

**CITY OF HAYS COMMISSION MEETING  
THURSDAY, JUNE 27, 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 June 13, 2013. (PAGE 1)
3. **FINANCIAL STATEMENT**: Consider accepting the Financial Statement for the month of May 2013. (PAGE 11)
4. **CITIZEN COMMENTS**: (non-agenda items).
5. **CONSENT AGENDA**: (Items to be approved by the Commission in one motion, unless objections are raised).
  - A. **Mayoral Appointments for Approval**: Hays Beautification Committee and Hays Public Library Board (PAGE 71)
  - B. **Mayoral Appointment Recommendation**: Hays Area Planning Commission (PAGE 77)

**UNFINISHED BUSINESS**

(No business to review)

**NEW BUSINESS**

6. **COMMERCIAL INSURANCE RENEWAL – 2013/2014**: Consider authorizing the City Manager to renew the 2013/2014 Commercial Insurance Policy with Companion Commercial Insurance for the coverage presented, to be funded from the Intergovernmental Insurance and Surety line item. (PAGE 83)
7. **13<sup>TH</sup> STREET OVERLAY (VINE TO HARVEST) – AWARD OF BID**: Consider authorizing the City Manager to enter a contract with APAC-Kansas, Inc. for the rehabilitation of 13<sup>th</sup> Street from Vine Street to Harvest Road including restriping from Milner to Harvest from four lanes to three lanes, with funding from the Financial Policy Projects line item. (PAGE 103)
8. **2012 AUDIT**: Consider accepting the 2012 Audit for the City of Hays as presented by Adams, Brown, Beran and Ball. (PAGE 111)
9. **UPDATE ON CONCEALED GUN/KNIFE LEGISLATION**: Hear an update from the City Manager in regard to concealed gun/knife legislation and authorize the City Manager to send a letter to the Attorney General exempting City of Hays facilities from the provisions of the modified concealed carry law through January 1, 2014. (PAGE 113)
10. **WATER CUSTOMERS OUTSIDE THE CITY LIMITS**: Consider approving the Policy for Water Service Requests for Properties Outside the City Limits. (PAGE 145)

11. [WATER RATE ADJUSTMENTS – 2<sup>ND</sup> CONSERVATION TIER](#): Consider approving Ordinance No. 3866 amending Chapter 65 of the City of Hays, Kansas, Municipal Code, by modifying Article IV, Section 65-224, regarding rates inside and outside the city and adding the 2<sup>nd</sup> Conservation Tier, to take effect based on the Commission’s desire. (PAGE 155)
12. **PROGRESS REPORT**
13. [REPORT OF THE CITY MANAGER](#) (PAGE 167)
14. **COMMISSION INQUIRIES AND COMMENTS**
15. **EXECUTIVE SESSION (IF REQUIRED)**
16. **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 JUNE 13, 2013

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, June 13, 2013 at 6:30 p.m.

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

Absent: Henry Schwaller IV

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 May 23, 2013; the minutes stand approved as presented.

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

**4. CONSENT AGENDA:** Ron Mellick moved, Eber Phelps seconded, that the following consent agenda items be approved:

**A.** A Cereal Malt Beverage License for the Downtown Hays Development Corporation for the annual downtown Blues and BBQ event.

**B.** The following appointments to the Airport Advisory Committee:

Lyle Noordhoek – three-year term to expire April 30, 2016

Gary Wentling – three-year term to expire April 30, 2016

Vote: Ayes: Kent Steward

Eber Phelps

Shaun Musil

Ron Mellick

**C.** Mayor Steward presented the following proposed appointments, which will be voted upon for approval at the June 27, 2013 Commission meeting:

Hays Beautification Committee

Joni Phelps – three-year term to expire August 1, 2016

Hays Public Library Board

Pamela Shaffer – four-year term to expire April 30, 2017

Delbert Stanton – four-year term to expire April 30, 2017

Lauren Lowry – unexpired term to expire April 30, 2014

**NEW BUSINESS**

**5. GO BONDS, SERIES 2013-A – PUBLIC HEARING FOR SPECIAL ASSESSMENTS:** Chairperson Steward opened the public hearing to receive comments regarding the proposed assessments for public improvements within the Golden Belt Estates 4<sup>th</sup> Addition and Replat of 46<sup>th</sup> Street First Addition.

There being no comments, Ron Mellick moved, Shaun Musil seconded, that the public hearing be closed.

Vote: Ayes: Kent Steward

Eber Phelps

Shaun Musil

Ron Mellick

**6. GO BONDS, SERIES 2013-A – ORDINANCE LEVYING SPECIAL ASSESSMENTS:** Ron Mellick moved, Eber Phelps seconded, that Ordinance No. 3863, being an ordinance levying special assessments on certain property to pay the costs of internal improvements in the City of Hays, Kansas, as authorized by Resolution Nos. 2011-019 and 2011-002 of the City; and providing for the collection of such special assessments, be approved.

Vote: Ayes: Kent Steward

Eber Phelps

Shaun Musil

Ron Mellick

**7. GO BONDS, SERIES 2013-A – RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2013-A:**

Resolution 2013-014 authorizes the offering for sale of General Obligation Refunding and Improvement Bonds, Series 2013-A. The bonds will reimburse the City for expenditures related to Golden Belt 4<sup>th</sup> Addition and Replat of 46<sup>th</sup> Street 1<sup>st</sup> Addition improvements and refund the City's General Obligation Internal Improvement Bonds Series 2002-A and Series 2003-A to save approximately \$130,000 in interest cost.

Eber Phelps moved, Shaun Musil seconded, that Resolution No. 2013-014, being a resolution authorizing the offering for sale of General Obligation Refunding and Improvement Bonds, Series 2013-A, of the City of Hays, Kansas, be approved.

Vote: Ayes: Kent Steward

Eber Phelps

Shaun Musil

Ron Mellick

**8. VIA CHRISTI – TEFRA PUBLIC HEARING FOR THE RETIREMENT OF HEALTH CARE FACILITY REVENUE BONDS, SERIES 2012-A:**

Recently, Ascension Health Alliance became the sole owner of Via Christi Health, Inc. In connection with this change in ownership, Ascension intends to have the Wisconsin Health and Educational Facilities Authority issue revenue bonds in an amount not to exceed \$888,000,000. A portion of the proceeds will be used to redeem, provide for the payment of, and/or defease all of the outstanding Via Christi Health Care Facility Revenue Bonds, Series 2012-A.

Chairperson Steward opened the public hearing to receive comments regarding the retirement of Via Christi Health Care Facility Revenue Bonds, Series 2012-A.

J. T. Klaus, attorney with Triplett, Woolf, and Garretson, LLC, Wichita, Kansas, explained the process for retirement of the Health Care Facility Revenue Bonds, Series 2012-A for the Via Christi-Hays facility and the necessary procedures that must be followed.

Shaun Musil moved, Ron Mellick seconded, that the public hearing be closed.

Vote: Ayes: Kent Steward  
Eber Phelps  
Shaun Musil  
Ron Mellick

**9. VIA CHRISTI – TEFRA RESOLUTION:** Eber Phelps moved, Ron Mellick seconded, that Resolution No. 2013-015, being a resolution of the City of Hays, Kansas, approving the issuance of not to exceed \$888,000,000 in revenue bonds by the Wisconsin Health and Educational Facilities Authority, be approved.

Vote: Ayes: Kent Steward  
Eber Phelps  
Shaun Musil  
Ron Mellick

**10. VIA CHRISTI – CONVEYANCE RESOLUTION:** Any time an industrial revenue bond is redeemed or defeased, the City is obligated to transfer the financed project to the bond tenant, upon the execution of its option to purchase.

Ron Mellick moved, Shaun Musil seconded, that Resolution No. 2013-016, being a resolution of the City of Hays, Kansas, approving the sale of a certain project financed with the proceeds of revenue bonds of the City; authorizing the execution and delivery of (1) a special warranty deed, (2) a bill of sale, (3) a termination and release, and (4) a satisfaction, discharge and release of indenture, be approved.

Vote: Ayes: Kent Steward  
Eber Phelps  
Shaun Musil  
Ron Mellick

**11. CONTRACT SEWER CLEANING:** Eber Phelps moved, Shaun Musil seconded, that the bid submitted by Mayer Specialty Services, LLC to clean and video sewer lines at a cost of \$1.19 per linear foot, not to exceed \$120,000 to be

funded from the Wastewater Treatment and Collections project line item, be approved.

Vote: Ayes: Kent Steward  
Eber Phelps  
Shaun Musil  
Ron Mellick

**12. WALKER MD MOWER PURCHASE FOR CEMETERY USE:** Shaun Musil moved, Ron Mellick seconded, that the bid received from Pro-Green Total Lawn Care for a Walker MD mower, in the amount of \$16,825 to be paid from the New Equipment Reserve, be approved.

Vote: Ayes: Kent Steward  
Eber Phelps  
Shaun Musil  
Ron Mellick

**13. AIRPORT TERMINAL IMPROVEMENTS – HAYS REGIONAL AIRPORT:**

The existing terminal building was constructed in 1991 and requires multiple updates to be compliant with current code requirements. Improvements will include modernization of the existing heating/air conditioning (HVAC) system, utility closet, and incorporating Americans with Disabilities Act (ADA) requirements to existing lavatory facilities. A larger secured passenger area and rest room installations would address changes in service since the inception of passenger screening. Office space construction, rest room remodel and upgrade in older systems would provide opportunity for business location at the Airport. Engineering fees to meet FAA match guidelines for assistance are estimated at \$250,000 with an estimated split of \$130,714 FAA and \$119,286 local match.

Ron Mellick moved, Eber Phelps seconded, that the City Manager be authorized to submit an application for federal assistance for the engineering of airport terminal improvements at the Hays Regional Airport.

Vote: Ayes: Kent Steward  
Eber Phelps  
Shaun Musil  
Ron Mellick

**14. RESOLUTION TO ESTABLISH BENEFIT DISTRICT FOR LOTS 1-24  
WITHIN THE REPLAT OF LOT 2, BLOCK 9, GOLDEN BELT 8<sup>TH</sup> ADDITION:**

Laverne Schumacher has petitioned the City for alley paving, storm sewer, water and sanitary sewer improvements to an area containing 24 lots within the Replat of Lot 2, Block 9, Golden Belt 8<sup>th</sup> Addition at an estimated cost of \$356,876. The street, which will be private and not maintained by the City, is not included in the assessment and will be paid in full by the developer. The developer has requested that costs for the alley paving, storm sewer, water and sanitary sewer improvements be assessed to the developer. The developer must front 30% of the project cost and the remaining 70% will be assessed over a 15 year period.

Eber Phelps moved, Shaun Musil seconded, that Resolution No. 2013-017, being a resolution setting forth findings and determinations of the Governing Body of the City of Hays, Kansas on the advisability of and authorizing the construction of certain improvements pursuant to K.S.A. 12-6a01 et seq., be approved.

Vote: Ayes: Kent Steward  
Eber Phelps  
Shaun Musil  
Ron Mellick

**15. GOLDEN BELT ESTATES 5<sup>TH</sup> ADDITION – REZONING:**

Eber Phelps moved, Shaun Musil seconded, that Ordinance No. 3864, being an ordinance rezoning a tract of land situation in the southeast quarter of Section Twenty (20), Township Thirteen (13) South, Range Eighteen (18) West of the 6<sup>th</sup> P.M. in Ellis County, Kansas, be approved.

Vote: Ayes: Kent Steward  
Eber Phelps  
Shaun Musil  
Ron Mellick

**16. GOLDEN BELT ESTATES 5<sup>TH</sup> ADDITION - FINAL PLAT:** Shaun Musil moved, Ron Mellick seconded, that Resolution No. 2013-018, being a resolution accepting the final plat known as Golden Belt Estates 5<sup>th</sup> Addition, be approved.

Vote: Ayes: Kent Steward  
Eber Phelps  
Shaun Musil  
Ron Mellick

**17. GOLDEN BELT ESTATES 5<sup>TH</sup> ADDITION – ANNEXATION:** Ron Mellick moved, Shaun Musil seconded, that Ordinance No. 3865, being an ordinance annexing land to be known as Golden Belt Estates 5<sup>th</sup> Addition, be approved.

Vote: Ayes: Kent Steward  
Eber Phelps  
Shaun Musil  
Ron Mellick

**18. HOUSING STUDY GROUP REPORT:** In February, the Commission requested the development of a Rural Housing Improvement District (RHID) policy. The use of an RHID was noted in the Economic Development Coalition/Realtors Association Housing Needs Assessment as a mechanism to reduce housing costs. The Commission authorized the Housing Study Group to explore Hays' housing issues in more detail.

The City Manager reported that the Housing Study Group feels that now is not the time for the City to be looking at large scale and broad reaching policy considerations. When a governmental entity immerses itself in the housing market there are ripple effects. There are high housing costs in Hays and there are not a lot of housing choices, but the Study Group does not feel it is a problem right now. The issues can be addressed by the market at this time. Staff will continue to monitor the situation and be prepared to act if problems do arise.

**19. AMENDED ECONOMIC DEVELOPMENT POLICY – RURAL HOUSING IMPROVEMENT DISTRICT (RHID):**

Paul Briseno, Assistant City Manager, presented the proposed Rural Housing Improvement District (RHID) Policy for consideration and guidance. If approved, future RHID applicants have to demonstrate a need to the Commission and State of Kansas. The State governs much of the process; however the proposed policy has requirements and processes specific for Hays.

Ron Mellick moved, Eber Phelps seconded, for the purposes of discussion, that the amended Economic Development Policy for the City of Hays containing Rural Housing Improvement District language, be approved.

Commissioner Mellick stated he would prefer to encourage the building of low-income based units rather than single family housing.

Chairperson Steward stated that when tax money is given to a developer that allows him to make a profit on rentals, it is not fair. Someone else has to pay those taxes. He feels the program is fundamentally flawed.

Aaron White, Executive Director of the Ellis County Coalition for Economic Development, commented that there are a large number of people on the waiting list for low-income based housing units.

Ron Mellick moved, Shaun Musil seconded, that the amended Economic Development Policy – Rural Housing Improvement District, be tabled for further discussion at the July 2, 2013 work session.

Vote: Ayes: Kent Steward

Eber Phelps

Shaun Musil

Ron Mellick

**41<sup>ST</sup> STREET RIGHT-OF-WAY – SMOKY HILL COUNTRY CLUB:**

The Governing Body was requested to consider approval of an offer for the acquisition of a temporary construction easement and a permanent drainage easement from the Smoky Hill Country Club for the proposed reconstruction of 41<sup>st</sup> Street from the US-183 Bypass to Hall Street. Offers have already been made for other simple and uncomplicated acquisitions along 41<sup>st</sup> Street.

Ron Mellick moved, Shaun Musil seconded, that staff be authorized to offer \$29,688.40 to Smoky Hill Country Club and take such actions necessary to acquire a temporary construction easement and permanent drainage easement required for the reconstruction of 41<sup>st</sup> Street, to be funded from the Capital Projects Fund.

Vote: Ayes: Kent Steward  
Eber Phelps  
Shaun Musil  
Ron Mellick

**21. REPORT OF THE CITY MANAGER:** City Manager Dougherty recognized City Clerk Doris Wing who is retiring after 47 years of service with the City of Hays.

**22. COMMISSION INQUIRIES AND COMMENTS:** Commissioner Phelps asked if there would be any more discussion on the use of fireworks this 4<sup>th</sup> of July.

The City Manager stated it can be discussed at the next work session on June 20<sup>th</sup> or there could be a request to hold a special meeting to specifically discuss the use of fireworks.

Chairperson Steward asked when there will be training for new members on the Planning Commission.

The City Manager stated that there will be funds budgeted in 2014 for that purpose.

Chairperson Steward congratulated Susan Gamboa and others for their work on bringing the adult daycare facility to fruition, as well as the Good Samaritan Society which will be running the program.

The meeting was adjourned at 8:20 p.m.

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

Doris Wing – City Clerk



# Memo

DATE: June 17, 2013  
TO: Toby Dougherty, City Manager  
CC: Paul Briseno, Asst City Manager  
FROM: Kim Rupp, Finance Director  
RE: May 2013 Monthly Financial

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The attached report contains the financial summaries of the revenue and expenditure activities of the City of Hays for the month ended May 31, 2013.

## Period to Date Financial Performance

Revenues in May totaled \$1,841,331 an increase of \$76,152 compared to the same period as last year.

- Notable areas of increased revenue compared to May 2012
  - Court costs and fines in the Public Safety revenues are up about \$10,000 as compared to this time last year
  - Residential and business MTD water consumption increased 10.53% over last year translating into an increase of \$21,400 for water and conservation revenue. Total YTD water consumption is still down 4.57% with total water and conservation revenue at -2.43%
  - R9 ranch revenue was up \$105,000 as a result of the timing of cash rents receipts.
- Notable areas of revenue decrease compared to May 2012
  - Miscellaneous Revenue fell \$8800 for the CVB due to the re-structure of rental payments a year ago with the tenants in CVB
  - Franchise fees were off \$26,336 compared to this month last year. YTD, fees are flat as an average of all franchisees.

Expenditures in May totaled \$1,820,364 which is an increase of \$364,873 as compared to 2012.

- Notable areas of increased expenditures compared to May 2012
  - Electricity expenditures across all funds were up a total of \$64,500. There was a second utility payment that hit on May 30 thus causing the anomaly.
  - Also an anomaly was salaries. There were three payroll periods in May this year thus those expenditures were up some \$257,000.
- Notable areas of decreased expenditures compared to May 2012
  - Projects for storm water management fell \$15,127 due to the vine street ditch repairs completed this time last year
  - Chemicals for water production were off \$20,000 as compared to May 2012

MTD sales tax collections for the Sports Complex were \$241,082 which was a decrease of \$8,200 when compared to last year. Total YTD collections are \$1,219,772 and ITD collections total \$11,145,621. This represents the total collections for the four year term of the sports complex sales tax.

MTD general fund sales tax collections were at \$591,279 down \$19,955 or -3.26% as compared to last year. The six month running average on sales tax collections is down 1.98%.

The report of quarter to date (QTD) sales tax collections by industry classification is fairly flat with an increase of just .13% when comparing the top ten sales tax collecting industries for the City of Hays. These top ten now represent 69.47% of the total QTD sales tax distribution.

The portfolio of certificates of deposit on May 31, 2013 totaled \$51,050,000 with a weighted average interest rate of .24%. The total balance of the Money Market account on May 31, 2013 was \$1,000,000 with a current yield of .20%. Total investments are up \$3,550,000 when compared to this time last year.

# FINANCIAL STATEMENT CITY OF HAYS, KANSAS

This Document is for Internal Use and Represents Un-audited Figures

As of May 31, 2013

## CASH BALANCE

Total Cash in All Funds	\$53,455,960.00
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## STATEMENT OF CREDITS

Checking Accounts with Banks	\$2,404,460.00
Money Market Accounts	\$1,000,000.00
Investments	\$50,050,000.00
Cash in Office	<u>\$1,500.00</u>
TOTAL	\$53,455,960.00

## STATEMENT OF CURRENT OBLIGATIONS

General Obligation Bonds	\$13,970,000.00
Temporary Notes	\$0.00
State Revolving Loan Fund	\$387,751.45
Revenue Bonds	\$3,835,000.00
Lease Purchase Agreements	<u>\$656,524.13</u>
	\$18,849,275.58

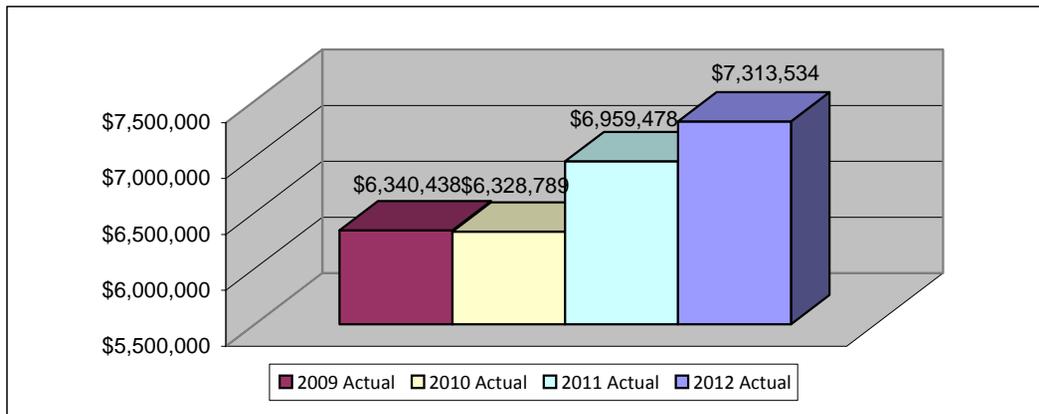
**CITY OF HAYS  
INVESTMENTS AS OF  
5/31/2013**

<u>Commerce Bank</u>	<u>Certificates of Deposit</u>	<u>Date Issued</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	<u>Interest at Maturity</u>
<b>CD #</b>					
32*	1,000,000.00	6/7/2012	6/14/2013	0.17%	1,732.60
230*	1,000,000.00	6/15/2012	6/28/2013	0.17%	1,695.34
698	1,000,000.00	6/28/2012	6/28/2013	0.17%	1,769.86
731*	1,000,000.00	6/29/2012	7/12/2013	0.17%	1,695.34
813	1,000,000.00	7/27/2012	7/16/2013	0.19%	1,842.74
205	1,000,000.00	8/10/2012	7/26/2013	0.19%	1,821.92
931*	1,000,000.00	8/1/2012	8/9/2013	0.20%	2,043.84
003	1,000,000.00	9/7/2012	8/23/2013	0.17%	1,630.14
652	1,000,000.00	8/24/2012	8/23/2013	0.21%	2,094.24
876*	750,000.00	8/31/2012	9/6/2013	0.21%	1,570.69
917	1,000,000.00	2/22/2013	9/20/2013	0.09%	517.81
901	1,450,000.00	10/21/2011	10/21/2013	0.33%	9,583.11
757	1,000,000.00	10/5/2012	11/1/2013	0.22%	2,362.74
348	1,300,000.00	11/4/2011	11/4/2013	0.31%	8,060.00
453	1,200,000.00	10/30/2012	11/30/2013	0.20%	2,597.26
538*	1,000,000.00	11/2/2012	12/13/2013	0.20%	2,224.65
487*	1,000,000.00	12/3/2012	12/27/2013	0.19%	2,024.93
486*	1,000,000.00	12/3/2012	1/10/2014	0.20%	2,208.22
923*	1,000,000.00	12/14/2012	2/6/2014	0.20%	2,295.89
194*	1,000,000.00	12/24/2012	3/7/2014	0.20%	2,339.73
595*	1,000,000.00	1/7/2013	3/21/2014	0.20%	2,400.00
050	1,200,000.00	4/6/2012	4/6/2014	0.25%	5,999.99
002	3,000,000.00	1/18/2013	4/18/2014	0.21%	7,853.42
341*	1,500,000.00	1/31/2013	5/2/2014	0.21%	3,935.34
33*	2,000,000.00	6/7/2012	5/30/2014	0.30%	11,868.49
566*	2,500,000.00	2/8/2013	6/13/2014	0.21%	7,047.95
968*	1,000,000.00	2/25/2013	7/11/2014	0.20%	2,745.21
110*	1,000,000.00	4/5/2013	7/25/2014	0.21%	2,738.63
764	750,000.00	4/26/2013	8/26/2014	0.18%	1,801.23
<b>Sunflower Bank</b>	<b>Certificates of Deposit</b>				
<b>CD #</b>					
<b>Equity Bank</b>	<b>Certificates of Deposit</b>				
<b>CD #</b>					
531	2,000,000.00	9/21/2012	9/20/2013	0.28%	5,584.66
549	1,000,000.00	9/27/2012	10/4/2013	0.31%	3,159.45
558	1,750,000.00	10/1/2012	10/18/2013	0.25%	4,578.77
594	1,000,000.00	10/8/2012	11/15/2013	0.24%	2,649.86
423	3,000,000.00	1/23/2012	1/24/2014	0.40%	24,065.74
540	2,000,000.00	9/21/2012	2/21/2014	0.38%	10,785.75
477	1,000,000.00	5/30/2012	5/16/2014	0.31%	6,200.00
909	2,000,000.00	4/19/2013	8/4/2014	0.24%	6,207.12
828	1,650,000.00	3/28/2013	3/28/2015	0.32%	10,560.00
<b>First National Bank</b>	<b>Certificates of Deposit</b>				
<b>CD #</b>					
<b>Emprise Bank</b>	<b>Certificates of Deposit</b>				
<b>CD#</b>					
<b>Bank of Hays</b>	<b>Certificates of Deposit</b>				
<b>CD#</b>					
	<u>50,050,000.00</u>				<u>172,292.66</u>
<b>Emprise Bank</b>					
<b>MMA</b>	0.00				
<b>Commerce Bank</b>					
<b>MMA</b>	1,000,000.00	0.20%			

**SALES TAX RECEIPTS**  
 City of Hays  
 General Fund 1.25%

	2009 actual	2010 actual	2011 actual	2012 actual	2013 actual	Change from 2012	YTD % Change from 2012
<b>January</b>	\$618,869	\$539,129	\$543,135	\$611,353	\$630,469	\$19,116	<b>3.13%</b>
<b>February</b>	\$524,074	\$496,164	\$686,869	\$702,298	\$687,316	(\$14,982)	<b>0.31%</b>
<b>March</b>	\$587,117	\$551,958	\$576,013	\$563,583	\$561,055	(\$2,528)	<b>0.09%</b>
<b>April</b>	\$482,080	\$417,362	\$460,066	\$509,945	\$523,623	\$13,678	<b>0.64%</b>
<b>May</b>	\$420,206	\$519,366	\$569,624	\$611,234	\$591,279	(\$19,955)	<b>-0.16%</b>
<b>June</b>	\$477,236	\$522,834	\$573,474	\$608,325			
<b>July</b>	\$564,768	\$511,370	\$570,421	\$621,448			
<b>August</b>	\$455,451	\$567,989	\$555,561	\$671,019			
<b>September</b>	\$546,619	\$543,507	\$573,336	\$572,295			
<b>October</b>	\$583,108	\$592,063	\$648,649	\$648,340			
<b>November</b>	\$522,049	\$525,702	\$580,035	\$638,490			
<b>December</b>	\$558,861	\$541,345	\$622,295	\$555,204			

**TOTALS** \$6,340,438 \$6,328,789 \$6,959,478 \$7,313,534 \$2,993,742 (\$4,671)  
 -2.88% -0.18% 9.97% 5.09%  
 Total Inc/dec over previous year



2011 - 2012 - 2013 6 month running avg	
January	3.47%
February	-0.16%
March	-0.19%
April	0.19%
May	-1.98%
June	
July	
August	
September	
October	
November	
December	

\*\*General Fund revenues provide funding for City services including police, fire, street, parks, swimming pool and golf course. It also provides funding to outside agencies such as Economic Development, Downtown Hays Development, United Way CARE Council and Fort Hays State Scholarships.

Sales Tax Collections by Industry Classification - Top Ten

QTD 2012-2013 Mar, Apr, May

	2012	2013	\$\$ inc/dec	% inc/dec	% of 2013 Total
452 General Merchandise Stores	\$582,938	\$572,874	(\$10,064)	-1.73%	18.62%
441 Motor Vehicle and Parts Dealers	\$458,219	\$474,134	\$15,915	3.47%	15.41%
722 Food Services and Drinking Places	\$303,760	\$300,351	(\$3,409)	-1.12%	9.76%
444 Building Material and Garden Supply	\$217,835	\$205,488	(\$12,347)	-5.67%	6.68%
445 Food and Beverage	\$182,010	\$200,392	\$18,382	10.10%	6.51%
517 Telecommunications	\$92,151	\$85,078	(\$7,073)	-7.68%	2.76%
448 Clothing and Clothing Accessories	\$99,611	\$107,238	\$7,627	7.66%	3.48%
423 Merchant Wholesalers, Durable Goods	\$98,834	\$99,356	\$522	0.53%	3.23%
721 Accommodation	\$43,009	\$40,420	(\$2,589)	-6.02%	1.31%
451 Sporting Goods, Hobby, Book & Music	\$56,716	\$52,468	(\$4,248)	-7.49%	1.71%
	\$2,135,083	\$2,137,799	\$2,716	0.13%	69.47%

**MONTHLY STATEMENT OF CITY TREASURER  
5/1/2013 THROUGH 5/31/2013**

<b>FUND</b>	<b>BALANCE 5/1/2013</b>	<b>RECEIPTS</b>	<b>DISBURSEMENTS</b>	<b>BALANCE 5/31/2013</b>
Cash Drawer	\$1,500.00			\$1,500.00
General	\$5,030,815.98	728,468.79	944,944.10	\$4,814,340.67
Petty Cash	\$1,000.00			\$1,000.00
Reserve Budget Stabilization	\$3,221,180.75			\$3,221,180.75
Library	\$86,355.65			\$86,355.65
Airport	\$238,821.82	10,840.20	32,202.28	\$217,459.74
Public Safety Equipment	\$241,928.71	0.00	12,266.18	\$229,662.53
Employee Benefit Contribution	\$1,119,432.97	9,635.71	261,519.49	\$867,549.19
Special Highway	\$393,035.44	0.00	26,411.92	\$366,623.52
Special Park & Recreation	\$325,666.70	1,503.00	1,982.00	\$325,187.70
Special Alcohol Program	\$194,959.58			\$194,959.58
Convention & Tourism	\$776,794.48	3,430.22	60,495.59	\$719,729.11
New Equipment Reserve	\$2,591,417.56	51.62	98,883.75	\$2,492,585.43
Grants	\$0.00			\$0.00
Library Employee Benefit	\$10,193.44			\$10,193.44
Golf Course Improvement	\$43,835.39	0.00	(85.00)	\$43,920.39
Park Development - Green Space	\$5,026.93			\$5,026.93
Sports Complex	\$2,128,089.19	241,082.00	0.00	\$2,369,171.19
Stormwater Management	\$422,078.16	0.00	(64,611.44)	\$486,689.60
Capital Projects	\$2,339,314.17	0.00	427,819.98	\$1,911,494.19
Airport Improvement	\$943,381.79	54.00	60.00	\$943,375.79
Bond & Interest	\$782,899.00			\$782,899.00
TDD Sales Tax	\$12,550.04	17,137.99	13,250.04	\$16,437.99
Home Depot Econ Dev Bds	\$178,691.78	11,425.00	0.00	\$190,116.78
Home Depot Econ Dev Bds (Cash Restr.)	\$24,608.90			\$24,608.90
48th/Roth Ave. - CID	\$0.00			\$0.00
Restricted Cash - 2009 A Bonds	\$65,352.00			\$65,352.00
Sales Tax (Cash Reserve)	\$22,432,269.31	230.00	57,977.63	\$22,374,521.68
Water & Sewer	\$7,068,249.48	797,257.07	480,484.78	\$7,385,021.77
Water & Sewer (Bond & Interest Reserve)	\$102,030.92			\$102,030.92
Water & Sewer (Bond Reserve Account)	\$118,334.00			\$118,334.00
Water & Sewer (Capital Reserve)	\$1,374,212.52	0.00	98,145.00	\$1,276,067.52
Water & Sewer(Reserve 2009A)	\$484,574.00	0.00	(24,962.92)	\$509,536.92
Solid Waste Fund	\$632,988.02	4,831.15	(34,914.04)	\$672,733.21
Solid Waste Reserve	\$501,676.22	0.00	20,225.50	\$481,450.72
Fire Insurance Trust	\$0.00			\$0.00

<b>FUND</b>	<b>BALANCE 5/1/2013</b>	<b>RECEIPTS</b>	<b>DISBURSEMENTS</b>	<b>BALANCE 5/31/2013</b>
	\$0.00			\$0.00
Municipal Court Agency Fund	\$139,507.52	0.00	(9,335.67)	\$148,843.19
	<b><u>\$54,032,772.42</u></b>	<b><u>\$1,825,946.75</u></b>	<b><u>\$2,402,759.17</u></b>	<b><u>\$53,455,960.00</u></b>

## City of Hays Revenues

Month of May

	<u>Budgeted</u> 2013	<u>Collections</u> <u>Current Mo.</u>	<u>Collections</u> <u>To Date</u>	<u>Balance</u>
<b>General</b>				
<b><u>CULTURE &amp; RECREATION REVENUES</u></b>				
Total Revenues	\$431,153.00	\$19,055.52	\$244,402.38	(\$186,750.62)
<b><u>GENERAL GOVERNMENT REVENUES</u></b>				
Total Revenues	\$11,262,885.00	\$723,793.07	\$3,682,024.87	(\$7,580,860.13)
<b><u>PUBLIC SAFETY REVENUES</u></b>				
Total Revenues	\$533,000.00	\$64,855.00	\$299,207.70	(\$233,792.30)
<b><u>PUBLIC WORKS REVENUES</u></b>				
Total Revenues	\$10,300.00	\$2,010.00	\$6,135.00	(\$4,165.00)
<b>Library</b>				
<b><u>LIBRARY FUND REVENUES</u></b>				
Total Revenues	\$1,190,401.00	\$0.00	\$691,454.41	(\$498,946.59)
<b>Airport</b>				
<b><u>AIRPORT FUND REVENUES</u></b>				
Total Revenues	\$343,161.00	\$5,636.35	\$163,378.27	(\$179,782.73)
<b>Employee Benefit</b>				
<b><u>EMPLOYEE BENEFIT REVENUES</u></b>				
Total Revenues	\$3,449,819.00	\$5,051.72	\$1,430,182.62	(\$2,019,636.38)
<b>Special Highway</b>				
<b><u>SPECIAL HIGHWAY REVENUES</u></b>				
Total Revenues	\$578,560.00	\$0.00	\$273,336.99	(\$305,223.01)
<b>Special Park &amp; Rec</b>				
<b><u>SPECIAL PRK &amp; REC REVENUES</u></b>				
Total Revenues	\$126,153.00	\$1,503.00	\$36,838.07	(\$89,314.93)
<b>Special Alcohol Fund</b>				
<b><u>SPECIAL ALCOHOL FUND REVENUES</u></b>				
Total Revenues	\$126,153.00	\$0.00	\$34,235.07	(\$91,917.93)
<b>Convention &amp; Visitors Bureau</b>				
<b><u>CONVENTION &amp; VISITOR'S REVENUE</u></b>				
Total Revenues	\$762,000.00	\$3,424.50	\$361,578.23	(\$400,421.77)
<b>Library Employee Benefit</b>				
<b><u>LIBRARY EMP. BENEFIT REVENUES</u></b>				
Total Revenues	\$173,425.00	\$0.00	\$100,419.96	(\$73,005.04)
<b>Risk Management</b>				
<b><u>RISK MANAGEMENT REVENUES</u></b>				
Total Revenues	\$0.00	\$0.00	\$0.00	\$0.00
<b>Golf Course Improvement</b>				
<b><u>GOLF COURSE IMPR. FUND REVENUE</u></b>				
Total Revenues	\$0.00	\$85.00	\$15,980.00	\$15,980.00
<b>Park Development</b>				
<b><u>PARK DEVELOPMENT FUND-REVENUE</u></b>				
Total Revenues	\$0.00	\$0.00	\$0.00	\$0.00
<b>Sports Complex</b>				
<b><u>SPORTS COMPLEX-REVENUES</u></b>				
Total Revenues	\$0.00	\$241,082.00	\$1,236,872.00	\$1,236,872.00
<b><u>STORMWATER MANAGEMENT REVENUES</u></b>				
Total Revenues	\$772,500.00	\$75,304.88	\$324,863.74	(\$447,636.26)
<b>Bond &amp; Interest</b>				
<b><u>BOND &amp; INTEREST REVENUES</u></b>				
Total Revenues	\$1,244,693.00	\$0.00	\$720,920.99	(\$523,772.01)

	<u>Budgeted</u> <u>2013</u>	<u>Collections</u> <u>Current Mo.</u>	<u>Collections</u> <u>To Date</u>	<u>Balance</u>
<b>TDD Sales Tax</b>				
<b><u>TDD SLS TAX REVENUES</u></b>				
Total Revenues	(\$56,562.92)	\$17,137.99	\$83,531.35	\$140,094.27
<b>Home Depot Economic Dev Bonds</b>				
<b><u>HDEPOT-ECON DEV BND-REVENUES</u></b>				
Total Revenues	\$222,925.00	\$11,425.00	\$91,266.76	(\$131,658.24)
<b>48th/Roth Ave. - CID</b>				
<b><u>48TH/ROTH AVE CID-REVENUES</u></b>				
Total Revenues	\$0.00	\$0.00	\$0.00	\$0.00
<b>Water &amp; Sewer</b>				
<b><u>WATER &amp; SEWER FUND REVENUES</u></b>				
Total Revenues	\$8,685,252.00	\$775,069.03	\$3,466,450.10	(\$5,218,801.90)
<b>Solid Waste</b>				
<b><u>SOLID WASTE FUND REVENUES</u></b>				
Total Revenues	\$1,268,900.00	\$109,979.90	\$544,718.31	(\$724,181.69)
<b>Fire Insurance Trust</b>				
<b><u>FIRE INS TRUST REVENUES</u></b>				
Total Revenues	\$0.00	\$0.00	\$0.00	\$0.00
 Grand Totals	 <u>\$31,124,717.08</u>	 <u>\$2,055,412.96</u>	 <u>\$13,807,796.82</u>	 <u>(\$17,316,920.26)</u>

## City of Hays Expenditures

Month of May

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>
<b>General</b>				
<b><u>BALLFIELD MAINTENANCE</u></b>				
Total Expenditures	\$60,500.00	\$1,775.00	\$14,974.88	\$45,525.12
<b><u>BICKLE-SCHMIDT SPORTS COMPLEX</u></b>				
Total Expenditures	\$257,093.00	\$6,930.20	\$62,292.25	\$194,800.75
<b><u>BUILDINGS &amp; GROUNDS</u></b>				
Total Expenditures	\$531,260.00	\$34,560.47	\$193,582.42	\$337,677.58
<b><u>CEMETERIES</u></b>				
Total Expenditures	\$18,000.00	\$0.00	\$3,094.76	\$14,905.24
<b><u>CITY ATTORNEY</u></b>				
Total Expenditures	\$101,000.00	\$6,500.00	\$41,206.25	\$59,793.75
<b><u>CITY COMMISSION</u></b>				
Total Expenditures	\$2,786,813.00	\$760.85	\$8,730.03	\$2,778,082.97
<b><u>CITY MANAGER</u></b>				
Total Expenditures	\$454,097.00	\$24,592.71	\$171,052.01	\$283,044.99
<b><u>DISPATCH</u></b>				
Total Expenditures	\$552,452.00	\$33,972.28	\$194,267.34	\$358,184.66
<b><u>ECONOMIC DEVELOPMENT</u></b>				
Total Expenditures	\$256,205.00	\$141,355.00	\$142,408.04	\$113,796.96
<b><u>FINANCE/CITY CLERK</u></b>				
Total Expenditures	\$403,146.00	\$24,135.86	\$138,630.71	\$264,515.29
<b><u>FIRE DEPARTMENT</u></b>				
Total Expenditures	\$1,387,544.00	\$99,736.77	\$517,535.74	\$870,008.26
<b><u>FLEET MAINTENANCE</u></b>				
Total Expenditures	\$884,650.00	\$33,476.69	\$310,209.37	\$574,440.63
<b><u>GOLF COURSE</u></b>				
Total Expenditures	\$350,878.00	\$10,679.43	\$150,230.51	\$200,647.49
<b><u>HUMAN RESOURCES</u></b>				
Total Expenditures	\$223,417.00	\$10,127.55	\$81,691.07	\$141,725.93
<b><u>INFORMATION TECHNOLOGY</u></b>				
Total Expenditures	\$520,851.00	\$69,067.64	\$208,849.85	\$312,001.15
<b><u>INTERGOVERNMENTAL ACCOUNT</u></b>				
Total Expenditures	\$360,850.00	\$15,845.38	\$53,560.55	\$307,289.45
<b><u>MUNICIPAL COURT</u></b>				
Total Expenditures	\$151,626.00	\$11,073.24	\$57,836.55	\$93,789.45
<b><u>P.W.-GENERAL ADMINISTRATION</u></b>				
Total Expenditures	\$349,867.00	\$17,853.09	\$128,965.67	\$220,901.33
<b><u>PARKS &amp; PLAYGROUNDS</u></b>				
Total Expenditures	\$842,410.00	\$44,686.05	\$338,055.57	\$504,354.43
<b><u>PLANNING INSPECTION ENFORCEMENT</u></b>				
Total Expenditures	\$314,238.00	\$16,997.45	\$101,374.30	\$212,863.70
<b><u>POLICE DEPARTMENT</u></b>				
Total Expenditures	\$2,098,965.00	\$164,953.31	\$802,482.35	\$1,296,482.65
<b><u>PUBLIC WORKS-SERVICE DIVISION</u></b>				
Total Expenditures	\$868,197.00	\$50,911.21	\$312,727.96	\$555,469.04
<b><u>QUALITY OF LIFE</u></b>				
Total Expenditures	\$38,747.00	\$33,303.00	\$38,747.00	\$0.00
<b><u>SOCIAL SERVICES</u></b>				
Total Expenditures	\$164,000.00	\$0.00	\$82,000.00	\$82,000.00
<b><u>SWIMMING POOL</u></b>				
Total Expenditures	\$137,900.00	\$0.00	\$26,941.90	\$110,958.10
<b>Library</b>				
<b><u>LIBRARY FUND EXPENDITURES</u></b>				
Total Expenditures	\$1,210,787.00	\$11,657.24	\$670,810.21	\$539,976.79
<b>Airport</b>				
<b><u>AIRPORT FUND EXPENDITURES</u></b>				
Total Expenditures	\$507,086.00	\$22,005.72	\$81,549.98	\$425,536.02

	<u>Budgeted</u> <u>2013</u>	<u>Expenses</u> <u>Current Mo.</u>	<u>Expenses</u> <u>To Date</u>	<u>Balance</u>
<b>Employee Benefit</b>				
<b><u>EMPLOYEE BENEFIT EXPENDITURES</u></b>				
Total Expenditures	\$3,998,165.00	\$279,221.15	\$1,581,761.29	\$2,416,403.71
<b>Special Highway</b>				
<b><u>SPECIAL HIGHWAY EXPENDITURES</u></b>				
Total Expenditures	\$1,085,329.00	\$0.00	\$406,446.06	\$678,882.94
<b>Special Park &amp; Rec</b>				
<b><u>SPECIAL PRK &amp; REC EXPENDITURES</u></b>				
Total Expenditures	\$382,099.00	\$0.00	\$18,800.15	\$363,298.85
<b>Special Alcohol Fund</b>				
<b><u>SPECIAL ALCOHOL FUND EXPENDITURE</u></b>				
Total Expenditures	\$299,538.00	\$0.00	\$30,000.00	\$269,538.00
<b>Convention &amp; Visitors Bureau</b>				
<b><u>CVB EXPENDITURES</u></b>				
Total Expenditures	\$1,310,497.00	\$32,770.07	\$277,357.58	\$1,033,139.42
<b>Library Employee Benefit</b>				
<b><u>LIBRARY EMP. BENEFIT EXPENDITURE</u></b>				
Total Expenditures	\$175,746.00	\$1,703.51	\$97,532.30	\$78,213.70
<b>Risk Management</b>				
<b><u>RISK MGT. FUND EXPENDITURES</u></b>				
Total Expenditures	\$0.00	\$0.00	\$0.00	\$0.00
<b>Golf Course Improvement</b>				
<b><u>GOLF COURSE IMPR. EXPENDITURES</u></b>				
Total Expenditures	\$0.00	\$0.00	\$0.00	\$0.00
<b>Park Development</b>				
<b><u>PARK DEVELOPMENT EXPENDITURES</u></b>				
Total Expenditures	\$0.00	\$0.00	\$0.00	\$0.00
<b>Sports Complex</b>				
<b><u>SPORTS COMPLEX-EXPENDITURES</u></b>				
Total Expenditures	\$0.00	\$0.00	\$5,950.00	(\$5,950.00)
<b><u>STORMWATER MANAGEMENT EXPENDITURE</u></b>				
Total Expenditures	\$944,974.00	\$5,057.02	\$18,200.29	\$926,773.71
<b>Bond &amp; Interest</b>				
<b><u>BOND &amp; INTEREST EXPENDITURES</u></b>				
Total Expenditures	\$1,487,873.00	\$7,801.67	\$236,301.68	\$1,251,571.32
<b>TDD Sales Tax</b>				
<b><u>TDD SLS TAX EXPENDITURES</u></b>				
Total Expenditures	\$0.00	\$20,848.25	\$105,079.60	(\$105,079.60)
<b>Home Depot Economic Dev Bonds</b>				
<b><u>H DEPOT ECON DEV BND-EXPENDITURE</u></b>				
Total Expenditures	\$212,618.00	\$0.00	\$51,308.76	\$161,309.24
<b>48th/Roth Ave. - CID</b>				
<b><u>48TH/ ROTH AVE CID-EXPENDITURE</u></b>				
Total Expenditures	\$0.00	\$0.00	\$0.00	\$0.00
<b>Water &amp; Sewer</b>				
<b><u>DEBT SERVICE</u></b>				
Total Expenditures	\$823,949.00	\$58,245.65	\$291,948.23	\$532,000.77
<b><u>DEBT SERVICE - SALES TAX</u></b>				
Total Expenditures	\$0.00	\$0.00	\$0.00	\$0.00
<b><u>UTILITIES DEPT./WATER CONSERV.</u></b>				
Total Expenditures	\$87,565.00	\$1,100.00	\$20,542.77	\$67,022.23
<b><u>W/S NON-OPERATING EXPENDITURES</u></b>				
Total Expenditures	\$6,472,280.00	\$34,356.48	\$188,749.89	\$6,283,530.11
<b><u>WASTEWATER TREATMENT &amp; COLL.</u></b>				
Total Expenditures	\$1,103,900.00	\$53,030.51	\$367,429.64	\$736,470.36
<b><u>WATER PRODUCTION &amp; DIST.</u></b>				
Total Expenditures	\$1,647,476.00	\$76,263.69	\$532,892.39	\$1,114,583.61
<b>Solid Waste</b>				
<b><u>SOLID WASTE FUND EXPENDITURE</u></b>				
Total Expenditures	\$1,477,452.00	\$28,351.92	\$292,590.48	\$1,184,861.52

	<u>Budgeted</u> <u>2013</u>	<u>Expenses</u> <u>Current Mo.</u>	<u>Expenses</u> <u>To Date</u>	<u>Balance</u>
<b>Fire Insurance Trust</b>				
<b><u>FIRE INS TRUST EXPENDITURES</u></b>				
Total Expenditures	\$0.00	\$0.00	\$0.00	\$0.00
Grand Totals	<u>\$37,342,040.00</u>	<u>\$1,485,706.06</u>	<u>\$9,456,698.38</u>	<u>\$27,885,341.62</u>

**GENERAL FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash	4,814,340.67
Petty Cash	1,000.00
Cash Drawer	1,500.00
Reserve-Budget Stabilization	3,221,180.75
Accts. Receivable-Police Court	0.00
Accts. Receivable-Misc. Sources	0.00

**TOTAL ASSETS** 8,038,021.42

**LIABILITIES**

Accounts Payable	0.00
Accrued Payroll	123,865.28
Accrued Vacation/PTO	431,708.57
Accrued Sick Leave	34,918.50
Accrued Comp Time	
W/H -Payable	
State W/H Payable	
FICA/Med Payable	
KPERS-Payable	
Prior Year Encumbrance	0.00
Lease Purchase Agreements	0.00

**TOTAL LIABILITIES** 590,492.35

**FUND BALANCE**

Revenues	4,228,722.95
Expenditures	-4,146,220.46
Fund Balance Reserved for Enc	32,272.38
Fund Balance Unreserved	4,111,573.45
Bdgt Stabilization Reserved Fund Bl	3,221,180.75

**TOTAL FUND BALANCE** 7,447,529.07

**TOTAL LIABILITIES  
& FUND BALANCE** 8,038,021.42

**LIBRARY FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash

86,355.65

**TOTAL ASSETS**

86,355.65

**FUND BALANCE**

Revenues

691,454.41

Expenditures

-670,810.21

Fund Balance Unreserved

65,711.45

**TOTAL FUND BALANCE**

86,355.65

## AIRPORT FUND

5/31/2013

### BALANCE SHEET

#### ASSETS:

Cash	217,459.74
Accts. Receivable-	
Accts. Receivable-Misc. Sources	
<b>TOTAL ASSETS</b>	<b><u>217,459.74</u></b>

#### LIABILITIES

Accounts Payable	
Accrued Payroll	1,410.15
Accrued Vacation/PTO	4,353.45
Accrued Sick Leave Payout	
Prior Year Encumbrance	0.00
<b>TOTAL LIABILITIES</b>	<b><u>5,763.60</u></b>

#### FUND BALANCE

Revenues	163,378.27
Expenditures	-80,623.01
Fund Balance Reserved for Enc	0.00
Fund Balance Unreserved	128,940.88
<b>TOTAL FUND BALANCE</b>	<b><u>211,696.14</u></b>

<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>217,459.74</u></u></b>
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**PUBLIC SAFETY EQUIPMENT FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash

229,662.53

**TOTAL ASSETS**

**229,662.53**

**LIABILITIES:**

Accounts Payable

0.00

**TOTAL LIABILITIES**

**0.00**

**FUND BALANCE**

Revenues

243,510.97

Expenditures

-95,918.19

Fund Balance Reserved for Enc

12,883.53

Fund Balance Unreserved

69,186.22

**TOTAL FUND BALANCE**

**229,662.53**

## EMPLOYEE BENEFIT FUND

5/31/2013

### BALANCE SHEET

#### ASSETS:

Cash		867,549.19
Accts. Receivable-Misc. Sources		0.00
	<b>TOTAL ASSETS</b>	<b>867,549.19</b>

#### LIABILITIES

Accounts Payable		99,397.70
	<b>TOTAL LIABILITIES</b>	<b>99,397.70</b>

#### FUND BALANCE

Revenues		1,430,182.62
Expenditures		-1,535,170.03
Fund Balance Reserved for Enc		
Fund Balance Unreserved		873,138.90
	<b>TOTAL FUND BALANCE</b>	<b>768,151.49</b>

	<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b>867,549.19</b>
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# SPECIAL HIGHWAY FUND

5/31/2013

## BALANCE SHEET

### ASSETS:

Cash	366,623.52
Grants Receivable	0.00
<b>TOTAL ASSETS</b>	<b><u>366,623.52</u></b>

### LIABILITIES

Accounts Payable	0.00
Due To Other Funds	0.00
Prior Year Encumbrance	0.00
<b>TOTAL LIABILITIES</b>	<b><u>0.00</u></b>

### FUND BALANCE

Revenues	273,336.99
Expenditures	-394,702.54
Fund Balance Reserved for Enc	21,098.98
Fund Balance Unreserved	466,890.09
<b>TOTAL FUND BALANCE</b>	<b><u>366,623.52</u></b>

<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>366,623.52</u></u></b>
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**SPECIAL PARK & RECREATION FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash

325,187.70

**TOTAL ASSETS**

**325,187.70**

**LIABILITIES**

Accounts Payable

0.00

**TOTAL LIABILITIES**

**0.00**

**FUND BALANCE**

Revenues

36,838.07

Expenditures

-17,480.15

Fund Balance Reserved for Enc

4,121.79

Fund Balance Unreserved

301,707.99

**TOTAL FUND BALANCE**

**325,187.70**

**TOTAL LIABILITIES**

**& FUND BALANCE**

**325,187.70**

**SPECIAL ALCOHOL FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash

194,959.58

**TOTAL ASSETS**

194,959.58

**LIABILITIES**

Accrued Payroll

Accrued Vacation

Accounts Payable

0.00

**TOTAL LIABILITIES**

0.00

**FUND BALANCE**

Revenues

34,235.07

Expenditures

-30,000.00

Fund Balance Unreserved

190,724.51

**TOTAL FUND BALANCE**

194,959.58

**TOTAL LIABILITIES  
& FUND BALANCE**

194,959.58

**CONVENTION & VISITOR'S BUREAU FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash	719,729.11
Accts. Receivable-Misc. Sources	0.00
<b>TOTAL ASSETS</b>	<b><u>719,729.11</u></b>

**LIABILITIES**

Accounts Payable	0.00
Accrued Payroll	3,753.33
Accrued Vacation/PTO	10,863.96
Accrued Comp Time	0.00
Prior Year Encumbrance	0.00
<b>TOTAL LIABILITIES</b>	<b><u>14,617.29</u></b>

**FUND BALANCE**

Revenues	361,578.23
Expenditures	-258,288.13
Fund Balance Reserved for Enc	0.00
Fund Balance Unreserved	601,821.72
<b>TOTAL FUND BALANCE</b>	<b><u>705,111.82</u></b>

<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>719,729.11</u></u></b>
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**NEW EQUIPMENT RESERVE FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash

2,492,585.43

**TOTAL ASSETS**

2,492,585.43

**LIABILITIES**

Accounts Payable

**TOTAL LIABILITIES**

0.00

**FUND BALANCE**

Revenues

786.92

Expenditures

-115,478.25

Fund Balance Reserved for Enc

0.00

Fund Balance Unreserved

2,607,276.76

**TOTAL FUND BALANCE**

2,492,585.43

**TOTAL LIABILITIES  
& FUND BALANCE**

2,492,585.43

**GRANTS- MULTI FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash		0.00
Loan Receivable		0.00
	<b>TOTAL ASSETS</b>	<b>0.00</b>

**LIABILITIES**

Accounts Payable		0.00
	<b>TOTAL LIABILITIES</b>	<b>0.00</b>

**FUND BALANCE**

Revenues		0.00
Expenditures		0.00
Fund Balance Unreserved		
	<b>TOTAL FUND BALANCE</b>	<b>0.00</b>
	<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b>0.00</b>

**LIBRARY EMPLOYEE BENEFIT FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash

10,193.44

**TOTAL ASSETS**

10,193.44

**FUND BALANCE**

Revenues

100,419.96

Expenditures

-97,532.30

Fund Balance Unreserved

7,305.78

**TOTAL FUND BALANCE**

7,305.78  
**10,193.44**

# GOLF COURSE IMPROVEMENT FUND

5/31/2013

## BALANCE SHEET

### ASSETS:

Cash

43,920.39

**TOTAL ASSETS**

43,920.39

### LIABILITIES

Accounts Payable

0.00

**TOTAL LIABILITIES**

### FUND BALANCE

Revenues

15,980.00

Expenditures

0.00

Fund Balance Reserved for Enc

0.00

Fund Balance Unreserved

27,940.39

**TOTAL FUND BALANCE**

43,920.39

**TOTAL LIABILITIES  
& FUND BALANCE**

43,920.39

**PARK DEVELOPMENT FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash

5,026.93

**TOTAL ASSETS**

5,026.93

**FUND BALANCE**

Revenues

Expenditures

Fund Balance Reserved for Enc

Fund Balance Unreserved

0.00

5,026.93

**TOTAL FUND BALANCE**

5,026.93

**SPORTS COMPLEX FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash	2,369,171.19
Accts. Receivable-Misc. Sources	0.00
Due From Other Funds	
<b>TOTAL ASSETS</b>	<b><u>2,369,171.19</u></b>

