

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON FEBRUARY 27, 2014

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, February 27, 2014 at 6:30 p.m.

Roll Call: Present: Kent Steward
Henry Schwaller IV
Eber Phelps
Shaun Musil
Ron Mellick

Chairperson Steward 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 February 13, 2014; the minutes stand approved as presented.

3. FINANCIAL STATEMENT: Finance Director Kim Rupp reported that month-to-date general fund sales tax collections were at \$591,886 which is a decrease of \$38,583 as compared to last year. This puts the year-to-date general fund sales tax collections down -6.12%.

The Finance/City Clerk's Office invested \$5,800,000 of maturing or renewing certificates with a weighted average interest rate of .42%. The portfolio of certificates of deposit on January 31, 2014 totaled \$54,800,000 with a weighted average interest rate of .24%. The total balance of the Money Market account on January 31, 2014 was \$1,000,000 with a current yield of .20%. Total investments are up \$2,350,000 when compared to this time last year.

Ron Mellick moved, Henry Schwaller IV seconded, that the Financial Statement for the month of January 2014 be approved.

Vote: Ayes: Kent Steward
Henry Schwaller IV

Eber Phelps

Shaun Musil

Ron Mellick

4. CITIZEN COMMENTS: There were no comments

5. CONSENT AGENDA: Chairperson Steward presented the following mayoral appointment, which will be presented for approval at the March 13, 2014 City Commission meeting.

Ellis County Wellhead Protection Committee

Jean Gleichsner – Three-year term to expire May 1, 2017

NEW BUSINESS

6. 2014 STREET MAINTENANCE PROGRAM – AWARD OF BIDS: Assistant Director of Public Works, John Braun presented the bids that have been received for 2014 Street Maintenance Projects. Those projects include the chip seal of approximately six miles of asphalt streets, poly patch of asphalt streets in various locations, reconstruction of 11th Street from Cedar to Vine, and the repair of various brick streets in the City of Hays. The amount of work proposed totals \$458,566 awarded to three different contractors. The work would be accomplished at various locations and various times throughout the year.

Shaun Musil moved, Ron Mellick seconded, to authorize the City Manager to enter into contracts for construction as follows, all to be funded out of Special Highway:

- HI-Plains Sand in the amount of \$219,784.60 for chip seal
- Stripe and Seal in the amount of \$124,872.16 for the reconstruction of 11th Street
- Sweeney Pavement Maintenance in the amount of \$42,400 for poly patch
- Stripe and Seal in the amount of \$71,509.40 for curb and brick repair

Commissioner Schwaller was concerned stating we typically spend more on annual repairs than this, there are streets that need repaired and if we don't get to them they will continue to deteriorate.

City Manager Toby Dougherty explained the request was low because the city anticipates funds might be needed for other projects. City staff can request more money later in the year if it is not needed to complete other projects.

Vote: Ayes: Kent Steward

Eber Phelps

Shaun Musil

Ron Mellick

No: Henry Schwaller IV

7. LEVEE TRAIL/KDOT The Bike Hays System includes a levee trail segment. Wilson & Company has engineered the levee system. Budgeted dollars will only provide a base segment from Main Street to the Fort Hays State University pedestrian bridge. The cost to complete the trail north from the pedestrian bridge to 8th Street is \$226,000. Kansas Department of Transportation (KDOT) has agreed to cover \$136,000 of this cost if the city will pay \$91,000. The trail also serves as a cap protecting the levee.

City staff recommends allocating Stormwater funds to maximize local funds with State dollars and complete the levee trail north to 8th Street. Should the Commission take advantage of this opportunity; staff will bring forward state agreements to proceed in the near future.

The levee east of Main Street requires extensive earth work taking multiple years to complete. Therefore this segment will not be included in the initial trail construction as KDOT requires commitment in 2014.

Ron Mellick moved, Shaun Musil seconded, to approve the allocation of an additional \$91,000 from Stormwater flood control capital projects to complete the levee trail/cap project.

Commissioner Schwaller stated if we did not have the KDOT match he would vote against this, but there is no guarantee that next year there will be a match.

Vote: Ayes: Kent Steward
Henry Schwaller IV
Eber Phelps
Shaun Musil
Ron Mellick

8. STAGE TWO – WATER WARNING DECLARATION: The City of Hays drought response plan has three stages that include watch, warning and emergency. Each level is triggered by criteria with specific response procedures relevant to the severity of the conditions. The plan's purpose is to extend current sources by appropriately reacting to depletion during periods of drought.

Stage 1: Water Watch was declared August 2012. In an effort to mitigate the drought's impact, incentives and measures have been utilized including the Cedar Bluff release, education, notifications, operational reduction of potable water, and creation of a second tier water conservation rate.

Based on current well field data, drought forecast, and historical usage, staff is recommending a proactive Stage 2: Water Warning.

Current rate of depletion will trigger Stage 2: Water Warning this summer and potentially Stage 3: Water Emergency in 2015. If a preemptive Stage 2: Water Warning is declared, water use becomes more restrictive, potentially extending the Water Emergency trigger. Furthermore, it allows proper preparation for spring planning season rather than allowing citizens to invest time and effort in lawns and gardens that may require elimination of watering in early/midsummer.

Stage 2: Water Warning actions that affect citizens include:

- Reduction of water usage just enough to keep the roots of the grass alive on all parks and ball fields that utilize potable water
- No longer allow new irrigation connections to the potable water system
- No outdoor water use between 10 a.m. and 9 p.m.
- Second Conservation tier increased from \$7.42 to \$10.30 (this would affect March usage)

Staff will ensure notifications, educational and management actions as required by the plan are met. This includes increased efforts to promote wise water use and extend a notification to those higher water users.

Sources are sufficient to last through many years of drought, assuming reactionary measures are enacted. Should Hays receive enough moisture to positively impact well levels for a constant period of time and projections warrant, a recommendation to Stage 1: Water Watch may occur.

Chairperson Steward requested staff run some comparisons on water use for a pool and watering an average size lawn.

Eber Phelps moved, Henry Schwaller IV seconded, to approve Resolution No. 2014-002 declaring Stage 2: Water Warning.

Vote: Ayes: Kent Steward

Henry Schwaller IV

Eber Phelps

Shaun Musil

Ron Mellick

Commissioner Mellick stated it will be up to the community and how well they conserve water to keep us from going to a water emergency.

9. PROGRESS REPORT: Assistant City Manager Paul Briseno presented a monthly report of city-related activities, services, and programs.

10. REPORT OF THE CITY MANAGER: The City Manager had no additional items to report on.

11. COMMISSION INQUIRIES AND COMMENTS: Commissioner Phelps stated he will be visiting with each of the Commissioners regarding the water conference he attended.

Chairperson Steward had a citizen contact him about problems with noise and vandalism in his neighborhood; he would like to address the Commission regarding a possible solution at next week's work session.

12. EXECUTIVE SESSION: Henry Schwaller IV moved, Shaun Musil seconded, that the Governing Body recess to executive session at 7:35 p.m. for 30 minutes to discuss personnel matters and matters pertaining to attorney-client privileged

information. The executive session included the Commissioners, The City Manager, the Assistant City Manager, and the City Attorney. K.S.A. 75-4319 authorizes the use of executive session to discuss the topics stated in the motion.

Vote: Ayes: Kent Steward
Henry Schwaller IV
Eber Phelps
Shaun Musil
Ron Mellick

No action was taken during executive session.

The meeting was adjourned at 8:05 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk