

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

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Tuesday, November 22, 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 corrections or additions to the minutes of the regular session held on November 10, 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 \$263,836, which is an increase of \$22,743 when compared to last year. Total year-to-date collections are \$2,349,478 and inception-to-date collections total \$6,450,039. Month-to-date General Fund sales tax collections were \$648,649, up \$56,586 when compared to last year. The year-to-date continues up 9.42% or \$495,406 from a year ago. Total year-to-date collections for the General Fund are \$5,757,148. The six month running average on sales tax collections has increased 7.18%.

The Finance/City Clerk's Office invested \$5,200,000 of maturing or renewing certificates with a weighted average interest rate of .29%. The portfolio of certificates of deposits on October 31, 2011 totaled \$41,950,000 with a weighted average interest rate of .3253%. The total balance of the Money Market account on October 31, 2011 was \$950,000 with a current yield of .20%. Total investments are up \$4,250,000 when compared to this time last year.

Ron Mellick moved, Henry Schwaller IV seconded, that the Financial Statement for the month of October 2011 be approved.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Kent Steward

Henry Schwaller IV

Ron Mellick

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: An appointment to the Hays Housing Authority Board was removed from the agenda by the chairperson.

NEW BUSINESS

6. RECONSIDERATION OF RAYES, INC. – WHEELCHAIRS OF KANSAS

PROPERTY TAX ABATEMENT REQUEST: Rayes, Inc. dba Wheelchairs of Kansas received Commission approval for tax abatements in 2010. While submitting preliminary information to the state, it was discovered their application did not meet necessary state requirements. Specifically, they needed to note one piece of personal property owned by Rayes, Inc. within the Commission approved documents. Rayes leases the property from a majority of the company's owners. This lease relationship requires the addition of the one piece of personal property to obtain the real property tax abatement. If approved, the Commission would not be giving any further incentive than was previously given. Without including the one piece of personal property, the Court of Tax Appeals will not approve abatement of the real property.

Barbara Wasinger moved, Ron Mellick seconded, that a public hearing be scheduled for December 8, 2011 to hear comments related to Rayes, Inc. dba Wheelchairs of Kansas renewed request for tax abatement.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Kent Steward

Henry Schwaller IV

Ron Mellick

7. RESOLUTION AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN PROPERTY BY THE CITY OF HAYS, KANSAS TO C.T.

RESIDENCES, L.C.: In July 1999, the City issued a series of Industrial Revenue Bonds (IRB) to finance construction of the Centennial Towers apartment project within the City. In conjunction with the issuance of the bonds, the City granted C.T. Residences, L.C., the owner of the apartments, a ten-year ad valorem property tax abatement on all bond-financed property. The tax abatement period has expired and C.T. Residences, L.C. is refinancing the property with a conventional loan. The City Commission is being asked to approve the retirement of the bonds and conveyance of the bond-financed property to C.T. Residences, L.C.

Commissioner Schwaller recused himself and left the Commission chambers during the vote and discussion.

Kent Steward moved, Troy Hickman seconded, that Resolution No. 2011-018, being a resolution authorizing the sale and conveyance of certain property by the City of Hays, Kansas to C.T. Residences, L.C., be approved.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Kent Steward

Ron Mellick

Not Voting: Henry Schwaller IV

Commissioner Schwaller returned to the Commission chambers.

8. INSTALLATION OF NEW PARK STORAGE/MAINTENANCE FACILITY AT THE PARKS DEPARTMENT:

A park storage/maintenance structure has been budgeted in several previous Special Park and Recreation budgets, but was never constructed for various reasons. City staff worked with the State of

Kansas and obtained an additional fifty (50) years on the current lease, extending the lease until 2078. The current Parks Department shop area was built in 1979. Since that time, the department has added numerous areas of responsibility including ball field maintenance, cemeteries, Hays Aquatic Park, Vine Street medians and numerous right-of-ways, ditches and park areas. This project is in the 2012 Capital Improvement Plan, however, the funds within the Special Parks and Recreation budget may be spent at any time with City Commission approval. If approved, this project will not start until January 2012.

Barbara Wasinger moved, Henry Schwaller IV seconded, that the low bid received from Deines Construction, in the amount of \$136,218, for the construction of a storage/maintenance facility at the Parks Department, be approved.

Vote: Ayes: Barbara Wasinger

Troy Hickman

Kent Steward

Henry Schwaller IV

Ron Mellick

9. GOLDEN BELT ESTATES 4TH ADDITION RESOLUTION TO ESTABLISH BENEFIT DISTRICT:

Western Plains Service Corporation has petitioned the City for street, storm sewer, water and sanitary sewer improvements to an area containing 21 lots adjacent to 45th and Hall within the Golden Belt Estates 4th Addition.

Henry Schwaller IV moved, Ron Mellick seconded, that Resolution No. 2011-019, being a resolution determining the advisability of the making of certain internal improvements in the City of Hays, Kansas, making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (water, sanitary sewer, storm sewer, and street improvements/Golden Belt Estates 4th Addition), be approved.

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

10. PURCHASE OF COMPOST SCREENER: Kent Steward moved, Troy Hickman seconded, that the purchase of a 2006 Wildcat M&I Screener, at a cost of \$62,500, to be used at the Compost Site, be approved.

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

11. PURCHASE OF PROPERTY AT 213 WEST 17TH STREET:

Representatives of the James Borthwick estate contacted the City regarding the purchase of 213 West 17th Street. This property is located in the floodplain and Lincoln Tunnel runs under the north side of the property. These characteristics allow for potential stormwater mitigation. Staff recommended the purchase of this property for approximately \$10,000. Funds for this purchase will come out of the Stormwater Fund.

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

12. REPORT OF THE CITY MANAGER: City Manager Toby Dougherty reported that Great Lakes Airlines is planning schedule changes at the Hays Regional Airport effective December 6, 2011. I.D. Creech, Public Works Director contacted them about the changes. Great Lakes has agreed to reinstate, beginning December 17, 2011, the three flights that were eliminated.

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

The meeting was adjourned at 7:10 p.m.

Submitted by: _____

City Clerk