**LIABILITIES**

Accounts Payable	0.00
<b>TOTAL LIABILITIES</b>	<b><u>0.00</u></b>

**FUND BALANCE**

Revenues	1,236,872.00
Expenditures	-5,950.00
Fund Balance Reserved for Encumbrances	72,606.13
Fund Balance Unreserved	1,065,643.06
<b>TOTAL FUND BALANCE</b>	<b><u>2,369,171.19</u></b>

<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>2,369,171.19</u></u></b>
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# STORMWATER MANAGEMENT

5/31/2013

## BALANCE SHEET

### ASSETS:

Cash	486,689.60
Due From Other Funds	
<b>TOTAL ASSETS</b>	<b><u>486,689.60</u></b>

### LIABILITIES

Accounts Payable	0.00
Accrued Payroll	1,059.24
<b>TOTAL LIABILITIES</b>	<b><u>1,059.24</u></b>

### FUND BALANCE

Revenues	324,863.74
Expenditures	-18,200.29
Fund Balance Reserved for Encumbrances	54,524.48
Fund Balance Unreserved	124,442.43
<b>TOTAL FUND BALANCE</b>	<b><u>485,630.36</u></b>

<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>486,689.60</u></u></b>
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# CAPITAL PROJECTS FUND

5/31/2013

## BALANCE SHEET

### ASSETS:

Cash	1,911,494.19
Accts. Receivable-Misc. Sources	0.00
Due From Other Funds	0.00

<b>TOTAL ASSETS</b>	<b><u>1,911,494.19</u></b>
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### LIABILITIES

Accounts Payable	0.00
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<b>TOTAL LIABILITIES</b>	<b><u>0.00</u></b>
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### FUND BALANCE

Revenues	188,112.00
Expenditures	-187,098.32
Fund Balance Reserved for Enc	39,276.66
Fund Balance Unreserved	1,871,203.85

<b>TOTAL FUND BALANCE</b>	<b><u>1,911,494.19</u></b>
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<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>1,911,494.19</u></u></b>
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**CAPITAL PROJECTS 2001 FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash		0.00
Due From Other Funds		
	<b>TOTAL ASSETS</b>	<b>0.00</b>

**LIABILITIES**

Due To Other Funds		0.00
Accounts Payable		0.00
	<b>TOTAL LIABILITIES</b>	<b>0.00</b>

**FUND BALANCE**

Revenues		
Expenditures		
Fund Balance Unreserved		0.00
	<b>TOTAL FUND BALANCE</b>	<b>0.00</b>

	<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b>0.00</b>
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# AIRPORT IMPROVEMENT FUND

5/31/2013

## BALANCE SHEET

### ASSETS:

Cash	943,375.79
Accts. Receivable-	0.00
<b>TOTAL ASSETS</b>	<b><u>943,375.79</u></b>

### LIABILITIES

Accounts Payable	0.00
Due To Other Accounts	0.00
<b>TOTAL LIABILITIES</b>	<b><u>0.00</u></b>

### FUND BALANCE

Revenues	18,274.37
Expenditures	-60.00
Fund Balance Reserved for Enc	7,379,146.10
Fund Balance Unreserved	-6,453,984.68
<b>TOTAL FUND BALANCE</b>	<b><u>943,375.79</u></b>

<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>943,375.79</u></u></b>
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**BOND & INTEREST FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash	782,899.00
Due From Other Funds	0.00
<b>TOTAL ASSETS</b>	<b><u>782,899.00</u></b>

**LIABILITIES**

Lease Purchase Agreements	0.00
<b>TOTAL LIABILITIES</b>	<b><u>0.00</u></b>

**FUND BALANCE**

Revenues	720,920.99
Expenditures	-236,301.68
Fund Balance Reserved	0.00
Fund Balance Unreserved	298,279.69
<b>TOTAL FUND BALANCE</b>	<b><u>782,899.00</u></b>

<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>782,899.00</u></u></b>
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**TRANSPORTATION DD SALES TAX FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash		16,437.99
Due From Other Funds		
	<b>TOTAL ASSETS</b>	<b><u>16,437.99</u></b>

**LIABILITIES**

Accounts Payable		0.00
	<b>TOTAL LIABILITIES</b>	<b><u>0.00</u></b>

**FUND BALANCE**

Revenues		83,531.35
Expenditures		-87,941.61
Fund Balance Reserved		24,253.62
Fund Balance Unreserved		-3,405.37
	<b>TOTAL FUND BALANCE</b>	<b><u>16,437.99</u></b>

	<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>16,437.99</u></u></b>
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# HOME DEPOT-ECONOMIC DEVELOPMENT BONDS

5/31/2013

## BALANCE SHEET

### ASSETS:

Cash	190,116.78
Cash-Restricted	24,608.90
<b>TOTAL ASSETS</b>	<b><u>214,725.68</u></b>

### LIABILITIES

Accounts Payable	0.00
<b>TOTAL LIABILITIES</b>	<b><u>0.00</u></b>

### FUND BALANCE

Revenues	91,266.76
Expenditures	-51,308.76
Fund Balance Reserved	0.00
Fund Balance Unreserved	174,767.68
<b>TOTAL FUND BALANCE</b>	<b><u>214,725.68</u></b>

<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b><u><u>214,725.68</u></u></b>
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**48th & ROTH AVE.-CID**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash		0.00
Due From Other Funds		
	<b>TOTAL ASSETS</b>	<b>0.00</b>

**LIABILITIES**

Accounts Payable		0.00
	<b>TOTAL LIABILITIES</b>	<b>0.00</b>

**FUND BALANCE**

Revenues		0.00
Expenditures		0.00
Fund Balance Reserved		
Fund Balance Unreserved		0.00
	<b>TOTAL FUND BALANCE</b>	<b>0.00</b>

	<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b>0.00</b>
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# WATER & SEWER FUND

5/31/2013

## BALANCE SHEET

### ASSETS:

Cash	7,385,021.77
Accts. Receivable-Misc. Sources	
Cash-Water Sales Tax	22,374,521.68
Reserve-Capital Improvement	1,276,067.52
Reserve Bond & Int. Sales Tax	
Reserve Bond & Interest W/S	102,030.92
2003 Bond Reserve W/S	118,334.00
2003 Bond Reserve -Sales Tax	0.00
Consumers Accounts Receivable	459,968.14
Issuance Cost-Sales Tax Fund	
Issuance Costs Water /Sewer	50,671.56
Restricted Cash-2009A Bond	65,352.00
Reserve-W/S Revenue Bond 2009A	509,536.92
Due From Other Funds	0.00
Land	139,109.47
Land-R-9 Ranch	4,262,039.65
Accum Depreciation- R-9 Ranch	-910,998.29
Infrastructure	16,283,528.63
Accum Depreciation-Infrastruct	-8,466,159.91
Buildings	11,782,909.54
Accum Depreciation-Bldgs.	-6,263,324.17
Machinery & Equipment	11,194,327.94
Accum Dep-Machinery/Equipment	-8,724,337.46
Work in Progress-Big Creek	2,082,833.90
Water Sales Tax Expenditures	502,953.04
R-9 Ranch Expenditures	0.00

### TOTAL ASSETS

**54,224,386.85**

### LIABILITIES

Accounts Payable	2,496.77
Due To Other Funds	
Accrued Payroll	19,421.91
Accrued Vacation/PTO	79,894.72
Sales Tax	-116.83
State Water Fee	7,748.92
Meter Deposit Payable	203,310.72
Refuse Collection	41,783.79
Accrued Int. Payable-Bonds	46,803.30
State Rev. Loan Payment	387,751.46
G O Bond Payable-Serv. Bldg.	0.00
Bonds Payable-W/S Rev. Bonds	0.00
Bonds Payable-Sales Tax Fund	0.00
Accrued Int. Pybl-Revolv Loan	6,976.03
Contributed Capital	3,215,104.63
Reserve for Bad Debts	3,835,000.00
Bonds Payable-W/S 2009 A	0.00
Advance Developer Fee	0.00
Stormwater Fee	58,498.94
Over & Short	10.33
Prior Year Encumbrance	0.00
Monitoring Well Deposit	4,500.00
Overpayment-Water Sales	0.00

### TOTAL LIABILITIES

**7,909,184.69**

### FUND BALANCE

Revenues	3,354,144.84
Expenditures	-1,355,143.75
Fund Balance Reserved for Enc	45,239.79
Fund Balance Unreserved	44,425,969.71
Capital Imprv. Reserve Fund Balance	-155,008.43

### TOTAL FUND BALANCE

**46,315,202.16**

### TOTAL LIABILITIES

**54,224,386.85**

## SOLID WASTE FUND

5/31/2013

### BALANCE SHEET

#### ASSETS:

Cash	672,733.21
Reserve Account	481,450.72
Accts. Receivable-Misc. Sources	0.00
Due From Other Funds	38,427.83
Buildings	289,324.00
Machinery & Equipment	1,602,860.00
Accum Dep-Machinery/Equipment	-855,607.80
<b>TOTAL ASSETS</b>	<b>2,229,187.96</b>

#### LIABILITIES

Accounts Payable	0.00
Accrued Payroll	6,484.55
Accrued Vacation/PTO	23,032.75
Contributed Capital	115,383.00
Lease Purchase Obligation	270,752.00
<b>TOTAL LIABILITIES</b>	<b>415,652.30</b>

#### FUND BALANCE

Revenues	544,718.31
Expenditures	-290,944.24
Fund Balance Reserved for Enc	7,804.98
Fund Balance Unreserved	1,139,303.34
Solid Waste Reserve	412,653.27
<b>TOTAL FUND BALANCE</b>	<b>1,813,535.66</b>

<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b>2,229,187.96</b>
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# FIRE INSURANCE FUND

5/31/2013

## BALANCE SHEET

### ASSETS:

Cash

0.00

**TOTAL ASSETS**

**0.00**

### FUND BALANCE

Revenues

0.00

Expenditures

Fund Balance Unreserved

0.00

**TOTAL FUND BALANCE**

**0.00**

**MUNICIPAL COURT AGENCY FUND**

5/31/2013

**BALANCE SHEET**

**ASSETS:**

Cash

148,843.19

**TOTAL ASSETS**

148,843.19

**LIABILITIES**

Accounts Payable

0.00

Due To Other Accounts

41,446.00

Bonds Payable

27,791.00

Over & Short

-0.50

**TOTAL LIABILITIES**

69,236.50

**FUND BALANCE**

Revenues

102,164.97

Expenditures

-74,348.30

Fund Balance Unreserved

51,790.02

**TOTAL FUND BALANCE**

79,606.69

**TOTAL LIABILITIES  
& FUND BALANCE**

148,843.19

## City of Hays Revenues

Month of May

General	Budgeted 2013	Collections Current Mo.	Collections To Date	Balance	% Collected YTD
<b><u>CULTURE &amp; RECREATION REVENUES</u></b>					
GOLF COURSE REVENUE	305,000.00	19,055.52	210,167.31	(94,832.69)	68.91%
LOCAL ALCOHOL LIQUOR TAX	126,153.00	0.00	34,235.07	(91,917.93)	27.14%
Total Revenues	<b>\$431,153.00</b>	<b>\$19,055.52</b>	<b>\$244,402.38</b>	<b>(\$186,750.62)</b>	<b>56.69%</b>
<b><u>GENERAL GOVERNMENT REVENUES</u></b>					
16/20 M TRUCK TAX	0.00	0.00	0.00	0.00	0.00%
AD VALOREM PROPERTY TAX	0.00	0.00	0.00	0.00	0.00%
BUILDING PERMITS	55,000.00	5,442.93	26,756.67	(28,243.33)	48.65%
BUSINESS LICENSES	15,000.00	560.00	3,055.00	(11,945.00)	20.37%
CITY-COUNTY REVENUE SHARING	0.00	0.00	0.00	0.00	0.00%
CMB & LIQUOR LICENSES	11,250.00	300.00	5,050.00	(6,200.00)	44.89%
DELINQUENT TAXES	0.00	0.00	0.00	0.00	0.00%
FEDERAL GOVERNMENT AID/GRANT	0.00	0.00	540.98	540.98	0.00%
FRANCHISE FEES	1,430,000.00	115,404.85	567,398.57	(862,601.43)	39.68%
INTEREST ON INVESTMENTS	34,425.00	604.32	8,440.70	(25,984.30)	24.52%
LOCAL AD VALOREM TAX REDUCTION	0.00	0.00	0.00	0.00	0.00%
LOCAL SALES TAX	7,311,628.00	596,689.81	2,981,806.66	(4,329,821.34)	40.78%
MISCELLANEOUS REVENUE	140,000.00	3,997.16	73,782.17	(66,217.83)	52.70%
MOTOR VEHICLE TAX	0.00	0.00	0.00	0.00	0.00%
OTHER LICENSES	500.00	0.00	120.00	(380.00)	24.00%
PET LICENSES	18,000.00	694.00	10,732.00	(7,268.00)	59.62%
PRIOR YEAR ENCUMBRANCE	0.00	0.00	0.00	0.00	0.00%
RECREATIONAL VEHICLE TAX	0.00	0.00	0.00	0.00	0.00%
RENTALS	1,200.00	100.00	400.00	(800.00)	33.33%
STATE GOVERNMENT AID/GRANT	0.00	0.00	3,942.12	3,942.12	0.00%
TRANSFER FROM AIRPORT	0.00	0.00	0.00	0.00	0.00%
TRANSFER FROM CVB	61,625.00	0.00	0.00	(61,625.00)	0.00%
TRANSFER FROM POOL CONSTRUCTIO	0.00	0.00	0.00	0.00	0.00%
TRANSFER FROM SOLID WASTE FUND	245,000.00	0.00	0.00	(245,000.00)	0.00%
TRANSFER FROM SPECIAL ALCOHOL	52,854.00	0.00	0.00	(52,854.00)	0.00%
TRANSFER FROM SPECIAL HIGHWAY	0.00	0.00	0.00	0.00	0.00%
TRANSFER FROM SPORTS COMPLEX	257,093.00	0.00	0.00	(257,093.00)	0.00%
TRANSFER FROM STORMWATER MGT	64,260.00	0.00	0.00	(64,260.00)	0.00%
TRANSFER FROM WATER SLS TAX	596,850.00	0.00	0.00	(596,850.00)	0.00%
TRANSFER FROM WATER/SEWER FUND	968,200.00	0.00	0.00	(968,200.00)	0.00%
TRANSFERS-ALL ACCOUNTS	0.00	0.00	0.00	0.00	0.00%
Total Revenues	<b>\$11,262,885.00</b>	<b>\$723,793.07</b>	<b>\$3,682,024.87</b>	<b>(\$7,580,860.13)</b>	<b>32.69%</b>
<b><u>PUBLIC SAFETY REVENUES</u></b>					
ANIMAL CONTROL REVENUE	3,000.00	160.00	820.00	(2,180.00)	27.33%
COURT APPOINTED REIMBURSEMENT	0.00	834.50	2,518.00	2,518.00	0.00%
COURT COSTS	65,000.00	11,005.09	53,993.68	(11,006.32)	83.07%
COURT FINES	465,000.00	52,855.41	241,876.02	(223,123.98)	52.02%
LOCAL LAB FEES	0.00	0.00	0.00	0.00	0.00%
Total Revenues	<b>\$533,000.00</b>	<b>\$64,855.00</b>	<b>\$299,207.70</b>	<b>(\$233,792.30)</b>	<b>56.14%</b>
<b><u>PUBLIC WORKS REVENUES</u></b>					
GRAVE OPENING	4,000.00	0.00	2,350.00	(1,650.00)	58.75%
SALE OF CEMETERY LOTS	6,300.00	2,010.00	3,785.00	(2,515.00)	60.08%
Total Revenues	<b>\$10,300.00</b>	<b>\$2,010.00</b>	<b>\$6,135.00</b>	<b>(\$4,165.00)</b>	<b>59.56%</b>

	<u>Budgeted</u> <u>2013</u>	<u>Collections</u> <u>Current Mo.</u>	<u>Collections</u> <u>To Date</u>	<u>Balance</u>	<u>% Collected</u> <u>YTD</u>
<b>Library</b>					
<b><u>LIBRARY FUND REVENUES</u></b>					
16/20 M TRUCK TAX	993.00	0.00	1,086.50	93.50	109.42%
AD VALOREM PROPERTY TAX	1,083,573.00	0.00	649,255.97	(434,317.03)	59.92%
DELINQUENT TAXES	0.00	0.00	(26.55)	(26.55)	0.00%
MOTOR VEHICLE TAX	104,415.00	0.00	40,588.03	(63,826.97)	38.87%
RECREATIONAL VEHICLE TAX	1,420.00	0.00	550.46	(869.54)	38.76%
Total Revenues	<b>\$1,190,401.00</b>	<b>\$0.00</b>	<b>\$691,454.41</b>	<b>(\$498,946.59)</b>	<b>58.09%</b>

<b>Airport</b>					
<b><u>AIRPORT FUND REVENUES</u></b>					
16/20 M TRUCK TAX	168.00	0.00	181.08	13.08	107.79%
AD VALOREM PROPERTY TAX	191,379.00	0.00	114,702.70	(76,676.30)	59.93%
AIRPORT-FUEL SALES	13,500.00	857.30	3,776.33	(9,723.67)	27.97%
BUSINESS LICENSES	5,550.00	0.00	6,050.00	500.00	109.01%
DELINQUENT TAXES	0.00	0.00	(4.69)	(4.69)	0.00%
FARMING (LEASES)	16,512.00	0.00	10,015.00	(6,497.00)	60.65%
FEDERAL GOVERNMENT AID/GRANT	0.00	0.00	0.00	0.00	0.00%
LANDING FEES	5,460.00	735.00	1,837.50	(3,622.50)	33.65%
MISCELLANEOUS REVENUE	10,000.00	830.41	3,686.43	(6,313.57)	36.86%
MOTOR VEHICLE TAX	17,691.00	0.00	6,785.15	(10,905.85)	38.35%
PRIOR YEAR ENCUMBRANCE	0.00	0.00	0.00	0.00	0.00%
RECREATIONAL VEHICLE TAX	241.00	0.00	91.94	(149.06)	38.15%
RENTALS	82,660.00	3,213.64	16,256.83	(66,403.17)	19.67%
Total Revenues	<b>\$343,161.00</b>	<b>\$5,636.35</b>	<b>\$163,378.27</b>	<b>(\$179,782.73)</b>	<b>47.61%</b>

<b>Employee Benefit</b>					
<b><u>EMPLOYEE BENEFIT REVENUES</u></b>					
16/20 M TRUCK TAX	1,749.00	0.00	2,100.30	351.30	120.09%
AD VALOREM PROPERTY TAX	2,243,446.00	0.00	1,344,347.23	(899,098.77)	59.92%
DELINQUENT TAXES	0.00	0.00	(54.98)	(54.98)	0.00%
INSURANCE REFUNDS	0.00	0.00	0.00	0.00	0.00%
INTEREST ON INVESTMENTS	3,000.00	38.72	518.74	(2,481.26)	17.29%
MISCELLANEOUS REVENUE	0.00	5,013.00	5,013.00	5,013.00	0.00%
MOTOR VEHICLE TAX	183,845.00	0.00	77,206.65	(106,638.35)	42.00%
RECREATIONAL VEHICLE TAX	2,500.00	0.00	1,051.68	(1,448.32)	42.07%
TRANSFER FROM AIRPORT	0.00	0.00	0.00	0.00	0.00%
TRANSFER FROM CVB	77,705.00	0.00	0.00	(77,705.00)	0.00%
TRANSFER FROM GENERAL FUND	271,323.00	0.00	0.00	(271,323.00)	0.00%
TRANSFER FROM RISK MANAGEMENT	0.00	0.00	0.00	0.00	0.00%
TRANSFER FROM SOLID WASTE FUND	159,376.00	0.00	0.00	(159,376.00)	0.00%
TRANSFER FROM SPECIAL ALCOHOL	24,045.00	0.00	0.00	(24,045.00)	0.00%
TRANSFER FROM SPECIAL HIGHWAY	0.00	0.00	0.00	0.00	0.00%
TRANSFER FROM SPORTS COMPLEX	18,109.00	0.00	0.00	(18,109.00)	0.00%
TRANSFER FROM STORMWATER MGT	10,702.00	0.00	0.00	(10,702.00)	0.00%
TRANSFER FROM WATER/SEWER FUND	454,019.00	0.00	0.00	(454,019.00)	0.00%
TRANSFERS-ALL ACCOUNTS	0.00	0.00	0.00	0.00	0.00%
Total Revenues	<b>\$3,449,819.00</b>	<b>\$5,051.72</b>	<b>\$1,430,182.62</b>	<b>(\$2,019,636.38)</b>	<b>41.46%</b>

<b>Special Highway</b>					
<b><u>SPECIAL HIGHWAY REVENUES</u></b>					
CONNECTING LINK MAINTENANCE	44,760.00	0.00	22,287.86	(22,472.14)	49.79%
INTEREST ON INVESTMENTS	0.00	0.00	0.00	0.00	0.00%
MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00%
PRIOR YEAR ENCUMBRANCE	0.00	0.00	0.00	0.00	0.00%
STATE GASOLINE TAX	533,800.00	0.00	251,049.13	(282,750.87)	47.03%
TRANSFER FROM CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00%
Total Revenues	<b>\$578,560.00</b>	<b>\$0.00</b>	<b>\$273,336.99</b>	<b>(\$305,223.01)</b>	<b>47.24%</b>

	<u>Budgeted</u> 2013	<u>Collections</u> Current Mo.	<u>Collections</u> To Date	<u>Balance</u>	<u>% Collected</u> YTD
<b>Special Park &amp; Rec</b>					
<b><u>SPECIAL PRK &amp; REC REVENUES</u></b>					
DOG PARK DONATIONS	0.00	0.00	1,100.00	1,100.00	0.00%
LOCAL ALCOHOL LIQUOR TAX	126,153.00	0.00	34,235.07	(91,917.93)	27.14%
MISCELLANEOUS REVENUE	0.00	1,503.00	1,503.00	1,503.00	0.00%
Total Revenues	<b>\$126,153.00</b>	<b>\$1,503.00</b>	<b>\$36,838.07</b>	<b>(\$89,314.93)</b>	<b>29.20%</b>
<b>Special Alcohol Fund</b>					
<b><u>SPECIAL ALCOHOL FUND REVENUES</u></b>					
LOCAL ALCOHOL LIQUOR TAX	126,153.00	0.00	34,235.07	(91,917.93)	27.14%
Total Revenues	<b>\$126,153.00</b>	<b>\$0.00</b>	<b>\$34,235.07</b>	<b>(\$91,917.93)</b>	<b>27.14%</b>
<b>Convention &amp; Visitors Bureau</b>					
<b><u>CONVENTION &amp; VISITOR'S REVENUE</u></b>					
MISCELLANEOUS REVENUE	37,000.00	3,424.50	16,821.78	(20,178.22)	45.46%
TRANSIENT GUEST TAX	725,000.00	0.00	344,756.45	(380,243.55)	47.55%
Total Revenues	<b>\$762,000.00</b>	<b>\$3,424.50</b>	<b>\$361,578.23</b>	<b>(\$400,421.77)</b>	<b>47.45%</b>
<b>Library Employee Benefit</b>					
<b><u>LIBRARY EMP. BENEFIT REVENUES</u></b>					
16/20 M TRUCK TAX	140.00	0.00	140.47	0.47	100.34%
AD VALOREM PROPERTY TAX	158,362.00	0.00	94,878.95	(63,483.05)	59.91%
DELINQUENT TAXES	0.00	0.00	(3.88)	(3.88)	0.00%
MOTOR VEHICLE TAX	14,723.00	0.00	5,332.41	(9,390.59)	36.22%
RECREATIONAL VEHICLE TAX	200.00	0.00	72.01	(127.99)	36.01%
Total Revenues	<b>\$173,425.00</b>	<b>\$0.00</b>	<b>\$100,419.96</b>	<b>(\$73,005.04)</b>	<b>57.90%</b>
<b>Risk Management</b>					
<b><u>RISK MANAGEMENT REVENUES</u></b>					
INSURANCE REFUNDS	0.00	0.00	0.00	0.00	0.00%
MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00%
TRANSFER FROM EMPLOYEE BENEFIT	0.00	0.00	0.00	0.00	0.00%
TRANSFERS-ALL ACCOUNTS	0.00	0.00	0.00	0.00	0.00%
Total Revenues	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0.00%</b>
<b>Golf Course Improvement</b>					
<b><u>GOLF COURSE IMPR. FUND REVENUE</u></b>					
GOLF COURSE REVENUE	0.00	85.00	15,980.00	15,980.00	0.00%
MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00%
Total Revenues	<b>\$0.00</b>	<b>\$85.00</b>	<b>\$15,980.00</b>	<b>\$15,980.00</b>	<b>0.00%</b>
<b>Park Development</b>					
<b><u>PARK DEVELOPMENT FUND-REVENUE</u></b>					
MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00%
Total Revenues	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0.00%</b>
<b>Sports Complex</b>					
<b><u>SPORTS COMPLEX-REVENUES</u></b>					
LOCAL SALES TAX	0.00	241,082.00	1,219,772.00	1,219,772.00	0.00%
MISCELLANEOUS REVENUE	0.00	0.00	17,100.00	17,100.00	0.00%
PRIOR YEAR ENCUMBRANCE	0.00	0.00	0.00	0.00	0.00%
Total Revenues	<b>\$0.00</b>	<b>\$241,082.00</b>	<b>\$1,236,872.00</b>	<b>\$1,236,872.00</b>	<b>0.00%</b>
<b><u>STORMWATER MANAGEMENT REVENUES</u></b>					
MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00%
STORMWATER FEE	756,000.00	75,304.88	324,863.74	(431,136.26)	42.97%
TRANSFER FROM GENERAL FUND	16,500.00	0.00	0.00	(16,500.00)	0.00%
TRANSFER FROM WATER/SEWER FUND	0.00	0.00	0.00	0.00	0.00%
Total Revenues	<b>\$772,500.00</b>	<b>\$75,304.88</b>	<b>\$324,863.74</b>	<b>(\$447,636.26)</b>	<b>42.05%</b>

	<u>Budgeted</u> <u>2013</u>	<u>Collections</u> <u>Current Mo.</u>	<u>Collections</u> <u>To Date</u>	<u>Balance</u>	<u>% Collected</u> <u>YTD</u>
<b>Bond &amp; Interest</b>					
<b><u>BOND &amp; INTEREST REVENUES</u></b>					
16/20 M TRUCK TAX	820.00	0.00	656.36	(163.64)	80.04%
AD VALOREM PROPERTY TAX	725,161.00	0.00	434,517.95	(290,643.05)	59.92%
DELINQUENT TAXES	0.00	0.00	1,188.52	1,188.52	0.00%
MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00%
MOTOR VEHICLE TAX	86,220.00	0.00	26,129.41	(60,090.59)	30.31%
RECEIVED FROM TIF PROCEEDS	0.00	0.00	0.00	0.00	0.00%
RECREATIONAL VEHICLE TAX	1,173.00	0.00	348.48	(824.52)	29.71%
SPECIAL ASSESSMENT TAX	431,319.00	0.00	258,080.27	(173,238.73)	59.84%
TRANSFER FROM CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00%
TRANSFER FROM GENERAL FUND	0.00	0.00	0.00	0.00	0.00%
TRANSFER FROM SPECIAL HIGHWAY	0.00	0.00	0.00	0.00	0.00%
TRANSFER FROM WATER/SEWER FUND	0.00	0.00	0.00	0.00	0.00%
TRANSFERS-ALL ACCOUNTS	0.00	0.00	0.00	0.00	0.00%
Total Revenues	<b>\$1,244,693.00</b>	<b>\$0.00</b>	<b>\$720,920.99</b>	<b>(\$523,772.01)</b>	<b>57.92%</b>
<b>TDD Sales Tax</b>					
<b><u>TDD SLS TAX REVENUES</u></b>					
LOCAL SALES TAX	(56,562.92)	17,137.99	83,531.35	140,094.27	-147.68%
Total Revenues	<b>(\$56,562.92)</b>	<b>\$17,137.99</b>	<b>\$83,531.35</b>	<b>\$140,094.27</b>	<b>-147.68%</b>
<b>Home Depot Economic Dev Bonds</b>					
<b><u>H DEPOT-ECON DEV BND-REVENUES</u></b>					
MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00%
RECEIVED FROM TIF PROCEEDS	222,925.00	11,425.00	91,266.76	(131,658.24)	40.94%
Total Revenues	<b>\$222,925.00</b>	<b>\$11,425.00</b>	<b>\$91,266.76</b>	<b>(\$131,658.24)</b>	<b>40.94%</b>
<b>48th/Roth Ave. - CID</b>					
<b><u>48TH/ROTH AVE CID-REVENUES</u></b>					
LOCAL SALES TAX	0.00	0.00	0.00	0.00	0.00%
MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00%
Total Revenues	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0.00%</b>
<b>Water &amp; Sewer</b>					
<b><u>WATER &amp; SEWER FUND REVENUES</u></b>					
DEVELOPER CONTRIBUTION	0.00	0.00	0.00	0.00	0.00%
FEDERAL & STATE GRANTS	0.00	0.00	0.00	0.00	0.00%
INTEREST ON INVESTMENTS	25,000.00	188.43	3,010.54	(21,989.46)	12.04%
INTEREST-SALES TAX COLLECTION	50,000.00	542.06	8,482.07	(41,517.93)	16.96%
LOCAL SALES TAX	2,984,252.00	241,082.00	1,219,772.00	(1,764,480.00)	40.87%
MISCELLANEOUS REVENUE	10,000.00	288.90	13,507.88	3,507.88	135.08%
NOTE/BOND PROCEEDS	0.00	0.00	0.00	0.00	0.00%
PENALTY	25,000.00	2,232.35	11,295.66	(13,704.34)	45.18%
PRIOR YEAR ENCUMBRANCE	0.00	0.00	0.00	0.00	0.00%
R-9 RANCH REVENUE	350,000.00	105,000.00	205,000.00	(145,000.00)	58.57%
SEWER SERVICE CHARGES	2,214,500.00	168,278.91	867,813.83	(1,346,686.17)	39.19%
STORMWATER FEE	0.00	0.00	0.00	0.00	0.00%
TAPS-TURN ONS	35,000.00	6,028.67	14,962.49	(20,037.51)	42.75%
TRANSFER FROM SOLID WASTE FUND	0.00	0.00	0.00	0.00	0.00%
TRANSFER FROM SPECIAL HIGHWAY	0.00	0.00	0.00	0.00	0.00%
TRANSFERS-ALL ACCOUNTS	0.00	0.00	0.00	0.00	0.00%
WATER SALES	2,626,500.00	223,067.92	1,048,377.43	(1,578,122.57)	39.92%
WATER SALES-CONSERVATION RATE	365,000.00	28,359.79	74,228.20	(290,771.80)	20.34%
Total Revenues	<b>\$8,685,252.00</b>	<b>\$775,069.03</b>	<b>\$3,466,450.10</b>	<b>(\$5,218,801.90)</b>	<b>39.91%</b>

	<u>Budgeted</u> <u>2013</u>	<u>Collections</u> <u>Current Mo.</u>	<u>Collections</u> <u>To Date</u>	<u>Balance</u>	<u>% Collected</u> <u>YTD</u>
<b>Solid Waste</b>					
<b><u>SOLID WASTE FUND REVENUES</u></b>					
INTEREST ON INVESTMENTS	2,000.00	12.90	228.77	(1,771.23)	11.44%
MISCELLANEOUS REVENUE	40,000.00	4,545.25	19,028.55	(20,971.45)	47.57%
PRIOR YEAR ENCUMBRANCE	0.00	0.00	0.00	0.00	0.00%
REFUSE COLLECTION	1,225,000.00	105,148.75	525,014.74	(699,985.26)	42.86%
YARD WASTE TAGS	1,900.00	273.00	446.25	(1,453.75)	23.49%
Total Revenues	<b>\$1,268,900.00</b>	<b>\$109,979.90</b>	<b>\$544,718.31</b>	<b>(\$724,181.69)</b>	<b>42.93%</b>
<b>Fire Insurance Trust</b>					
<b><u>FIRE INS TRUST REVENUES</u></b>					
MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00	0.00%
Total Revenues	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0.00%</b>
Grand Totals	<b>\$31,124,717.08</b>	<b>\$2,055,412.96</b>	<b>\$13,807,796.82</b>	<b>(\$17,316,920.26)</b>	<b>44.36%</b>

City of Hays Expenditures

Month of May

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b>General</b>					
<b><u>BALLFIELD MAINTENANCE</u></b>					
BUILDINGS & STRUCTURES	0.00	0.00	0.00	0.00	0.00%
CHEMICALS	8,000.00	2,273.88	3,385.07	4,614.93	42.31%
COMMUNICATION	700.00	37.57	144.70	555.30	20.67%
ELECTRICITY	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	2,000.00	191.64	767.62	1,232.38	38.38%
GENERAL SUPPLIES & MATERIALS	12,800.00	330.72	1,799.23	11,000.77	14.06%
NATURAL GAS	0.00	0.00	0.00	0.00	0.00%
NEW EQUIPMENT	5,800.00	0.00	4,878.92	921.08	84.12%
OTHER CONTRACTUAL SERVICES	8,100.00	165.38	1,540.66	6,559.34	19.02%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
RENTALS	500.00	0.00	0.00	500.00	0.00%
REPAIRS TO BLDGS & STRUCTURES	22,400.00	127.77	2,458.68	19,941.32	10.98%
TRAVEL & TRAINING	200.00	0.00	0.00	200.00	0.00%
UNIFORMS	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$60,500.00</u>	<u>\$3,126.96</u>	<u>\$14,974.88</u>	<u>\$45,525.12</u>	<u>24.75%</u>
<b><u>BICKLE-SCHMIDT SPORTS COMPLEX</u></b>					
BUILDINGS & STRUCTURES	0.00	0.00	0.00	0.00	0.00%
CHEMICALS	20,000.00	4,518.22	4,875.01	15,124.99	24.38%
COMMUNICATION	700.00	18.04	77.52	622.48	11.07%
CONTINGENCY	0.00	0.00	0.00	0.00	0.00%
ELECTRICITY	40,000.00	4,296.10	19,351.58	20,648.42	48.38%
EQUIPMENT EXPENSE	4,500.00	498.73	1,106.59	3,393.41	24.59%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	57.01	(57.01)	0.00%
EQUIPMENT EXPENSE	0.00	0.00	285.40	(285.40)	0.00%
EQUIPMENT EXPENSE	0.00	16.62	152.30	(152.30)	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
FUEL EXPENSE	12,000.00	(114.65)	(114.65)	12,114.65	-0.96%
FUEL EXPENSE	0.00	35.60	35.60	(35.60)	0.00%
FUEL EXPENSE	0.00	44.84	44.84	(44.84)	0.00%
FUEL EXPENSE	0.00	46.02	46.02	(46.02)	0.00%
FUEL EXPENSE	0.00	205.91	205.91	(205.91)	0.00%
FUEL EXPENSE	0.00	65.50	65.50	(65.50)	0.00%
FUEL EXPENSE	0.00	52.06	52.06	(52.06)	0.00%
FUEL EXPENSE	0.00	93.29	226.61	(226.61)	0.00%
FUEL EXPENSE	0.00	102.79	102.79	(102.79)	0.00%
FUEL EXPENSE	0.00	0.00	0.00	0.00	0.00%
FUEL EXPENSE	0.00	114.65	114.65	(114.65)	0.00%
GENERAL SUPPLIES & MATERIALS	42,400.00	690.16	12,690.12	29,709.88	29.93%
NATURAL GAS	6,000.00	54.20	310.28	5,689.72	5.17%
NEW EQUIPMENT	29,200.00	0.00	827.42	28,372.58	2.83%
OFFICE SUPPLIES	200.00	113.38	130.54	69.46	65.27%
OTHER CONTRACTUAL SERVICES	15,100.00	2,333.30	2,793.33	12,306.67	18.50%
OVERTIME	2,000.00	155.88	491.41	1,508.59	24.57%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
RENTALS	1,000.00	0.00	0.00	1,000.00	0.00%
REPAIRS TO BLDGS & STRUCTURES	8,000.00	242.90	2,064.89	5,935.11	25.81%
SALARIES	26,368.00	2,982.55	10,936.02	15,431.98	41.47%
SEASONAL/PART TIME	28,900.00	3,714.50	5,199.50	23,700.50	17.99%
TRANSFER TO NEW EQUIP. RESERVE	19,525.00	0.00	0.00	19,525.00	0.00%
TRAVEL & TRAINING	400.00	0.00	0.00	400.00	0.00%
UNIFORMS	800.00	60.50	164.00	636.00	20.50%
Total Expenditures	<u>\$257,093.00</u>	<u>\$20,341.09</u>	<u>\$62,292.25</u>	<u>\$194,800.75</u>	<u>24.23%</u>

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b><u>BUILDINGS &amp; GROUNDS</u></b>					
COMMUNICATION	0.00	0.00	0.00	0.00	0.00%
ELECTRICITY	420,000.00	58,108.35	151,200.59	268,799.41	36.00%
GENERAL SUPPLIES & MATERIALS	8,000.00	86.21	889.16	7,110.84	11.11%
NATURAL GAS	52,000.00	3,020.92	17,364.21	34,635.79	33.39%
NEW EQUIPMENT	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	25,360.00	1,712.21	8,374.38	16,985.62	33.02%
PROJECTS	16,400.00	2,596.50	15,051.22	1,348.78	91.78%
REPAIRS TO BLDGS & STRUCTURES	9,500.00	67.99	702.86	8,797.14	7.40%
Total Expenditures	<u>\$531,260.00</u>	<u>\$65,592.18</u>	<u>\$193,582.42</u>	<u>\$337,677.58</u>	<u>36.44%</u>
<b><u>CEMETERIES</u></b>					
BUILDINGS & STRUCTURES	0.00	0.00	0.00	0.00	0.00%
CHEMICALS	3,000.00	0.00	1,582.73	1,417.27	52.76%
COMMUNICATION	200.00	12.06	49.00	151.00	24.50%
ELECTRICITY	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	1,700.00	160.87	501.36	1,198.64	29.49%
GENERAL SUPPLIES & MATERIALS	4,600.00	232.85	850.67	3,749.33	18.49%
NEW EQUIPMENT	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	1,200.00	0.00	111.00	1,089.00	9.25%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
RENTALS	500.00	0.00	0.00	500.00	0.00%
REPAIRS TO BLDGS & STRUCTURES	6,500.00	0.00	0.00	6,500.00	0.00%
TRAVEL & TRAINING	300.00	0.00	0.00	300.00	0.00%
UNIFORMS	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$18,000.00</u>	<u>\$405.78</u>	<u>\$3,094.76</u>	<u>\$14,905.24</u>	<u>17.19%</u>
<b><u>CITY ATTORNEY</u></b>					
LEGAL PUBLICATIONS & PRINTING	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	1,000.00	0.00	0.00	1,000.00	0.00%
PROFESSIONAL SERVICES	100,000.00	8,325.00	41,206.25	58,793.75	41.21%
Total Expenditures	<u>\$101,000.00</u>	<u>\$8,325.00</u>	<u>\$41,206.25</u>	<u>\$59,793.75</u>	<u>40.80%</u>
<b><u>CITY COMMISSION</u></b>					
COMMUNICATION	0.00	0.00	0.00	0.00	0.00%
FINANCIAL POLICY PROJ-CAPITAL	2,757,313.00	0.00	0.00	2,757,313.00	0.00%
FINANCIAL POLICY PROJ-CAPITAL	0.00	0.00	0.00	0.00	0.00%
GENERAL SUPPLIES & MATERIALS	1,500.00	620.86	956.00	544.00	63.73%
LEGAL PUBLICATIONS & PRINTING	500.00	0.00	0.00	500.00	0.00%
OTHER CONTRACTUAL SERVICES	3,000.00	0.00	0.00	3,000.00	0.00%
PROFESSIONAL SERVICES	500.00	0.00	0.00	500.00	0.00%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
SALARIES	9,000.00	750.00	3,900.00	5,100.00	43.33%
TRAVEL & TRAINING	15,000.00	793.42	3,874.03	11,125.97	25.83%
Total Expenditures	<u>\$2,786,813.00</u>	<u>\$2,164.28</u>	<u>\$8,730.03</u>	<u>\$2,778,082.97</u>	<u>0.31%</u>
<b><u>CITY MANAGER</u></b>					
COMMUNICATION	3,500.00	202.66	1,133.62	2,366.38	32.39%
CONTINGENCY	100,000.00	4,485.15	23,976.21	76,023.79	23.98%
EXPENSE ALLOWANCE-CAR	0.00	692.31	2,538.47	(2,538.47)	0.00%
GENERAL SUPPLIES & MATERIALS	2,000.00	301.71	668.02	1,331.98	33.40%
LEGAL PUBLICATIONS & PRINTING	0.00	0.00	0.00	0.00	0.00%
NEW EQUIPMENT	0.00	0.00	0.00	0.00	0.00%
ORGANIZATION DEVELOPMENT	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	35,000.00	(120.50)	15,490.14	19,509.86	44.26%
OVERTIME	3,500.00	51.94	865.71	2,634.29	24.73%
PROFESSIONAL SERVICES	0.00	0.00	0.00	0.00	0.00%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
SALARIES	287,097.00	31,701.11	118,723.39	168,373.61	41.35%
TRAVEL & TRAINING	23,000.00	3,689.71	7,656.45	15,343.55	33.29%
Total Expenditures	<u>\$454,097.00</u>	<u>\$41,004.09</u>	<u>\$171,052.01</u>	<u>\$283,044.99</u>	<u>37.67%</u>

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b><u>DISPATCH</u></b>					
COMMUNICATION	5,400.00	110.64	128.16	5,271.84	2.37%
CONTINGENCY	5,000.00	0.00	193.80	4,806.20	3.88%
LEGAL PUBLICATIONS & PRINTING	2,800.00	0.00	0.00	2,800.00	0.00%
OFFICE SUPPLIES	900.00	46.88	157.27	742.73	17.47%
OTHER CONTRACTUAL SERVICES	3,300.00	122.76	1,948.94	1,351.06	59.06%
OVERTIME	34,049.00	2,323.05	8,873.33	25,175.67	26.06%
SALARIES	492,008.00	46,984.94	179,746.32	312,261.68	36.53%
TRAVEL & TRAINING	5,830.00	1,429.52	3,219.52	2,610.48	55.22%
UNIFORMS	3,165.00	0.00	0.00	3,165.00	0.00%
Total Expenditures	<u>\$552,452.00</u>	<u>\$51,017.79</u>	<u>\$194,267.34</u>	<u>\$358,184.66</u>	<u>35.16%</u>
<b><u>ECONOMIC DEVELOPMENT</u></b>					
DOWNTOWN DEVELOPMENT CORP.	0.00	0.00	0.00	0.00	0.00%
JOB BOUNTY	15,000.00	0.00	0.00	15,000.00	0.00%
OTHER CONTRACTUAL SERVICES	241,205.00	225.00	142,408.04	98,796.96	59.04%
Total Expenditures	<u>\$256,205.00</u>	<u>\$225.00</u>	<u>\$142,408.04</u>	<u>\$113,796.96</u>	<u>55.58%</u>
<b><u>FINANCE/CITY CLERK</u></b>					
COMMUNICATION	1,320.00	90.95	354.24	965.76	26.84%
CONTINGENCY	5,000.00	0.00	628.99	4,371.01	12.58%
GENERAL SUPPLIES & MATERIALS	600.00	0.00	10.85	589.15	1.81%
INSURANCE & SURETY BONDS	0.00	0.00	0.00	0.00	0.00%
LEGAL PUBLICATIONS & PRINTING	12,000.00	1,572.25	4,293.42	7,706.58	35.78%
NEW EQUIPMENT	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	8,100.00	224.00	2,051.72	6,048.28	25.33%
OVERTIME	500.00	32.84	404.25	95.75	80.85%
PROFESSIONAL SERVICES	40,000.00	0.00	0.00	40,000.00	0.00%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
SALARIES	323,776.00	35,372.74	129,227.17	194,548.83	39.91%
TRAVEL & TRAINING	11,850.00	83.00	1,660.07	10,189.93	14.01%
Total Expenditures	<u>\$403,146.00</u>	<u>\$37,375.78</u>	<u>\$138,630.71</u>	<u>\$264,515.29</u>	<u>34.39%</u>

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b><u>FIRE DEPARTMENT</u></b>					
COMMUNICATION	6,500.00	447.03	1,791.38	4,708.62	27.56%
CONTINGENCY	5,000.00	0.00	0.00	5,000.00	0.00%
EQUIPMENT EXPENSE	51,000.00	765.84	2,919.93	48,080.07	5.73%
EQUIPMENT EXPENSE	0.00	0.00	167.25	(167.25)	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	291.10	(291.10)	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	582.24	657.23	(657.23)	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	442.52	(442.52)	0.00%
EQUIPMENT EXPENSE	0.00	0.00	668.00	(668.00)	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	264.87	2,546.75	(2,546.75)	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	69.85	(69.85)	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
GENERAL SUPPLIES & MATERIALS	30,600.00	2,157.96	8,212.53	22,387.47	26.84%
GRANT FUNDING	0.00	(1,000.00)	(1,075.00)	1,075.00	0.00%
LEGAL PUBLICATIONS & PRINTING	800.00	368.09	513.25	286.75	64.16%
NEW EQUIPMENT	0.00	0.00	459.00	(459.00)	0.00%
OTHER CONTRACTUAL SERVICES	4,800.00	231.20	1,618.36	3,181.64	33.72%
OVERTIME	121,160.00	8,597.01	41,197.50	79,962.50	34.00%
PAID PER CALL	20,000.00	2,637.65	8,600.39	11,399.61	43.00%
PROFESSIONAL SERVICES	0.00	0.00	0.00	0.00	0.00%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
REPAIRS TO BLDGS & STRUCTURES	48,200.00	2,912.72	9,067.64	39,132.36	18.81%
SALARIES	1,047,684.00	113,173.32	419,405.91	628,278.09	40.03%
TRAINING CERTIFICATION	17,300.00	0.00	227.43	17,072.57	1.31%
TRAVEL & TRAINING	26,000.00	2,501.11	14,286.52	11,713.48	54.95%
UNIFORMS	8,500.00	2,359.71	5,468.20	3,031.80	64.33%
Total Expenditures	<u>\$1,387,544.00</u>	<u>\$135,998.75</u>	<u>\$517,535.74</u>	<u>\$870,008.26</u>	<u>37.30%</u>
<b><u>FLEET MAINTENANCE</u></b>					
Total Expenditures	<u>\$884,650.00</u>	<u>\$75,011.88</u>	<u>\$310,209.37</u>	<u>\$574,440.63</u>	<u>35.07%</u>
<b><u>GOLF COURSE</u></b>					
BUILDINGS & STRUCTURES	0.00	0.00	0.00	0.00	0.00%
CHEMICALS	82,800.00	0.00	52,463.85	30,336.15	63.36%
COMMUNICATION	5,800.00	182.73	689.96	5,110.04	11.90%
ELECTRICITY	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	2,000.00	354.84	467.39	1,532.61	23.37%
GENERAL SUPPLIES & MATERIALS	30,100.00	5,638.01	16,669.22	13,430.78	55.38%
LEGAL PUBLICATIONS & PRINTING	0.00	0.00	0.00	0.00	0.00%
NATURAL GAS	0.00	0.00	0.00	0.00	0.00%
NEW EQUIPMENT	3,500.00	0.00	466.96	3,033.04	13.34%
OFFICE SUPPLIES	400.00	9.61	104.99	295.01	26.25%
OTHER CONTRACTUAL SERVICES	33,900.00	2,834.97	11,235.31	22,664.69	33.14%
OVERTIME	7,000.00	2,532.16	3,285.19	3,714.81	46.93%
PRO SHOP CR CARD ACTIVITY	0.00	2,335.06	(979.58)	979.58	0.00%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
RENTALS	1,500.00	0.00	96.00	1,404.00	6.40%
REPAIRS TO BLDGS & STRUCTURES	16,000.00	28.87	4,576.17	11,423.83	28.60%
SALARIES	121,978.00	13,402.86	49,143.82	72,834.18	40.29%
SEASONAL/PART TIME	43,400.00	8,672.00	11,726.50	31,673.50	27.02%
TRAVEL & TRAINING	1,600.00	0.00	42.73	1,557.27	2.67%
UNIFORMS	900.00	0.00	242.00	658.00	26.89%
Total Expenditures	<u>\$350,878.00</u>	<u>\$35,991.11</u>	<u>\$150,230.51</u>	<u>\$200,647.49</u>	<u>42.82%</u>

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b><u>HUMAN RESOURCES</u></b>					
COMMUNICATION	1,200.00	64.34	249.12	950.88	20.76%
LEGAL PUBLICATIONS & PRINTING	9,500.00	302.37	2,527.38	6,972.62	26.60%
ORGANIZATION DEVELOPMENT	27,500.00	1,712.14	8,105.53	19,394.47	29.47%
OTHER CONTRACTUAL SERVICES	2,500.00	307.90	1,203.30	1,296.70	48.13%
OVERTIME	250.00	37.84	37.84	212.16	15.14%
PROFESSIONAL SERVICES	44,000.00	1,507.25	8,683.50	35,316.50	19.74%
PROJECTS	35,000.00	5,054.85	18,673.46	16,326.54	53.35%
SALARIES	98,467.00	11,277.23	41,349.84	57,117.16	41.99%
TRAVEL & TRAINING	5,000.00	10.89	861.10	4,138.90	17.22%
Total Expenditures	<u>\$223,417.00</u>	<u>\$20,274.81</u>	<u>\$81,691.07</u>	<u>\$141,725.93</u>	<u>36.56%</u>
<b><u>INFORMATION TECHNOLOGY</u></b>					
COMMUNICATION	3,400.00	268.13	1,051.76	2,348.24	30.93%
EQUIPMENT EXPENSE	9,250.00	215.84	861.97	8,388.03	9.32%
GENERAL SUPPLIES & MATERIALS	3,500.00	241.55	862.20	2,637.80	24.63%
LEGAL PUBLICATIONS & PRINTING	0.00	0.00	0.00	0.00	0.00%
NEW EQUIPMENT	30,480.00	1,433.06	1,433.06	29,046.94	4.70%
OFFICE SUPPLIES	14,500.00	1,988.43	5,481.46	9,018.54	37.80%
OTHER CONTRACTUAL SERVICES	168,720.00	4,499.75	87,022.50	81,697.50	51.58%
OVERTIME	1,200.00	54.12	322.85	877.15	26.90%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
SALARIES	274,051.00	30,161.68	110,592.79	163,458.21	40.35%
TRAVEL & TRAINING	15,750.00	373.88	1,221.26	14,528.74	7.75%
Total Expenditures	<u>\$520,851.00</u>	<u>\$39,236.44</u>	<u>\$208,849.85</u>	<u>\$312,001.15</u>	<u>40.10%</u>
<b><u>INTERGOVERNMENTAL ACCOUNT</u></b>					
COMMUNICATION	59,000.00	3,157.05	19,657.05	39,342.95	33.32%
EQUIPMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
INSURANCE & SURETY BONDS	270,000.00	55.60	20,404.20	249,595.80	7.56%
OFFICE SUPPLIES	24,500.00	427.16	8,560.44	15,939.56	34.94%
OTHER CONTRACTUAL SERVICES	7,350.00	1,509.87	4,938.86	2,411.14	67.20%
Total Expenditures	<u>\$360,850.00</u>	<u>\$5,149.68</u>	<u>\$53,560.55</u>	<u>\$307,289.45</u>	<u>14.84%</u>
<b><u>MUNICIPAL COURT</u></b>					
INSURANCE & SURETY BONDS	0.00	0.00	0.00	0.00	0.00%
NEW EQUIPMENT	0.00	0.00	0.00	0.00	0.00%
OFFICE SUPPLIES	1,200.00	390.00	501.91	698.09	41.83%
OTHER CONTRACTUAL SERVICES	2,500.00	176.33	1,678.88	821.12	67.16%
OVERTIME	3,000.00	58.09	174.27	2,825.73	5.81%
PROFESSIONAL SERVICES	35,000.00	1,800.00	10,760.00	24,240.00	30.74%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
SAFE RIDE	0.00	0.00	0.00	0.00	0.00%
SALARIES	108,926.00	11,933.55	44,721.49	64,204.51	41.06%
TRAVEL & TRAINING	1,000.00	0.00	0.00	1,000.00	0.00%
Total Expenditures	<u>\$151,626.00</u>	<u>\$14,357.97</u>	<u>\$57,836.55</u>	<u>\$93,789.45</u>	<u>38.14%</u>
<b><u>P.W.-GENERAL ADMINISTRATION</u></b>					
COMMUNICATION	3,000.00	218.90	1,062.74	1,937.26	35.42%
CONTINGENCY	5,000.00	0.00	258.01	4,741.99	5.16%
GENERAL SUPPLIES & MATERIALS	4,000.00	145.07	2,156.75	1,843.25	53.92%
OFFICE SUPPLIES	5,000.00	23.37	1,783.34	3,216.66	35.67%
OTHER CONTRACTUAL SERVICES	1,300.00	0.00	956.09	343.91	73.55%
OVERTIME	500.00	0.00	25.88	474.12	5.18%
PROFESSIONAL SERVICES	20,000.00	0.00	7,549.86	12,450.14	37.75%
PROJECTS	91,250.00	15,909.13	19,489.38	71,760.62	21.36%
SALARIES	211,817.00	24,779.40	92,313.46	119,503.54	43.58%
TRAVEL & TRAINING	8,000.00	1,435.76	3,370.16	4,629.84	42.13%
Total Expenditures	<u>\$349,867.00</u>	<u>\$42,511.63</u>	<u>\$128,965.67</u>	<u>\$220,901.33</u>	<u>36.86%</u>

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b><u>PARKS &amp; PLAYGROUNDS</u></b>					
BUILDINGS & STRUCTURES	0.00	0.00	0.00	0.00	0.00%
CHEMICALS	18,000.00	0.00	11,332.27	6,667.73	62.96%
COMMUNICATION	2,500.00	189.35	1,079.25	1,420.75	43.17%
CONTINGENCY	5,000.00	167.58	303.81	4,696.19	6.08%
ELECTRICITY	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	8,000.00	90.01	3,617.27	4,382.73	45.22%
GENERAL SUPPLIES & MATERIALS	45,000.00	5,761.76	29,857.67	15,142.33	66.35%
LEGAL PUBLICATIONS & PRINTING	0.00	0.00	0.00	0.00	0.00%
NATURAL GAS	0.00	0.00	0.00	0.00	0.00%
NEW EQUIPMENT	10,400.00	0.00	4,625.95	5,774.05	44.48%
OFFICE SUPPLIES	800.00	74.60	136.91	663.09	17.11%
OTHER CONTRACTUAL SERVICES	24,000.00	814.88	11,230.19	12,769.81	46.79%
OVERTIME	10,000.00	3,327.14	7,514.30	2,485.70	75.14%
PROFESSIONAL SERVICES	0.00	0.00	0.00	0.00	0.00%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
RENTALS	800.00	0.00	517.50	282.50	64.69%
REPAIRS TO BLDGS & STRUCTURES	14,400.00	1,402.31	5,874.44	8,525.56	40.79%
SALARIES	595,990.00	65,932.47	242,080.83	353,909.17	40.62%
SEASONAL/PART TIME	97,920.00	12,119.50	16,748.50	81,171.50	17.10%
TRAVEL & TRAINING	4,500.00	20.00	922.81	3,577.19	20.51%
UNIFORMS	5,100.00	332.29	2,213.87	2,886.13	43.41%
Total Expenditures	<u>\$842,410.00</u>	<u>\$90,231.89</u>	<u>\$338,055.57</u>	<u>\$504,354.43</u>	<u>40.13%</u>
<b><u>PLANNING INSPECTION ENFORCEMEN</u></b>					
COMMUNICATION	6,700.00	376.32	1,475.85	5,224.15	22.03%
EQUIPMENT EXPENSE	600.00	0.00	0.00	600.00	0.00%
GENERAL SUPPLIES & MATERIALS	1,500.00	79.70	212.86	1,287.14	14.19%
LEGAL PUBLICATIONS & PRINTING	0.00	0.00	0.00	0.00	0.00%
NEW EQUIPMENT	0.00	0.00	0.00	0.00	0.00%
OFFICE SUPPLIES	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	7,000.00	766.85	1,233.88	5,766.12	17.63%
OVERTIME	10,000.00	853.76	1,416.09	8,583.91	14.16%
PROFESSIONAL SERVICES	0.00	0.00	0.00	0.00	0.00%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
SALARIES	266,362.00	24,022.59	88,456.49	177,905.51	33.21%
SEASONAL/PART TIME	11,476.00	1,788.72	5,784.29	5,691.71	50.40%
TRAVEL & TRAINING	9,000.00	848.67	2,378.51	6,621.49	26.43%
UNIFORMS	1,600.00	0.00	416.33	1,183.67	26.02%
Total Expenditures	<u>\$314,238.00</u>	<u>\$28,736.61</u>	<u>\$101,374.30</u>	<u>\$212,863.70</u>	<u>32.26%</u>



	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b><u>PUBLIC WORKS-SERVICE DIVISION</u></b>					
COMMUNICATION	2,600.00	100.86	330.75	2,269.25	12.72%
ELECTRICITY	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	32,000.00	7,128.28	15,032.75	16,967.25	46.98%
GENERAL SUPPLIES & MATERIALS	181,000.00	14,993.15	31,823.94	149,176.06	17.58%
GRANT FUNDING	0.00	0.00	0.00	0.00	0.00%
LEGAL PUBLICATIONS & PRINTING	0.00	0.00	0.00	0.00	0.00%
NATURAL GAS	0.00	0.00	0.00	0.00	0.00%
NEW EQUIPMENT	14,000.00	0.00	5,500.00	8,500.00	39.29%
OFFICE SUPPLIES	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	37,000.00	358.00	14,692.16	22,307.84	39.71%
OVERTIME	15,900.00	135.83	12,705.80	3,194.20	79.91%
PROFESSIONAL SERVICES	0.00	0.00	0.00	0.00	0.00%
PROJECTS	0.00	0.00	(925.00)	925.00	0.00%
RENTALS	2,500.00	40.50	148.50	2,351.50	5.94%
REPAIRS TO BLDGS & STRUCTURES	0.00	0.00	0.00	0.00	0.00%
SALARIES	575,197.00	62,398.88	229,616.89	345,580.11	39.92%
SEASONAL/PART TIME	0.00	0.00	0.00	0.00	0.00%
TRANSFERS	0.00	0.00	0.00	0.00	0.00%
TRAVEL & TRAINING	1,800.00	0.00	1,264.53	535.47	70.25%
UNIFORMS	6,200.00	579.47	2,537.64	3,662.36	40.93%
Total Expenditures	<u>\$868,197.00</u>	<u>\$85,734.97</u>	<u>\$312,727.96</u>	<u>\$555,469.04</u>	<u>36.02%</u>
<b><u>QUALITY OF LIFE</u></b>					
OTHER CONTRACTUAL SERVICES	38,747.00	0.00	38,747.00	0.00	100.00%
Total Expenditures	<u>\$38,747.00</u>	<u>\$0.00</u>	<u>\$38,747.00</u>	<u>\$0.00</u>	<u>100.00%</u>
<b><u>SOCIAL SERVICES</u></b>					
OTHER CONTRACTUAL SERVICES	164,000.00	0.00	82,000.00	82,000.00	50.00%
TRANSFERS	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$164,000.00</u>	<u>\$0.00</u>	<u>\$82,000.00</u>	<u>\$82,000.00</u>	<u>50.00%</u>
<b><u>SWIMMING POOL</u></b>					
BUILDINGS & STRUCTURES	0.00	0.00	0.00	0.00	0.00%
CHEMICALS	41,500.00	8,869.50	11,662.20	29,837.80	28.10%
ELECTRICITY	0.00	0.00	0.00	0.00	0.00%
EQUIPMENT EXPENSE	10,000.00	411.94	2,171.19	7,828.81	21.71%
GENERAL SUPPLIES & MATERIALS	10,900.00	679.42	4,920.59	5,979.41	45.14%
INSURANCE & SURETY BONDS	0.00	0.00	0.00	0.00	0.00%
LEGAL PUBLICATIONS & PRINTING	0.00	0.00	0.00	0.00	0.00%
NATURAL GAS	0.00	0.00	0.00	0.00	0.00%
NEW EQUIPMENT	6,000.00	0.00	0.00	6,000.00	0.00%
OTHER CONTRACTUAL SERVICES	34,000.00	5,400.00	7,542.10	26,457.90	22.18%
PROJECTS	30,000.00	0.00	0.00	30,000.00	0.00%
RENTALS	0.00	0.00	0.00	0.00	0.00%
REPAIRS TO BLDGS & STRUCTURES	5,500.00	186.41	645.82	4,854.18	11.74%
TRAVEL & TRAINING	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$137,900.00</u>	<u>\$15,547.27</u>	<u>\$26,941.90</u>	<u>\$110,958.10</u>	<u>19.54%</u>
<b>Library</b>					
<b><u>LIBRARY FUND EXPENDITURES</u></b>					
NEIGHBORHOOD REVIT REBATE	5,787.00	0.00	3,600.21	2,186.79	62.21%
OTHER CONTRACTUAL SERVICES	1,188,000.00	0.00	659,152.97	528,847.03	55.48%
TAX INCREMENT FINANCING DIST	17,000.00	0.00	8,057.03	8,942.97	47.39%
Total Expenditures	<u>\$1,210,787.00</u>	<u>\$0.00</u>	<u>\$670,810.21</u>	<u>\$539,976.79</u>	<u>55.40%</u>
<b>Airport</b>					

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b><u>AIRPORT FUND EXPENDITURES</u></b>					
COMMUNICATION	3,200.00	170.89	715.84	2,484.16	22.37%
CONTINGENCY	50,000.00	7,234.00	7,454.00	42,546.00	14.91%
ELECTRICITY	32,480.00	4,400.89	12,940.83	19,539.17	39.84%
GENERAL SUPPLIES & MATERIALS	36,000.00	3,512.86	23,001.40	12,998.60	63.89%
GRANT FUNDING	0.00	(3,453.85)	(32,762.88)	32,762.88	0.00%
LEGAL PUBLICATIONS & PRINTING	500.00	0.00	0.00	500.00	0.00%
NATURAL GAS	10,800.00	1,143.67	4,381.16	6,418.84	40.57%
NEIGHBORHOOD REVIT REBATE	1,022.00	0.00	636.04	385.96	62.23%
NEW EQUIPMENT	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	24,000.00	1,320.00	9,690.95	14,309.05	40.38%
OVERTIME	2,000.00	56.50	1,799.00	201.00	89.95%
PROFESSIONAL SERVICES	1,000.00	0.00	0.00	1,000.00	0.00%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
PROMOTIONS	15,000.00	168.81	200.36	14,799.64	1.34%
REPAIRS TO BLDGS & STRUCTURES	24,000.00	953.24	5,796.39	18,203.61	24.15%
SALARIES	103,165.00	12,708.82	45,618.79	57,546.21	44.22%
SEASONAL/PART TIME	5,000.00	340.00	340.00	4,660.00	6.80%
TAX INCREMENT FINANCING DIST	3,000.00	0.00	1,423.42	1,576.58	47.45%
TRANSFER TO AIRPORT IMPROVEMEN	177,154.00	0.00	0.00	177,154.00	0.00%
TRANSFER TO BOND & INTEREST	0.00	0.00	0.00	0.00	0.00%
TRANSFER TO EMPLOYEE BENEFIT	0.00	0.00	0.00	0.00	0.00%
TRANSFER TO GENERAL FUND	0.00	0.00	0.00	0.00	0.00%
TRANSFER TO NEW EQUIP. RESERVE	6,540.00	0.00	0.00	6,540.00	0.00%
TRANSFERS	0.00	0.00	0.00	0.00	0.00%
TRAVEL & TRAINING	11,550.00	(1,601.00)	74.88	11,475.12	0.65%
UNIFORMS	675.00	43.60	239.80	435.20	35.53%
Total Expenditures	<u>\$507,086.00</u>	<u>\$26,998.43</u>	<u>\$81,549.98</u>	<u>\$425,536.02</u>	<u>16.08%</u>
<b>Employee Benefit</b>					
<b><u>EMPLOYEE BENEFIT EXPENDITURES</u></b>					
CONTINGENCY	300,000.00	0.00	0.00	300,000.00	0.00%
EMPLOYEE RETIREMENT	1,007,781.00	100,116.70	387,425.04	620,355.96	38.44%
HEALTH INSURANCE	1,719,500.00	82,627.08	759,169.84	960,330.16	44.15%
NEIGHBORHOOD REVIT REBATE	12,047.00	0.00	7,454.55	4,592.45	61.88%
OTHER CONTRACTUAL SERVICES	60,181.00	5,220.55	26,765.12	33,415.88	44.47%
PROFESSIONAL SERVICES	0.00	0.00	0.00	0.00	0.00%
SOCIAL SECURITY	673,924.00	68,971.17	252,769.95	421,154.05	37.51%
TAX INCREMENT FINANCING DIST	33,625.00	0.00	16,682.86	16,942.14	49.61%
TRANSFER TO BOND & INTEREST	0.00	0.00	0.00	0.00	0.00%
TRANSFER TO RISK MANAGEMENT	0.00	0.00	0.00	0.00	0.00%
UNEMPLOYMENT COMPENSATION	8,809.00	0.00	7,867.93	941.07	89.32%
WORKERS COMPENSATION	182,298.00	0.00	123,626.00	58,672.00	67.82%
Total Expenditures	<u>\$3,998,165.00</u>	<u>\$256,935.50</u>	<u>\$1,581,761.29</u>	<u>\$2,416,403.71</u>	<u>39.56%</u>
<b>Special Highway</b>					

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b><u>SPECIAL HIGHWAY EXPENDITURES</u></b>					
2001 SIDEWALK RAMPS	0.00	0.00	0.00	0.00	0.00%
BUDGETED CAPITAL PROJECTS	1,035,329.00	442.61	366,260.27	669,068.73	35.38%
BUDGETED CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00%
BUDGETED CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00%
BUDGETED CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00%
BUDGETED CAPITAL PROJECTS	0.00	22,519.49	22,519.49	(22,519.49)	0.00%
BUDGETED CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00%
BUDGETED CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00%
BUDGETED CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00%
BUDGETED CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00%
BUDGETED CAPITAL PROJECTS	0.00	2,891.82	17,108.30	(17,108.30)	0.00%
BUDGETED CAPITAL PROJECTS	0.00	558.00	558.00	(558.00)	0.00%
BUDGETED CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00%
BUDGETED CAPITAL PROJECTS	0.00	0.00	0.00	0.00	0.00%
CONTINGENCY	50,000.00	0.00	0.00	50,000.00	0.00%
CORR MGT - GENERAL HAYS RD.	0.00	0.00	0.00	0.00	0.00%
CORR MGT-REVERSE ACCESS 48-55	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00%
TRANSFER TO BOND & INTEREST	0.00	0.00	0.00	0.00	0.00%
TRANSFER TO EMPLOYEE BENEFIT	0.00	0.00	0.00	0.00	0.00%
TRANSFER TO GENERAL FUND	0.00	0.00	0.00	0.00	0.00%
TRANSFER TO WATER/SEWER FUND	0.00	0.00	0.00	0.00	0.00%
TRANSFERS	0.00	0.00	0.00	0.00	0.00%
VINE ST.-MILL & OVERLAY--13/27	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$1,085,329.00</u>	<u>\$26,411.92</u>	<u>\$406,446.06</u>	<u>\$678,882.94</u>	<u>37.45%</u>
<b>Special Park &amp; Rec</b>					
<b><u>SPECIAL PRK &amp; REC EXPENDITURES</u></b>					
BUILDINGS & STRUCTURES	0.00	0.00	0.00	0.00	0.00%
CONTINGENCY	0.00	0.00	0.00	0.00	0.00%
NEW EQUIPMENT	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00%
PROJECTS	382,099.00	1,450.00	18,800.15	363,298.85	4.92%
TRANSFER TO NEW EQUIP. RESERVE	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$382,099.00</u>	<u>\$1,450.00</u>	<u>\$18,800.15</u>	<u>\$363,298.85</u>	<u>4.92%</u>
<b>Special Alcohol Fund</b>					
<b><u>SPECIAL ALCOHOL FUND EXPENDITURES</u></b>					
CONTINGENCY	162,639.00	0.00	0.00	162,639.00	0.00%
OTHER CONTRACTUAL SERVICES	60,000.00	0.00	30,000.00	30,000.00	50.00%
TRANSFER TO EMPLOYEE BENEFIT	24,045.00	0.00	0.00	24,045.00	0.00%
TRANSFER TO GENERAL FUND	52,854.00	0.00	0.00	52,854.00	0.00%
TRANSFERS	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$299,538.00</u>	<u>\$0.00</u>	<u>\$30,000.00</u>	<u>\$269,538.00</u>	<u>10.02%</u>
<b>Convention &amp; Visitors Bureau</b>					

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b><u>CVB EXPENDITURES</u></b>					
COMMUNICATION	6,000.00	436.78	1,815.42	4,184.58	30.26%
CONTINGENCY	553,900.00	50.00	728.50	553,171.50	0.13%
ELECTRICITY	8,500.00	1,234.12	3,147.66	5,352.34	37.03%
GENERAL SUPPLIES & MATERIALS	0.00	0.00	0.00	0.00	0.00%
GRANT FUNDING	0.00	0.00	0.00	0.00	0.00%
LEGAL PUBLICATIONS & PRINTING	80,000.00	10,714.84	52,689.58	27,310.42	65.86%
NATURAL GAS	2,000.00	226.78	713.17	1,286.83	35.66%
NEW EQUIPMENT	0.00	0.00	0.00	0.00	0.00%
OFFICE SUPPLIES	5,000.00	121.33	913.84	4,086.16	18.28%
OTHER CONTRACTUAL SERVICES	80,000.00	10,629.69	36,865.88	43,134.12	46.08%
OVERTIME	1,500.00	0.00	414.91	1,085.09	27.66%
PROJECTS	29,000.00	4,372.73	17,423.81	11,576.19	60.08%
PROMOTIONS	60,000.00	7,143.75	20,181.12	39,818.88	33.64%
RENTALS	101,000.00	0.00	50,291.01	50,708.99	49.79%
REPAIRS TO BLDGS & STRUCTURES	5,000.00	0.00	1,700.45	3,299.55	34.01%
SALARIES	219,957.00	23,816.37	86,405.68	133,551.32	39.28%
SEASONAL/PART TIME	10,050.00	961.00	1,562.75	8,487.25	15.55%
TRANSFER TO EMPLOYEE BENEFIT	77,705.00	0.00	0.00	77,705.00	0.00%
TRANSFER TO GENERAL FUND	61,625.00	0.00	0.00	61,625.00	0.00%
TRANSFER TO NEW EQUIP. RESERVE	2,760.00	0.00	0.00	2,760.00	0.00%
TRANSFERS	0.00	0.00	0.00	0.00	0.00%
TRAVEL & TRAINING	6,500.00	782.48	2,503.80	3,996.20	38.52%
Total Expenditures	<u>\$1,310,497.00</u>	<u>\$60,489.87</u>	<u>\$277,357.58</u>	<u>\$1,033,139.42</u>	<u>21.16%</u>
<b>Library Employee Benefit</b>					
<b><u>LIBRARY EMP. BENEFIT EXPENDITURES</u></b>					
NEIGHBORHOOD REVIT REBATE	846.00	0.00	526.10	319.90	62.19%
OTHER CONTRACTUAL SERVICES	172,400.00	0.00	95,828.79	76,571.21	55.59%
TAX INCREMENT FINANCING DIST	2,500.00	0.00	1,177.41	1,322.59	47.10%
Total Expenditures	<u>\$175,746.00</u>	<u>\$0.00</u>	<u>\$97,532.30</u>	<u>\$78,213.70</u>	<u>55.50%</u>
<b>Risk Management</b>					
<b><u>RISK MGT. FUND EXPENDITURES</u></b>					
CONTINGENCY	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00%
TRANSFER TO EMPLOYEE BENEFIT	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00%</u>
<b>Golf Course Improvement</b>					
<b><u>GOLF COURSE IMPR. EXPENDITURES</u></b>					
GENERAL SUPPLIES & MATERIALS	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00%
PROFESSIONAL SERVICES	0.00	0.00	0.00	0.00	0.00%
REPAIRS TO BLDGS & STRUCTURES	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00%</u>
<b>Park Development</b>					
<b><u>PARK DEVELOPMENT EXPENDITURES</u></b>					
CONTINGENCY	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00%</u>
<b>Sports Complex</b>					
<b><u>SPORTS COMPLEX-EXPENDITURES</u></b>					
OTHER CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00%
PROFESSIONAL SERVICES	0.00	0.00	5,950.00	(5,950.00)	0.00%
TRANSFER TO EMPLOYEE BENEFIT	0.00	0.00	0.00	0.00	0.00%
TRANSFER TO GENERAL FUND	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$5,950.00</u>	<u>(\$5,950.00)</u>	<u>0.00%</u>

