

MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF HAYS, KANSAS  
HELD ON DECEMBER 27, 2012

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, December 27, 2012 at 6:30 p.m.

Roll Call: Present: Troy Hickman

Ron Mellick

Barbara Wasinger

Absent: Kent Steward

Henry Schwaller IV

Chairperson Hickman 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 December 13, 2012; the minutes stand approved as presented.

**3. FINANCIAL STATEMENT:** City Manager Toby Dougherty reported month-to-date sales tax collections for the Sports Complex were \$259,761, an increase of \$22,929 when compared to last year. Total year-to-date collections are \$2,757,124 and inception-to-date collections total \$9,698,208. Month-to-date General Fund sales tax collections were \$638,490, up \$58,455 or 10.08% when compared to last year. Year-to-date General Fund sales tax collections are up \$421,146 or 6.65%. The six month running average on sales tax collections is 6.65%.

The Finance/City Clerk's Office invested \$1,000,000 of new or renewing certificates with a weighted average interest rate of .20%. The portfolio of certificates of deposit on November 30, 2012 totaled \$47,450,000 with a weighed average interest rate of .23%. The total balance of the Money Market account on November 30, 2012 was \$1,000,000 with a current yield of .20%. Total investments are up \$5,250,000 when compared to this time last year.

Ron Mellick moved, Barbara Wasinger seconded, that the Financial Statement for the month of November 2012 be approved.

Vote: Ayes: Troy Hickman

Ron Mellick

Barbara Wasinger

**4. CITIZEN COMMENTS:** There were no comments.

**5. CONSENT AGENDA:** A. Barbara Wasinger moved, Ron Mellick seconded, that the following mayoral appointments be approved:

Hays Convention & Visitors Bureau Advisory Committee

Marjorie Dansel – three-year term to expire December 1, 2015

Robert Wilhelm – three-year term to expire December 1, 2015

Sister Cities Advisory Board

Ann Leiker – three-year term to expire January 1, 2016

Vote: Ayes: Troy Hickman

Ron Mellick

Barbara Wasinger

B. Chairperson Hickman presented the following proposed mayoral appointment for consideration, which will be presented for approval at the January 10, 2013 Commission meeting:

Hays Convention & Visitors Bureau Advisory Committee

Reese Barrick – three-year term to expire December 1, 2015

## **NEW BUSINESS**

### **6. 46<sup>TH</sup> STREET SECOND ADDITION – RESOLUTION TO ESTABLISH**

**BENEFIT DISTRICT:** Western Plains Service Corporation has petitioned the City for street, storm sewer, water and sanitary sewer line improvements to an area containing 28 lots within the 46<sup>th</sup> Street Second Addition. This is a continuation of an existing development that has been developing in phases over the last several years. The engineer's estimate for total construction costs are \$716,369.70.

Barbara Wasinger moved, Ron Mellick seconded, that Resolution No. 2012-015, 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/46<sup>th</sup> St. Second Addition), be approved.

Vote: Ayes: Troy Hickman

Ron Mellick

Barbara Wasinger

**7. 46<sup>th</sup> STREET SECOND ADDITION – ENGINEERING SERVICES**

**AGREEMENT:** Ruder Engineering and Surveying, LLC, has prepared a contract for engineering services to include engineering design, contractor solicitation, construction engineering, and warranty inspection for the 46<sup>th</sup> Street Second Addition. This contract is for a not-to-exceed amount of \$34,300.

Ron Mellick moved, Barbara Wasinger seconded, that the Engineering Services Agreement with Ruder Engineering & Surveying, LLC, for an amount not to exceed \$34,300 for the development of the 46<sup>th</sup> Street Second Addition, be approved.

Vote: Ayes: Troy Hickman

Ron Mellick

Barbara Wasinger

**8. 46<sup>th</sup> STREET SECOND ADDITION – CHANGE ORDER REQUEST:**

Improvements to the Golden Belt Estates Fourth Addition were completed late summer 2012 and the developer (Western Plains Service Corporation), contractor (APAC) and City now wish to add the improvements for the 46<sup>th</sup> Street Second Addition onto this project as a change order. Adding this project as a change order rather than going out for new bids is the chosen option due to cost savings to the developer since the original bids were very good, and there is a cost savings to the City since there is much less staff time and resources involved by not having to go through the contractor solicitation and award of bid process. The contractor has agreed to honor the bids from the Golden Belt

Estates Fourth Addition project. Total estimated cost of the change order is \$592,740.50 for construction of the improvements.

