

**CITY OF HAYS COMMISSION MEETING  
THURSDAY, APRIL 11, 2013 – 6:30 P.M.  
AGENDA**

1. Call to order by Chairperson.
2. **MINUTES:** Consider approval of the minutes from the regular meeting held on March 28, 2013. ([PAGE 1](#))
3. **MAYOR'S COMMENTS**
4. **SWEARING IN CEREMONY:** The City Clerk will administer the oath of office to Commissioners-elect.
5. **REORGANIZATION OF GOVERNING BODY:**
  - A. Nomination and election of Mayor
  - B. Nomination and election of Vice-Mayor
6. **RECOGNITION OF FORMER COMMISSIONER**
7. **CITIZEN COMMENTS:** (non-agenda items).
8. **CONSENT AGENDA:** (Items to be approved by the Commission in one motion, unless objections are raised).  
[Mayoral Appointments \(for approval\):](#) CARE Council ([PAGE 7](#))

**UNFINISHED BUSINESS**

(No business to review)

**NEW BUSINESS**

9. **A-1 SCAFFOLD MFG., INC. TAX ABATEMENT:** Consider approving Ordinance No. 3811 being the First Amended Nunc Pro Tunc ordinance exempting certain property in the city of Hays from ad valorem taxation for economic development purposes. ([PAGE 11](#))
10. **REPORT OF THE CITY MANAGER** ([PAGE 21](#))
11. **COMMISSION INQUIRIES AND COMMENTS**
12. **EXECUTIVE SESSION (IF REQUIRED)**
13. **ADJOURNMENT**

ANY PERSON WITH A DISABILITY NEEDING SPECIAL ACCOMMODATIONS TO ATTEND THIS MEETING SHOULD CONTACT THE CITY MANAGER'S OFFICE 48 HOURS PRIOR TO THE SCHEDULED MEETING TIME. EVERY ATTEMPT WILL BE MADE TO ACCOMMODATE ANY REQUESTS FOR ASSISTANCE.



MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF HAYS, KANSAS  
HELD ON MARCH 28, 2013

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, March 28, 2013 at 6:30 p.m.

Roll Call: Present: Troy Hickman  
Kent Steward  
Henry Schwaller IV  
Ron Mellick  
Eber Phelps

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 March 14, 2013; 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 \$278,977, which was a decrease of \$5,637 when compared to last year. Total year-to-date collections are \$535,927 and inception-to-date collections total \$10,461,776. Month-to-date general fund sales tax collections were \$687,316, down \$14,982 or -2.13% when compared to last year. The six month running average on sales tax collections is down -.16%.

The Finance/City Clerk's Office invested \$4,500,000 of maturing or renewing certificates with a weighted average interest rate of .18%. The portfolio of certificates of deposit on February 28, 2013 totaled \$51,950,000 with a weighted average interest rate of .23%. The total balance of the Money Market account on February 28, 2013 was \$900,000 with a current yield of .20%. Total investments are up \$5,750,000 when compared to this time last year.

Ron Mellick moved, Henry Schwaller IV seconded, that the Financial Statement for the month of February 2013 be approved.

Vote: Ayes: Troy Hickman  
Kent Steward  
Henry Schwaller IV  
Ron Mellick  
Eber Phelps

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

**5. CONSENT AGENDA:** A. Ron Mellick moved, Eber Phelps seconded, that the following mayoral appointment be approved:

Hays Beautification Committee

Judy Dawson – term to expire August 1, 2015

Vote: Ayes: Troy Hickman  
Kent Steward  
Henry Schwaller IV  
Ron Mellick  
Eber Phelps

B. Chairperson Hickman presented the following mayoral appointments, which will be presented at the April 11, 2013 Commission meeting for approval:

CARE Council

Kayla Lonnon – two-year term to expire March 1, 2015

Trisha Sauer – two year term to expire March 1, 2015

## **NEW BUSINESS**

**6. WORKERS' COMPENSATION INSURANCE:** City staff presented two bids for workers' compensation insurance coverage set to begin April 1, 2013. One bid is from the City's current workers' compensation insurance carrier for \$193,101, or a 12% increase from last year. The other bid is from the Kansas Municipal Insurance Trust for \$163,626 but requires that the City join the League of Kansas Municipalities, which would cost an additional \$9,351.25, making the

total cost \$172,977.25. KMIT would pro-rate the cost for the months of April through December.

Henry Schwaller IV moved, Kent Steward seconded, that the City of Hays join the League of Kansas Municipalities for \$9,351.25, to be paid out of the City Manager's Other Contractual Services budget, accept the proposal from the Kansas Municipal Insurance Trust for the pro-rated amount of \$123,626 for workers' compensation coverage from April 2013 through December 2013, to be paid out of the Employee Benefit Levy, and approve Resolution No. 2013-009 accepting the Kansas Municipal Insurance Trust Bylaws and Interlocal Cooperation Agreement.

Commissioner Steward commented that he would not vote in favor of the City re-joining the League except for the reason to save money on workers' compensation insurance. If the City is going to become part of the League, he is hopeful the City can make a positive contribution and that the League can do the same for us.

Vote: Ayes: Troy Hickman  
Kent Steward  
Henry Schwaller IV  
Ron Mellick  
Eber Phelps

**7. FORT HAYS MUNICIPAL GOLF COURSE MOWER PURCHASE:** Eber Phelps moved, Ron Mellick seconded, that the purchase of a Lastec 3300 mower from Van Wall Equipment for the Fort Hays Municipal Golf Course, in the amount of \$34,689 to be paid from the 2013 Vehicle Replacement Fund, be approved.

Vote: Ayes: Troy Hickman  
Kent Steward  
Henry Schwaller IV  
Ron Mellick  
Eber Phelps

**8. CITY HALL PUBLIC RESTROOM RENOVATIONS:** Bids were taken to renovate and modernize the public restrooms in City Hall, which are almost 40

years old. The project includes gutting both restrooms, expanding the men's restroom, adding ductwork and fans, installing energy efficient LED lighting, high efficiency hand dryers, and replacing the toilets with low-flow units. The sinks will incorporate automatic water and soap dispensers. Karst Construction submitted the low bid of \$34,000. The project is to be funded out of the Fire Department Repairs to Buildings and Structures line item (\$19,000) and from the Utilities Department Water Conservation Projects line item (\$15,000).

Henry Schwaller IV moved that all bids be rejected and reallocate \$15,000 to fund the purchase of additional showerheads, toilets, and clothes washer rebates.

The motion died for lack of a second.

Kent Steward moved, Ron Mellick seconded, that the bid from Karst Construction, in an amount not to exceed \$34,000 be approved to renovate the City Hall public restrooms with \$19,000 funded from the Fire Department Repairs to Buildings and Structure line item and \$15,000 funded from the Utilities Department Water Conservation Projects line item.

Commissioner Schwaller stated this is an exorbitant and unnecessary expenditure. The cost savings are very minimal and there are better things the City could do with the money. He cannot support this.

Commissioner Mellick stated that he does not feel the bid is out of line compared to the cost of what a remodel would cost a homeowner. The bathrooms are being gutted; three new toilets, two new urinals, and two sinks along with new counters and new tile will be installed. The present bathrooms are not up to ADA requirements.

Commissioner Steward stated he does not think it is unreasonable to renovate 40 year old public restrooms. Based on his own experience, this does not seem out of line.

Commissioner Phelps stated that since the City will have demonstration low water usage outdoor plantings in front of City Hall, it only makes sense that the interior of City Hall have water efficiency fixtures.

Vote: Ayes: Troy Hickman  
Kent Steward  
Ron Mellick  
Eber Phelps

No: Henry Schwaller IV

**9. UPDATE ON CEDAR BLUFF RELEASE:** Director of Utilities Bernie Kitten and Water Plant Superintendent Jim Cooper presented an update on the release of water from the Cedar Bluff Reservoir artificial recharge storage pool, which started on March 4, 2013.

The water flows about 30 miles before it gets to the Smoky Wellfield; it took five days to get to the Wellfield. A preliminary report from Burns and McDonnell, the City's engineering firm, indicates that groundwater level monitoring sites show the majority of the Smoky Wellfield has seen a rise in groundwater levels between 1 to 7 feet, with an average of 3.5 feet. The Wellfield is still re-charging.

**10. CITY MANAGER EMPLOYMENT AGREEMENT – SIXTH ADDENDUM:**

The City Commission, upon the completion of a performance evaluation of the City Manager, has requested that the Sixth Addendum to the City Manager's Employment Agreement be presented and voted upon. The Agreement is amended and modified to provide for an increase of 3% of the base salary for the year 2013 as a cost of living adjustment, effective as of December 23, 2012, which is the beginning for the first payroll period in 2013. This is the same cost of living increase that was given to all City employees.

Kent Steward moved, Ron Mellick seconded, that the Sixth Addendum to City Manager Toby Dougherty's Employment Agreement, dated June 28, 2007, be approved.

Vote: Ayes: Troy Hickman  
Kent Steward  
Henry Schwaller IV  
Ron Mellick  
Eber Phelps

**11. CITY COMMISSION POLICY FOR FUNDING RECOGNITION:** The City of Hays provides funds for several agencies outside of city governmental operations. The City Commission feels it is important for those agencies to publically recognize the use of taxpayer dollars for their project, program, or operation.

Kent Steward moved, Henry Schwaller IV seconded, that the City Commission Policy for Funding Recognition be approved.

Vote: Ayes: Troy Hickman

Kent Steward

Henry Schwaller IV

Ron Mellick

Eber Phelps

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

**13. REPORT OF THE CITY MANAGER:** City Manager Toby Dougherty reported the reconstruction of Vine Street from 13<sup>th</sup> to 22<sup>nd</sup> Street will begin April 3, 2013.

The City Manager reported that there will be a stakeholders meeting for the Housing Study group on April 23-24, 2013. More information will follow.

**14. INQUIRIES AND COMMENTS:** Commissioner Mellick requested a presentation of the City of Hays Water Conservation Plan at a future City Commission meeting. He would also like information on what the City itself plans to do as far as water conservation if this drought continues.

The meeting was adjourned at 7:37 p.m.

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

Doris Wing – City Clerk

# CITY OF HAYS

## AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 8

MEETING DATE: 4-11-13

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**TOPIC:**

Mayoral Appointments for Approval

**ACTION REQUESTED:**

Consider approving Mayoral appointments to the CARE Council.

**NARRATIVE:**

The following appointments were recommended by Mayor Hickman at the March 28, 2013 City Commission meeting and are now being presented for approval.

CARE Council

Kayla Lonnon – 2-year term to expire 3-1-15 (2<sup>nd</sup> term)

Trisha Sauer – 2-year term to expire 3-1-15 (1<sup>st</sup> term)

**PERSON/STAFF MEMBER(S) MAKING PRESENTATION:**

Mayor

**ADMINISTRATION RECOMMENDATION:**

N/A

**COMMITTEE RECOMMENDATION(S):**

N/A

**ATTACHMENTS:**

Applications

CITY OF HAYS  
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE

Email: [kaylal@sunflowerbank.com](mailto:kaylal@sunflowerbank.com)

Date: 3/20/2013

Name: Kayla Lonnon

Address: 1111 Downing Ave

Day Time Phone Number: 785-623-6066

Evening Phone Number: 785-259-3209

Place of Employment: Sunflower Bank NA

How long have you been a Resident of Hays: 12 years

Name of Board(s) you are interested in serving on: Care Council

How much time could you devote per month: 5-10 hours

Are you related to anyone who is currently serving on a Board/Committee?: No

If Yes, Explain:

Briefly describe why you are interested in serving on a Board/Committee for the City of Hays: I have previously served on the Care Council for 2 years and really enjoy getting involved in the community and being able to see what the different member agencies have to offer.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: HAYP, YouthFriends, Big Brothers Big Sisters, Soroptimist, Ellis County Extension Office PDC, Red Cross, Care Council, and Leadership Hays Graduate.

CITY OF HAYS  
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE

Email: [tsauer@nex-tech.com](mailto:tsauer@nex-tech.com)

Date: 3/21/2013

Name: Trisha Sauer

Address: 503 W 20th Street

Day Time Phone Number: 7856257070

Evening Phone Number: 7856238650

Place of Employment: Nex-Tech

How long have you been a Resident of Hays: lifelong, 36 years

Name of Board(s) you are interested in serving on: CARE Council

How much time could you devote per month: 2 hr/mo

Are you related to anyone who is currently serving on a Board/Committee?: No

If Yes, Explain:

Briefly describe why you are interested in serving on a Board/Committee for the City of Hays: Giving back to the community, justly distribute United Way funds.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: HAYP and all of their fundraisers, Big Brothers Big Sisters, Relay for Life, and more.



# CITY OF HAYS

## AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 9

MEETING DATE: 4-11-13

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**TOPIC:**

A-1 Scaffold MFG, Inc. Tax Abatement

**ACTION REQUESTED:**

Consider approving Ordinance No. 3811 being the First Amended Nunc Pro Tunc ordinance exempting certain property in the city of Hays from ad valorem taxation for economic development purposes.

**NARRATIVE:**

In 2010, the Commissioners approved Ordinance No. 3811 that allowed property belonging to A-1 Scaffold MFG, Inc. that is used in A-1's business of manufacturing to be tax exempt. In February 2013, the Commission approved a Nunc-Pro-Tunc ordinance for A-1 Scaffold MFG, Inc. which essentially changed the date of the previously-passed ordinance. This was done at the request of A-1's attorneys in order to satisfy the Court of Tax Appeals. As you will see in the attached correspondence, A-1 asked for the wrong date and would like the Commission to pass a First Amended Nunc-Pro Tunc ordinance.

**PERSON/STAFF MEMBER(S) MAKING PRESENTATION:**

Toby Dougherty, City Manager  
John Bird, City Attorney

**ADMINISTRATION RECOMMENDATION:**

N/A

**COMMITTEE RECOMMENDATION(S):**

N/A

**ATTACHMENTS:**

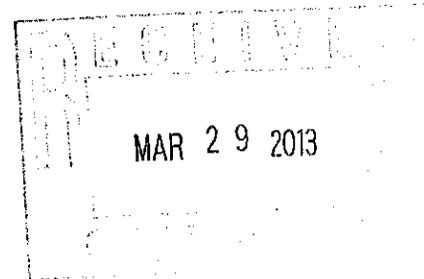
Ordinance No. 3811 (First Amended Nunc-Pro Tunc Ordinance)  
Letter from John Bird, City Attorney  
Letter from Edward Nazar, Redmond & Nazar, L.L.P.  
Redlined Ordinance Passed 2-28-13



Partners: Robert F. Glassman (1922-2005)  
John T. Bird, Gregory A. Schwartz, Carol M. Park  
Associate: John Curtis Brown

March 27, 2013

Toby Dougherty  
City Manager  
City of Hays  
P.O. Box 490  
Hays Kansas 67601



**RE: City of Hays – A-1 Tax Abatement Ordinance No. 3811**

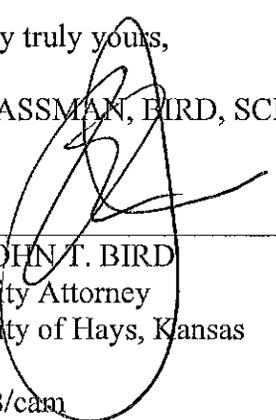
Dear Toby:

Please find enclosed a letter from Ed Nazar explaining the necessity for an ordinance “amending” the Nunc Pro Tunc Ordinance No. 3811 passed February 28, 2013. Included with his letter is his proposed *First Amended Nunc Pro Tunc Ordinance No. 3811 (To Correct Commencement Year)* as well as a redlined copy of the Nunc Pro Tunc Ordinance passed February 28, 2013. As he explains, this latest proposal is to change the calendar year stated in Section 1 from 2010 to 2011 to satisfy the Court of Tax Appeals. Apparently, the Court of Tax Appeals decided that it needs the change, despite the fact that we passed the ordinance we were asked to pass. This all stems back to an applicant not having the professionals it needed to accomplish its goal, but we probably should accommodate the request, anyway.

I recommend that we place the amendment on the agenda for approval, and hope that this will be the last we see of this. The lesson learned is that we should tell all applicants for these kinds of matters that we will only deal with attorneys and CPA’s, to avoid this problem

Very truly yours,

GLASSMAN, BIRD, SCHWARTZ & PARK, L.L.P.

By   
JOHN T. BIRD  
City Attorney  
City of Hays, Kansas

JTB/cam  
Enclosure  
c: Kim Rupp

# Redmond & Nazar, L.L.P.

Attorneys at Law

EDWARD J. NAZAR  
MARTIN R. UFFORD  
W. THOMAS GILMAN  
PATRICIA A. GILMAN  
NICHOLAS R. GRILLOT

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245 North Waco, Suite 402  
Wichita, Kansas 67202  
(316) 262-8361 Telephone  
(316) 263-0610 Facsimile

OWEN J. REDMOND, JR.  
(1919 - 1981)

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March 25, 2013

John T. Bird  
Glassman Bird Schwartz & Park, LLP  
PO Box 727  
Hays, KS 67601-0727

Re: A-1 Scaffold Mfg., Inc.

Dear John:

As you are aware, I stepped in to try to help A-1 Scaffold Mfg., Inc. straighten out its problems with the Court of Tax Appeals. I appeared at the Court of Tax Appeals hearing on Wednesday, March 20<sup>th</sup>. The Court of Tax Appeals took mercy on me because I had only recently become involved in the case and approved the tax abatement for ad valorem purposes. They, however, told me that we have to issue a second nunc pro tunc ordinance, which I am calling the First Amended Nunc Pro Tunc Ordinance.

I have taken the liberty of sending you a redline version of it. The redline was essentially that in Section 1 our original grant was for the ten year period commencing in the calendar year 2010 and the precatory "Whereas" language we had stated it was to commence January 1, 2011. We also gave the amended effective date. They were not satisfied with that and wanted a specific grant to reflect the change. Therefore, I am sending you the redline version incorporating the changes.

I apologize profusely to both you and the City Commission for all of this activity. I am also enclosing a Federal Express package for returning it to me. Let me know if there are any issues or any costs associated with this matter.

In hindsight, I should have sent the nunc pro tunc ordinance to be reviewed prior to the hearing to avoid all of this. My fault. Again, my apologies.

Very truly yours,

REDMOND & NAZAR, L.L.P.

  
Edward J. Nazar

EJN/rk

Enclosures

cc: Jenny Allenbaugh

(First Published in *The Hays Daily News* on Aug. 20, 2010)

**FIRST AMENDED NUNC PRO TUNC  
ORDINANCE NO. 3811  
(To Correct Commencement Year)**

**AN ORDINANCE EXEMPTING CERTAIN PROPERTY IN THE CITY OF  
HAYS FROM AD VALOREM TAXATION FOR ECONOMIC  
DEVELOPMENT PURPOSES**

WHEREAS, Article 11, Section 13 of the Kansas Constitution permits the governing body of any city by ordinance to exempt from ad valorem taxation all or any portion of the appraised valuation of all buildings, together with the land upon which such buildings were located, and all tangible personal property associated therewith used exclusively by a business for the purpose of manufacturing articles of commerce for not more than ten (10) calendar years after the calendar year in which the business commences its operations or in which expansion of an existing business is completed; and

WHEREAS, the governing body of the City of Hays, Kansas (the "City"), after conducting a public hearing pursuant to published notice as provided by law, has determined that property belonging to A-1 Scaffold MFG., Inc., a Kansas corporation (the "Company") and used exclusively in the Company's business of manufacturing articles of commerce should be granted a tax exemption for economic development purposes; and

WHEREAS, the governing body of the City has by previously adopted a resolution made the findings of fact required by K.S.A. 79-251.

WHEREAS, the Original Ordinance incorrectly granted an exemption period commencing June 1, 2010 rather than January 1, 2011.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE  
CITY OF HAYS:**

**Section 1. Grant of Exemption.** In accordance with Article 11, Section 13 of the Kansas Constitution, and pursuant to K.S.A. 79-251, the portion of the property constituting a 41,661 square foot building on 6.6 acres located at 590 Commerce Parkway in the City and further described on **Exhibit A** attached hereto is hereby exempted from a percentage of the ad valorem taxation for a term of ten (10) calendar years, commencing with the calendar year 2011, rather than the year 2010 as originally stated, under the terms as follows:

		% abated
10 year	Year 1	100%
	Year 2	90%
	Year 3	80%

**FIRST AMENDED NUNC PRO TUNC ORDINANCE NO. 3811**

**Page 2**

Year 4	70%
Year 5	60%
Year 6	50%
Year 7	40%
Year 8	30%
Year 9	20%
Year 10	10%

**Section 2.** The ad valorem tax exemption granted by this ordinance is not transferable if there is a change in ownership of the exempt assets without the express approval of the City if there is a change in ownership of the exempt assets.

**Section 3. Copies of Documents.** The City will provide the owner of the property and the County Appraiser of Ellis County, Kansas a copy of this ordinance and copies of the other proofs of compliance with the requirements of K.S.A. 79-251.

**Section 4. Amended Effective Date.** This Nunc Pro Tunc Ordinance shall be in full force and effect from and after January 1, 2011 as provided by law.

**PASSED** by the Governing Body of the City on \_\_\_\_\_, 2013.

(SEAL)

\_\_\_\_\_  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**DORIS WING**  
**City Clerk**

**EXHIBIT A**

**DESCRIPTION FOR  
A-1 SCAFFOLD MFG., INC.  
CITY OF HAYS, ELLIS COUNTY, KANSAS**

Lots One (1) and Two (2) in THE HAYS AIRPORT INDUSTRIAL PARK ADDITION to the  
City of Hays, Ellis County, Kansas

## WordPerfect Document Compare Summary

Original document: G:\EJNCases\Clients\Allenbaugh dba A-1 Scaffold Mfg\Tax Exemption\ordinance.nuncprotunc.02.26.13.wpd

Revised document: G:\EJNCases\Clients\Allenbaugh dba A-1 Scaffold Mfg\Tax Exemption\ordinance.nuncprotunc.03.25.13.firstamended.wpd

Deletions are shown with the following attributes and color:

~~Strikeout~~, Blue RGB(0,0,255).

Deleted text is shown as full text.

Insertions are shown with the following attributes and color:

Double Underline, Redline, Red RGB(255,0,0).

The document was marked with 5 Deletions, 6 Insertions, 0 Moves.

(First Published in *The Hays Daily News* on Aug. 20, 2010)

**FIRST AMENDED NUNC PRO TUNC**  
**ORDINANCE NO. 3811**

(To Correct Commencement ~~Date of Ordinance~~Year)

**AN ORDINANCE EXEMPTING CERTAIN PROPERTY IN THE CITY OF  
HAYS FROM AD VALOREM TAXATION FOR ECONOMIC  
DEVELOPMENT PURPOSES**

**WHEREAS**, Article 11, Section 13 of the Kansas Constitution permits the governing body of any city by ordinance to exempt from ad valorem taxation all or any portion of the appraised valuation of all buildings, together with the land upon which such buildings were located, and all tangible personal property associated therewith used exclusively by a business for the purpose of manufacturing articles of commerce for not more than ten (10) calendar years after the calendar year in which the business commences its operations or in which expansion of an existing business is completed; and

**WHEREAS**, the governing body of the City of Hays, Kansas (the "City"), after conducting a public hearing pursuant to published notice as provided by law, has determined that property belonging to A-1 Scaffold MFG., Inc., a Kansas corporation (the "Company") and used exclusively in the Company's business of manufacturing articles of commerce should be granted a tax exemption for economic development purposes; and

**WHEREAS**, the governing body of the City has by previously adopted a resolution made the findings of fact required by K.S.A. 79-251.

**WHEREAS**, the Original Ordinance incorrectly granted an exemption period commencing June 1, 2010 rather than January 1, 2011.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAYS:**

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10 year	Year 1	100%
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**FIRST AMENDED NUNC PRO TUNC ORDINANCE NO. 3811**

**Page 2**

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**Section 3. Copies of Documents.** The City will provide the owner of the property and the County Appraiser of Ellis County, Kansas a copy of this ordinance and copies of the other proofs of compliance with the requirements of K.S.A. 79-251.

**Section 4. Amended Effective Date.** This Nunc Pro Tunc Ordinance shall be in full force and effect from and after January 1, 2011 as provided by law.

**PASSED** by the Governing Body of the City on February 28 \_\_\_\_\_, 2013.

(SEAL)

**CHANNELTROY HICKMAN**

**ATTEST:**

\_\_\_\_\_  
**CHRISTOPHER S.**

**Mayor**

\_\_\_\_\_  
**DORIS WING**  
**City Clerk**

**EXHIBIT A**

**DESCRIPTION FOR  
A-1 SCAFFOLD MFG., INC.  
CITY OF HAYS, ELLIS COUNTY, KANSAS**

Lots One (1) and Two (2) in THE HAYS AIRPORT INDUSTRIAL PARK ADDITION to the  
City of Hays, Ellis County, Kansas

## COMMISSION INFORMATIONAL MEMORANDUM

TO: City Commission  
FROM: Toby Dougherty, CPM  
City Manager  
DATE: April 5, 2013

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Attached are the following items:

1. The minutes of the February 25, 2013 meeting of the **Hays Housing Authority Board**.
2. The minutes of the February 27, 2013 meeting of the **Ellis County Wellhead Protection Committee**.
3. The minutes of the March 4, 2013 meeting of the **Fort Hays Municipal Golf Course Advisory Board**.
4. The minutes of the March 4, 2013 meeting of the **Airport Advisory Committee**.
5. The **Great Lakes On-Time Reports** for March 2013 and April 2013.

If you have any questions regarding this information, please do not hesitate to contact me.

aw



**HAYS HOUSING AUTHORITY**  
**February 25, 2013 Minutes**

The Board of Commissioners of the Public Housing Authority of the City of Hays met in the Community Room for the monthly meeting Monday, February 25, 2013.

Commissioners Present: Sue Rouse, Chair  
Gloria Funk, Vice-Chair  
Daron Jamison  
Al Klaus

HHA Staff Present: Kathy Nelson, Executive Director

**MINUTES**

- Al Klaus moved to approve the minutes of the January 28, 2013 meeting as presented, Daron Jamison seconded the motion. All Commissioners voted "Aye" – motion carried.

**AGENDA**

There were no changes or additions to the agenda.

**SECTION 8 FINANCIALS**

- December 2012 and January 2013 Section 8 financial reports from the fee accountant were not available. Commissioners reviewed information provided by the Executive Director. Gloria Funk moved to accept the reports as presented, Daron Jamison seconded the motion. All Commissioners voted "Aye" – motion carried. Housing assistance payments were made on behalf of 66 families for the month of February. One voucher is outstanding.

**BILLS AND COMMUNICATIONS**

- December 2012 and January 2013 Public Housing financial reports from the fee accountant were not available. Commissioners reviewed information provided by the Executive Director. Gloria Funk moved to accept the reports as presented, Al Klaus seconded the motion. All Commissioners voted "Aye" – motion carried.

**OLD BUSINESS**

- **Capital Fund Program** – There was nothing new to report for the Capital Fund Program.

**HAYS HOUSING AUTHORITY**  
**February 25, 2013 Minutes**

**NEW BUSINESS**

- There is still 1 open position on the board.
- Kathy Nelson reported that she had just received notice of a training opportunity to be held March 11 – 15, 2013 at the Kansas City HUD Field Office covering financial management and documents, federal financial management requirements, and the capital fund program. Commissioners discussed the training and felt it would be beneficial for the Director to attend.
- **2012 Section 8 Management Assessment (SEMAP)** – Commissioners were provided with a copy of the 2012 SEMAP Certification, which is the Section 8 Assessment reporting on payment standards, Housing Quality Standards inspections, rent calculations, lease-up, etc. Daron Jamison moved to approve the submission of the 2012 SEMAP Certification as prepared, Gloria Funk seconded the motion. All Commissioners voted “Aye” – motion carried.

Next meeting will be held Monday, March 25, 2013.

  
Kathy Nelson, Executive Director

  
Sue Rouse, Chairperson



**Minutes of the Ellis County Wellhead Protection Committee Meeting  
February 27, 2013**

**Members Present:** John Heinrichs, Bill Wilson, Allen Roth, James Leiker

**Non-Voting members:** Karen Purvis- Recording Secretary.

**Guests-** None present

John Heinrichs, Chairman, **called the meeting to order** at 7:03 PM.

**Minutes-** It was moved by Allen and seconded by James that we accept the minutes as written. Motion carried.

**Treasurer's Report-** The treasurer was absent.

**Old Business-**

- a) Events- *Home and Garden Show-* Is March 9 and 10<sup>th</sup> at the mall. Karen stated that Stacie Minson brought prizes that the committee can give away from drawings that people sign up for. They must sign up to pick up their pet waste to get entered. When they sign up they also will receive a pet waste dispenser. We will also use the display that we have from previous years. Karen will send out a list to sign up for booth work times.
- b) Education- *Dog days-* The committee discussed helping Stacie Minson with the dog days event at Orschlen's in June. They agreed that the committee will help.
- c) Legislative- *Relationship with City/County Commissions-* John presented the draft letter to the representative of City and County Commissions explaining what the committee does. The committee made some changes and it will also be sent to entities for membership. It was then moved by Allen and seconded by Bill to send these out in separate letters. Motion Carried.
- d) Membership- See above note
- e) Research- John said that there is a graduate student that is working on a thesis project of changes of PCE in soil in the affected area of contamination.
- F) Other- James gave the committee an update of the Rural Water construction grant.

**New Business-**

- a) James mentioned the different ways that the City of Hays is trying to help conserve water. The City of Hays has a water conservation person. It is Nickolas Willis and he is also the Storm water Superintendent. James will talk to him and see if he can come talk to the committee for the March or April meeting to talk about the subject.

**Date for Next Meeting-** The next meeting will be changed to the 28<sup>th</sup> of March because of spring break, and that the forth Wednesday was not good for some people.

It was moved by Allen and seconded by Bill that we adjourn the meeting. The meeting was adjourned at 8:01pm.

Submitted by Karen Purvis, Recording Secretary





mowers and machinery, planning the aerifying and chemical schedules, and have received native grass seed to use on the dirt mounds on the back nine. He cannot say for sure when the tees will go back on the boxes; depends on the growth of the grass. Mike commented that the large snowfall was really great for the golf course.

**9. Parks Department update:** Jeff Boyle

Golf Course improvement Balance - 2/20/13

*Cart Path Trail Fees:* \$30,749.54

*Donation Money:* \$1,525.85 includes

- *Putting Green (Men's Association):* \$1,224.00
- *Trees:* \$ 226.41
- *Carry over from previous tournament funds:* \$75.44

Doug reported that the Men's Association will have more to add to the donations from 2012.

Jeff provided memos/information that he will be presenting to the City of Hays regarding a change in tournament fees, and the addition of a junior golf fee, all based on discussion at several previous Advisory Board meetings.

**10. Ladies' Association report:** Janet Schmidt: will have an organizational meeting and dinner on Tuesday, March 26<sup>th</sup> for the lady golfers. FHLGA golf will begin Tuesday, April 9<sup>th</sup>, at 5:30 pm, weather permitting.

**11. Men's Association report:** Ron Augustine reported they will start on Wednesday evening, April 10<sup>th</sup>, weather permitting.

**Add-ons:**

Doug: asked about plans to repair the cart paths, which led to discussion on how to keep down damage to the course by trucks. Jeff suggested it might be better to patch the bad areas this spring, and then do the more extensive repair work in the fall.

Karen: mentioned that the fund raiser dance this past weekend for Kayden Tierman was well attended, and considered a success.

Rich: the GHIN system on the computer has changed to fiber optics, and he is working on getting that set up; a newer computer with more storage space needs to be considered.

Jeff: golfers who show up to play really early (usually at 6:00 am) before the course is open, need to be told they cannot play at that time. The crews are out early mowing, aerifying, etc, and have to deal with golfers when they should have the course empty for a couple hours or more.

Mike: they will be aerifying, frequently, to improve the growth in the brown areas around the edges of several greens. Golfers will need to be patient and understanding in regards to this work. The problem is difficult to fix, and requires frequent aeration to help the grass grow healthy roots. The edges of the green don't drain residue off well, and the anaerobic "junk" results in a black layer where the grass will not root and grow. It was suggested that this be explained to the seniors, men's and ladies associations, to reduce complaints.

Bill: asked Jeff to thank Toby for the two sleeves of golf balls given to each board member (a "thanks" for their time and work).

Adjourned: 6:25 pm.

*Submitted by Karen Schueler, Secretary*

*March 5, 2013*

Hays Airport Advisory Committee Meeting  
March 4, 2013 Meeting Minutes

Members Present

Dan Stecklein  
Don Benjamin  
I.D. Creech  
Bob Johnson  
Chris Springer  
Gary Wentling  
Lyle Noordhoek  
Errol Wuertz

1.) Call to Order.

2.) Approval of January 7, 2013 Meeting Minutes.  
Minutes Approved.

3.) Discuss Preliminary Plans for the Terminal Expansion.  
Not much discussed. Plans are being drawn up at this time.

4.) Discuss Runway Rehabilitation - update.  
Work is scheduled to start on May 5th. Contractor is asking to start on south end first but City is coordinating with contractor to make sure work sequence is planned so that the disruption to air carrier operations is minimized.

5.) Discuss FAA Mover to Hays Terminal - update.  
No new progress to report at this time.

