater Advisory Committee recommended that a credit policy not be administratively burdensome. In order to determine a credit, there has to be some sound technical methodology, which is why the policy is complicated.

I. D. Creech, Public Works Director, stated the proposed policy meets the recommended engineering standard. Even though the policy is complicated, he feels that Nick Willis, Stormwater Superintendent, will be able to communicate with non-residential property owners who choose to take advantage of the policy.

Commissioner Steward stated that he will not vote for approval of the policy at this time. He feels the Commission should take a little more time to study the policy.

City Attorney John Bird stated this policy is designed to appeal to people who want to save money. He agrees that the policy is complicated; however he feels the policy is very complete. Having an economic incentive to reduce run-off will encourage property owners to make the necessary improvements which will enable them to apply for credits or adjustments. With the examples shown in the policy, people will not be subject to the whims of bureaucracy.

Mr. Creech stated that it will be the bigger businesses with large impervious surfaces that will be able to take advantage of the policy. For a smaller business owner with a very small impervious surface area, their savings would be insignificant compared to what it would cost to implement improvements to reduce their stormwater fees.

Barbara Wasinger amended her motion to include a 35% cap on credits and adjustments. Ron Mellick seconded the amended motion.

Commission Mellick agreed that the policy is complicated, but he feels there is no gray area in it; everyone will be treated the same.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Henry Schwaller IV

Ron Mellick

No: Kent Steward

Commissioner Steward commented that he cannot vote to approve a policy that he cannot understand.

11. REPORT OF THE CITY MANAGER: The City Manager stated this is his favorite meeting of the year because this is the meeting where City employees are recognized for their tenure. The City has a very qualified and dedicated work force and he is proud of every one of them. He thanked them for making his job easier.

12. COMMISSION INQUIRIES AND COMMENTS: Commissioner Schwaller requested the Commission discuss the new cell tower which is being built in the 2700 block of Vine Street at a future work session.

The meeting was adjourned at 7:25 p.m.

Submitted by: _____

City Clerk