Barbara Wasinger moved, Ron Mellick seconded, that the City Manager be authorized to approve a change order in the estimated amount of \$592,740.50 for the construction of street, water, sanitary sewer, and storm sewer improvements within the 46<sup>th</sup> Street Second Addition.

Vote: Ayes: Troy Hickman

Ron Mellick

Barbara Wasinger

**9. 2013 STREET MAINTENANCE PROGRAM:** Public Works Director I. D. Creech and Assistant Public Works Director John Braun presented the proposed 2013 Street Maintenance Program.

The Special Highway Budget includes \$630,000 for maintenance and repair projects. Setting aside \$20,000 for the Sidewalk Rebate Program leaves \$610,000 available for street maintenance, which is less than the minimum amount required to maintain city streets in their current condition. The plan presented includes seal coat, chip seal, polypatch, diamond grinding, brick repair, as well as a considerable amount for in-house asphalt and concrete patching and crack sealing on various streets throughout the city.

Staff is in the process of preparing bids to replace a significant portion of an inadequate water line on Fort Street. The replacement of this line will require part of Fort Street to be replaced and staff feels a wise expenditure would be to come up with funds to replace the entire street between 20<sup>th</sup> and 27<sup>th</sup> Street. This section of Fort Street has been in need of replacement for many years. It was recommended that the use of City Commission Financial Policy Project funds, in the amount of \$250,000, be used for this added expense. Staff recommended that Special Highway funds be augmented with City Commission Financial Policy Project funds in the future for street maintenance.

Barbara Wasinger moved, Ron Mellick seconded, that the Street Maintenance Program for 2013 be accepted as presented and staff be authorized to solicit bids for the proposed work to be accomplished in the 2013

construction season; in addition, allocating \$250,000 from the 2013 City Commission Financial Policy Projects line item to rehabilitate Fort Street from 20<sup>th</sup> Street to 27<sup>th</sup> Street.

Vote: Ayes: Troy Hickman

Ron Mellick

Barbara Wasinger

**10. 2012 BOUNDARY RESOLUTION:** One piece of property located at 3112 East 13<sup>th</sup> Street was annexed into the city limits in 2012; therefore it is necessary to approve a resolution re-defining the entire boundary line of the city.

Ron Mellick moved, Barbara Wasinger seconded, that Resolution 2012-016, being a resolution re-defining the boundaries or corporate limits of the city of Hays, Kansas, as required by Section 12-517 of Kansas Statutes Annotated, be approved.

Vote: Ayes: Troy Hickman

Ron Mellick

Barbara Wasinger

**11. REPORT OF THE CITY MANAGER:** City Manager Toby Dougherty thanked Commissioner Wasinger for her years of service to the citizens of Hays. Ms. Wasinger resigned her City Commission seat effective January 1, 2013 so that she could assume her seat on the Ellis County Commission.

**12. RECOGNITION OF COMMISSIONER WASINGER:** Chairperson Hickman noted the many accomplishments that occurred during Commissioner Wasinger's tenure on the City Commission and presented her with a plaque.

Commissioner Wasinger thanked City employees and City Commissioners, past and present, for their help and assistance since she was first elected in 2005. She stated she has thoroughly enjoyed working with everyone and it has been an honor to serve as a City Commissioner.

**13. COMMISSION INQUIRIES AND COMMENTS:** Ron Mellick thanked Commissioner Wasinger for all she has accomplished during her tenure and wished her the best of luck on the Ellis County Commission. He also noted that

Commissioner Wasinger is one of the City of Hays' biggest cheer leaders; she is always promoting Hays wherever she goes.

The meeting adjourned at 7:08 p.m.

Submitted by: \_\_\_\_\_

Doris Wing – City Clerk