6.) Discuss Conditional Report on the Crosswind Runway.  
There are some problems with the concrete surface of runway 22-4. Some repairs were made but there is an acidity problem with the concrete and some sections have to be replaced. Fixing these problems now will save money in the long term.

7.) Discuss Businesses Interested in Locating at the Airport -update.  
Several businesses have looked into relocating at the Hays airport. Lifeline would like to build a hangar in Hays. Several people have shown an interest in building hangars.

8.) Discuss Airport Capital Plan.  
ID. Creech and Bob Johnson shared proposed capital plan for the airport. Runway and terminal building are priority projects.

9.) Discuss Boarding Report.  
January was a good month but February fell short of goals. The weather and maintenance issues held February numbers down. Boarding are now coming back up but are still short of last years numbers.

10.) Add-On's

Lyle Noordhoek - Green light is out on rotating beacon.

11.) Schedule Next Meeting.

April 1, 2013 6:30 PM.

12.) Adjourn.

Respectfully Submitted,

Errol Wuertz

Great Lakes Airlines On-Time Report

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Under 15 Min On-Time	15-44 Min Late	45-74 Min Late	75 -104 Min Late	105 Min Late or more	Canceled
Mon-Fri																																					
630	x			x	x	x	x	x			x	x	x	x	x			x	x	x	x	x			x	NA	x	x	x			100%					
645	x			x	x	x	x	x			x	x	x	x	x			x	x	x	x	x			x	x	x	x	x			100%					
1016	x			L	x	x	x	x			x	C	x	x	x			x	x	x	x	x			x	x	x	x	x			90%		5%			5%
1026	x			L	x	x	x	x			x	C	x	x	L			L	x	x	x	x			L	x	x	x	x			76%	10%	5%	5%		5%
1311	x			x	x	x	x	x			x	L	x	x	x			x	x	x	x	x			L	x	x	x	x			90%	10%				
1321	x			x	x	x	x	x			x	L	L	x	x			x	x	x	L	L			L	x	x	x	x			76%	19%	5%			
1425	L			L	x	x	x	x			x	L	x	x	x			x	x	x	x	x			L	x	x	x	x			81%	19%				
1435	L			L	x	x	x	x			x	L	x	x	x			x	x	x	x	x			L	x	x	x	x			81%	19%				
1626	x			C	x	x	x	L			x	x	L	x	x			x	x	x	x	x			L	x	L	x	x			76%	5%	5%	5%	5%	5%
1636	x			C	x	x	x	L			x	x	L	x	x			x	x	x	x	L			L	x	L	x	x			71%	10%		10%	5%	5%
2156	x			L	L	x	x	x			x	L	x	x	x			x	x	x	x	L			x	x	x	L	x			76%	10%	14%			
2206	x			L	L	x	x	x			x	L	x	x	x			x	x	x	x	L			x	x	x	L	x			76%	10%	14%			
Saturday																																					
715		x							C							x								L						L		40%	20%		20%		20%
725		x							C							x								L						L		40%	20%		20%		20%
1250		x							C							x								C					x		60%						40%
1300		x							C							x								C					x		60%						40%
1406		x							C							x								C					x		60%						40%
1416		x							C							x								C					L		40%		20%				40%
1931		x							C							x								L					x		60%			20%			20%
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Sunday																																					
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2156			x						x							x								x					x		80%						20%
2206			x						x							x								x					x		80%						20%

No time logged =na  
 Late=L  
 On Time=x  
 Canceled=C

**Average**                      **78%**    **8%**    **5%**    **2%**    **1%**    **6%**  
**Total Flights - 332**                      **258**    **26**    **18**    **7**    **3**    **20**  
**Percentage of flights delayed or canceled**                      **22%**

On time means <= 15 minutes

Great Lakes Airlines On-Time Report

Apr-13	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	On-Time	15-44 Min Late	45-74 Min Late	75 -104 Min Late	105 Min Late or more	Canceled
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1016	x	C	x	x	x																									80%					20%	
1026	x	C	x	x	x																									80%					20%	
1311	L	x	x	x	x																									80%		20%				
1321	L	x	x	x	x																									80%		20%				
1425	L	x	x	x	x																									80%		20%				
1435	L	x	x	x	x																									80%		20%				
1626	x	x	x	x	x																									100%						
1636	L	L	x	x	x																									60%	40%					
2156	x	x	x	L	x																									80%					20%	
2206	x	x	x	L	x																									80%					20%	
Saturday																																				
715					x																									100%						
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1250					x																									100%						
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1300					x																									100%						
1626					x																									100%						
1636					x																									100%						
2156					x																									100%						
2206					x																									100%						

Average 81% 3% 6% 0% 3% 6%

Total Flights - 64 52 2 4 0 2 4

Percentage of flights delayed or canceled 19%

No time logged =na  
Late=L  
On Time=x  
Canceled=C

On time means <= 15 minutes