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b><u>STORMWATER MANAGEMENT EXPENDITURE</u></b>					
COMMUNICATION	650.00	12.06	154.60	495.40	23.78%
CONTINGENCY	50,000.00	0.00	0.00	50,000.00	0.00%
GENERAL SUPPLIES & MATERIALS	7,400.00	434.95	1,158.79	6,241.21	15.66%
NEW EQUIPMENT	0.00	0.00	0.00	0.00	0.00%
OFFICE SUPPLIES	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	9,000.00	0.00	1.32	8,998.68	0.01%
PROFESSIONAL SERVICES	20,000.00	0.00	0.00	20,000.00	0.00%
PROJECTS	746,897.00	0.00	3,850.00	743,047.00	0.52%
SALARIES	31,065.00	3,516.76	12,894.80	18,170.20	41.51%
TRANSFER TO EMPLOYEE BENEFIT	10,702.00	0.00	0.00	10,702.00	0.00%
TRANSFER TO GENERAL FUND	64,260.00	0.00	0.00	64,260.00	0.00%
TRANSFER TO NEW EQUIP. RESERVE	1,800.00	0.00	0.00	1,800.00	0.00%
TRAVEL & TRAINING	3,000.00	140.78	140.78	2,859.22	4.69%
UNIFORMS	200.00	0.00	0.00	200.00	0.00%
Total Expenditures	<u>\$944,974.00</u>	<u>\$4,104.55</u>	<u>\$18,200.29</u>	<u>\$926,773.71</u>	<u>1.93%</u>
<b>Bond &amp; Interest</b>					
<b><u>BOND &amp; INTEREST EXPENDITURES</u></b>					
BOND PRINCIPAL	880,000.00	0.00	0.00	880,000.00	0.00%
CASH BASIS RESERVE	60,000.00	0.00	0.00	60,000.00	0.00%
ECONOMIC DEVELOPMENT BONDS	0.00	0.00	0.00	0.00	0.00%
INTEREST COUPONS	457,000.00	0.00	228,500.01	228,499.99	50.00%
INTEREST ON TEMPORARY NOTE	0.00	0.00	0.00	0.00	0.00%
INTEREST ON TIF	0.00	0.00	0.00	0.00	0.00%
LEVY STABILIZATION	75,000.00	0.00	0.00	75,000.00	0.00%
NEIGHBORHOOD REVIT REBATE	3,873.00	0.00	2,409.46	1,463.54	62.21%
OTHER CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00%
TAX INCREMENT FINANCING DIST	12,000.00	0.00	5,392.21	6,607.79	44.94%
TRANSFER TO RESERVE FOR TIF	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$1,487,873.00</u>	<u>\$0.00</u>	<u>\$236,301.68</u>	<u>\$1,251,571.32</u>	<u>15.88%</u>
<b>TDD Sales Tax</b>					
<b><u>TDD SLS TAX EXPENDITURES</u></b>					
OTHER CONTRACTUAL SERVICES	0.00	13,250.04	105,079.60	(105,079.60)	0.00%
Total Expenditures	<u>\$0.00</u>	<u>\$13,250.04</u>	<u>\$105,079.60</u>	<u>(\$105,079.60)</u>	<u>0.00%</u>
<b>Home Depot Economic Dev Bonds</b>					
<b><u>H DEPOT ECON DEV BND-EXPENDITURE</u></b>					
BOND PRINCIPAL	110,000.00	0.00	0.00	110,000.00	0.00%
INTEREST COUPONS	102,618.00	0.00	51,308.76	51,309.24	50.00%
OTHER CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$212,618.00</u>	<u>\$0.00</u>	<u>\$51,308.76</u>	<u>\$161,309.24</u>	<u>24.13%</u>
<b>48th/Roth Ave. - CID</b>					
<b><u>48TH/ROTHAVE CID-EXPENDITURE</u></b>					
OTHER CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00%</u>
<b>Water &amp; Sewer</b>					
<b><u>DEBT SERVICE</u></b>					
INT-REVENUE BND PAYMENT 2009A	139,556.00	11,629.58	58,147.92	81,408.08	41.67%
INTEREST-REVENUE BOND	0.00	0.00	0.00	0.00	0.00%
PRINCIPAL & INT. REVOLVING LOA	399,393.00	33,282.74	167,133.65	232,259.35	41.85%
PRINCIPAL PAYMENT-SLS TX BOND	0.00	0.00	0.00	0.00	0.00%
PWWSD #15	0.00	0.00	0.00	0.00	0.00%
REV BOND PAYMENT 2009-A	285,000.00	13,333.34	66,666.66	218,333.34	23.39%
REVENUE BOND PAYMENT	0.00	0.00	0.00	0.00	0.00%
SALES TAX BOND ISSUE-INTEREST	0.00	0.00	0.00	0.00	0.00%
UNAMORTIZED 1996 BOND IS.COST	0.00	0.00	0.00	0.00	0.00%
WATER EXPLORATION	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$823,949.00</u>	<u>\$58,245.66</u>	<u>\$291,948.23</u>	<u>\$532,000.77</u>	<u>35.43%</u>

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b><u>DEBT SERVICE - SALES TAX</u></b>					
PRINCIPAL PAYMENT-SLS TX BOND	0.00	0.00	0.00	0.00	0.00%
PWWSD #15	0.00	0.00	0.00	0.00	0.00%
SALES TAX BOND ISSUE-INTEREST	0.00	0.00	0.00	0.00	0.00%
TRANSFER-SALES TAX RESERVE	0.00	0.00	0.00	0.00	0.00%
UNAMORTIZED 1996 BOND IS.COST	0.00	0.00	0.00	0.00	0.00%
WATER EXPLORATION	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00%</u>
<b><u>UTILITIES DEPT./WATER CONSERV.</u></b>					
COMMUNICATION	0.00	0.00	0.00	0.00	0.00%
GENERAL SUPPLIES & MATERIALS	2,500.00	0.00	247.95	2,252.05	9.92%
GRANT FUNDING	0.00	0.00	0.00	0.00	0.00%
LEGAL PUBLICATIONS & PRINTING	2,000.00	0.00	0.00	2,000.00	0.00%
NEW EQUIPMENT	5,000.00	0.00	0.00	5,000.00	0.00%
OFFICE SUPPLIES	0.00	0.00	0.00	0.00	0.00%
OTHER CONTRACTUAL SERVICES	5,000.00	0.00	0.00	5,000.00	0.00%
OVERTIME	0.00	0.00	0.00	0.00	0.00%
PROJECTS	40,000.00	1,200.00	7,400.00	32,600.00	18.50%
SALARIES	31,065.00	3,516.78	12,894.82	18,170.18	41.51%
TRANSFER TO NEW EQUIP. RESERVE	0.00	0.00	0.00	0.00	0.00%
TRAVEL & TRAINING	2,000.00	0.00	0.00	2,000.00	0.00%
Total Expenditures	<u>\$87,565.00</u>	<u>\$4,716.78</u>	<u>\$20,542.77</u>	<u>\$67,022.23</u>	<u>23.46%</u>
<b><u>W/S NON-OPERATING EXPENDITURES</u></b>					
CAPITAL EXPENDITURES	0.00	0.00	0.00	0.00	0.00%
CLEAN DRINKING WATER FEE	18,000.00	0.00	8,453.31	9,546.69	46.96%
CONTINGENCY	50,000.00	77.52	6,971.61	43,028.39	13.94%
GRANT FUNDING	0.00	0.00	0.00	0.00	0.00%
INTEREST ON METER DEPOSITS	5,000.00	35.49	150.88	4,849.12	3.02%
OTHER CONTRACTUAL SERVICES	0.00	924.96	6,172.03	(6,172.03)	0.00%
PROJECTS	0.00	0.00	0.00	0.00	0.00%
R-9 RANCH EXPENDITURES	280,000.00	18,230.00	116,170.08	163,829.92	41.49%
TRANSFER TO BOND & INTEREST	0.00	0.00	0.00	0.00	0.00%
TRANSFER TO CAPITAL IMPROVEMEN	1,152,267.00	0.00	0.00	1,152,267.00	0.00%
TRANSFER TO EMPLOYEE BENEFIT	454,019.00	0.00	0.00	454,019.00	0.00%
TRANSFER TO GENERAL FUND	968,200.00	0.00	0.00	968,200.00	0.00%
TRANSFER TO NEW EQUIP. RESERVE	60,941.00	0.00	0.00	60,941.00	0.00%
TRANSFER TO STORMWATER MGT	0.00	0.00	0.00	0.00	0.00%
TRANSFER-SALES TAX RESERVE	2,759,000.00	0.00	0.00	2,759,000.00	0.00%
TRNSF TO GEN. FROM WA SLS TX	596,850.00	0.00	0.00	596,850.00	0.00%
WATER TAPS, HYDRANTS, METERS	128,003.00	13,916.08	50,831.98	77,171.02	39.71%
Total Expenditures	<u>\$6,472,280.00</u>	<u>\$33,184.05</u>	<u>\$188,749.89</u>	<u>\$6,283,530.11</u>	<u>2.92%</u>
<b><u>WASTEWATER TREATMENT &amp; COLL.</u></b>					
CHEMICALS	85,000.00	9,075.90	22,095.25	62,904.75	25.99%
COMMUNICATION	3,000.00	189.77	807.66	2,192.34	26.92%
ELECTRICITY	165,900.00	27,067.95	65,859.99	100,040.01	39.70%
EQUIPMENT EXPENSE	58,112.00	1,526.90	36,232.63	21,879.37	62.35%
GENERAL SUPPLIES & MATERIALS	23,381.00	1,054.06	11,851.19	11,529.81	50.69%
LEGAL PUBLICATIONS & PRINTING	0.00	0.00	0.00	0.00	0.00%
NATURAL GAS	40,925.00	2,240.73	9,836.43	31,088.57	24.04%
OFFICE SUPPLIES	600.00	42.96	211.35	388.65	35.23%
OTHER CONTRACTUAL SERVICES	33,000.00	1,572.29	7,686.57	25,313.43	23.29%
OVERTIME	15,000.00	2,803.36	9,797.83	5,202.17	65.32%
PROFESSIONAL SERVICES	28,189.00	1,312.00	4,462.00	23,727.00	15.83%
PROJECTS	158,000.00	2,400.00	7,079.47	150,920.53	4.48%
REPAIRS TO BLDGS & STRUCTURES	5,150.00	1,892.95	3,789.36	1,360.64	73.58%
SALARIES	453,484.00	49,814.70	180,321.86	273,162.14	39.76%
SEASONAL/PART TIME	23,957.00	1,395.65	4,253.90	19,703.10	17.76%
TRAVEL & TRAINING	6,000.00	0.00	886.38	5,113.62	14.77%
UNIFORMS	4,202.00	248.80	2,257.77	1,944.23	53.73%
Total Expenditures	<u>\$1,103,900.00</u>	<u>\$102,638.02</u>	<u>\$367,429.64</u>	<u>\$736,470.36</u>	<u>33.28%</u>

	<u>Budgeted</u> 2013	<u>Expenses</u> Current Mo.	<u>Expenses</u> To Date	<u>Balance</u>	<u>% Spent</u> YTD
<b><u>WATER PRODUCTION &amp; DIST.</u></b>					
CHEMICALS	494,210.00	26,818.40	142,684.09	351,525.91	28.87%
COMMUNICATION	4,300.00	323.19	1,934.14	2,365.86	44.98%
ELECTRICITY	256,800.00	34,050.46	94,896.47	161,903.53	36.95%
EQUIPMENT EXPENSE	56,140.00	2,912.76	15,128.23	41,011.77	26.95%
GENERAL SUPPLIES & MATERIALS	42,000.00	2,533.05	8,253.18	33,746.82	19.65%
INSURANCE & SURETY BONDS	0.00	0.00	0.00	0.00	0.00%
LEGAL PUBLICATIONS & PRINTING	3,150.00	0.00	0.00	3,150.00	0.00%
NATURAL GAS	13,360.00	2,025.23	6,122.81	7,237.19	45.83%
OFFICE SUPPLIES	1,100.00	43.82	69.40	1,030.60	6.31%
OTHER CONTRACTUAL SERVICES	91,720.00	3,952.68	6,305.32	85,414.68	6.87%
OVERTIME	22,000.00	2,053.27	10,342.27	11,657.73	47.01%
PROFESSIONAL SERVICES	15,540.00	0.00	3,464.00	12,076.00	22.29%
PROJECTS	40,000.00	48.00	359.91	39,640.09	0.90%
RENTALS	0.00	0.00	0.00	0.00	0.00%
REPAIRS TO BLDGS & STRUCTURES	4,500.00	57.93	1,620.08	2,879.92	36.00%
SALARIES	567,680.00	63,198.76	229,703.49	337,976.51	40.46%
SEASONAL/PART TIME	23,976.00	2,167.62	9,027.40	14,948.60	37.65%
TRAVEL & TRAINING	6,000.00	20.00	859.11	5,140.89	14.32%
UNIFORMS	5,000.00	327.63	2,122.49	2,877.51	42.45%
Total Expenditures	<u>\$1,647,476.00</u>	<u>\$140,532.80</u>	<u>\$532,892.39</u>	<u>\$1,114,583.61</u>	<u>32.35%</u>
<b>Solid Waste</b>					
<b><u>SOLID WASTE FUND EXPENDITURE</u></b>					
COMMUNICATION	1,190.00	83.11	536.56	653.44	45.09%
CONTINGENCY	50,000.00	0.00	27,996.40	22,003.60	55.99%
DEBT SERVICES	0.00	0.00	0.00	0.00	0.00%
DEPRECIATION EXPENSE	0.00	0.00	0.00	0.00	0.00%
ELECTRICITY	3,750.00	320.97	1,439.22	2,310.78	38.38%
EQUIPMENT EXPENSE	10,900.00	89.43	1,798.79	9,101.21	16.50%
GENERAL SUPPLIES & MATERIALS	23,240.00	1,786.91	3,169.91	20,070.09	13.64%
LEGAL PUBLICATIONS & PRINTING	2,000.00	158.32	158.32	1,841.68	7.92%
NATURAL GAS	3,084.00	28.56	1,494.22	1,589.78	48.45%
NEW EQUIPMENT	0.00	0.00	0.00	0.00	0.00%
OFFICE SUPPLIES	550.00	0.00	34.67	515.33	6.30%
OTHER CONTRACTUAL SERVICES	368,080.00	28,689.70	106,715.59	261,364.41	28.99%
OVERTIME	5,500.00	431.56	2,239.37	3,260.63	40.72%
PROFESSIONAL SERVICES	0.00	0.00	0.00	0.00	0.00%
PROJECTS	5,000.00	0.00	5,000.00	0.00	100.00%
RENTALS	0.00	0.00	0.00	0.00	0.00%
REPAIRS TO BLDGS & STRUCTURES	3,600.00	478.06	1,020.06	2,579.94	28.34%
SALARIES	348,633.00	37,856.27	139,726.16	208,906.84	40.08%
SEASONAL/PART TIME	0.00	0.00	0.00	0.00	0.00%
TRANSFER TO EMPLOYEE BENEFIT	159,376.00	0.00	0.00	159,376.00	0.00%
TRANSFER TO GENERAL FUND	245,000.00	0.00	0.00	245,000.00	0.00%
TRANSFER TO RESERVES	242,839.00	0.00	0.00	242,839.00	0.00%
TRANSFER TO WATER/SEWER FUND	0.00	0.00	0.00	0.00	0.00%
TRANSFERS	0.00	0.00	0.00	0.00	0.00%
TRAVEL & TRAINING	800.00	0.00	8.86	791.14	1.11%
UNIFORMS	3,500.00	311.82	1,252.35	2,247.65	35.78%
UTILITY-WATER	410.00	0.00	0.00	410.00	0.00%
Total Expenditures	<u>\$1,477,452.00</u>	<u>\$70,234.71</u>	<u>\$292,590.48</u>	<u>\$1,184,861.52</u>	<u>19.80%</u>
<b>Fire Insurance Trust</b>					
<b><u>FIRE INS TRUST EXPENDITURES</u></b>					
OTHER CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00%
Total Expenditures	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00%</u>
Grand Totals	<u>\$37,342,040.00</u>	<u>\$1,820,363.73</u>	<u>\$9,456,698.38</u>	<u>\$27,885,341.62</u>	<u>25.32%</u>



# CITY OF HAYS

## AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 5A

MEETING DATE: 6-27-13

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**TOPIC:**

Mayoral Appointments for Approval

**ACTION REQUESTED:**

Consider approving Mayoral appointments to the Hays Beautification Committee and Hays Public Library Board.

**NARRATIVE:**

The following appointments were recommended by Mayor Steward at the June 13, 2013 City Commission meeting and are now being presented for approval.

Hays Beautification Committee

Joni Phelps – 3-year term to expire 8-1-16 (3<sup>rd</sup> term)

Hays Public Library Board

Pamela Shaffer – 4-year term to expire 4-30-17 (1<sup>st</sup> term)

Delbert Stanton – 4-year term to expire 4-30-17 (1<sup>st</sup> term)

Lauren Lowry – unexpired term to expire 4-30-14 (1<sup>st</sup> term)

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

Mayor Steward

**ADMINISTRATION RECOMMENDATION:**

N/A

**COMMITTEE RECOMMENDATION(S):**

N/A

**ATTACHMENTS:**

Applications

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

Email: [jphelps1004@gmail.com](mailto:jphelps1004@gmail.com)

Date: 6/5/2013

Name: Joni Phelps

Address: 3103 Olympic Drive

Day Time Phone Number: 785-623-9752

Evening Phone Number:

Place of Employment: Eagle Community Television

How long have you been a Resident of Hays: 20 years

Name of Board(s) you are interested in serving on: Hays Beautification Committee

How much time could you devote per month: 5

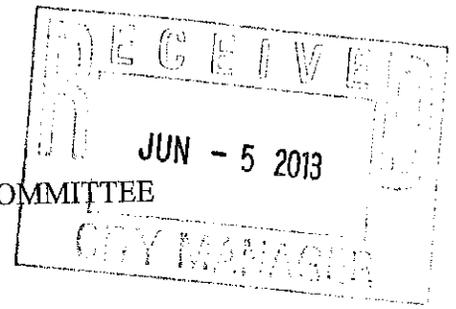
Are you related to anyone who is currently serving on a Board/Committee?: No

If Yes, Explain:

Briefly describe why you are interested in serving on a Board/Committee for the City of Hays: I have been on the Hays Beautification Committee for several years and have enjoyed working with fellow committee members as we have continued to beautify & educate our fine City of Hays. I would like to continue to be a part of this committee as they evaluate current and future opportunities.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: Hays BID, Chamber of Commerce, Humane Society of the High Plains, Relay for Life, United Way, Girl Scouts

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



NAME: Pamela H. Shaffer  
ADDRESS: 214 W. 21st Street, Hays, KS 67601  
DAY TIME PHONE NUMBER: 785-628-6009 EVENING PHONE NUMBER: same  
E-MAIL ADDRESS: pshaffer@fhsu.edu  
PLACE OF EMPLOYMENT: Recently retired from Fort Hays State Univ.  
HOW LONG HAVE YOU BEEN A RESIDENT OF HAYS? 33 years  
NAME OF BOARD(S) YOU ARE INTERESTED IN SERVING ON: Hays Public Library Board  
HOW MUCH TIME COULD YOU DEVOTE PER MONTH? whatever is necessary  
ARE YOU RELATED TO ANYONE WHO IS CURRENTLY SERVING ON A BOARD/COMMITTEE? no  
IF YES, EXPLAIN: \_\_\_\_\_

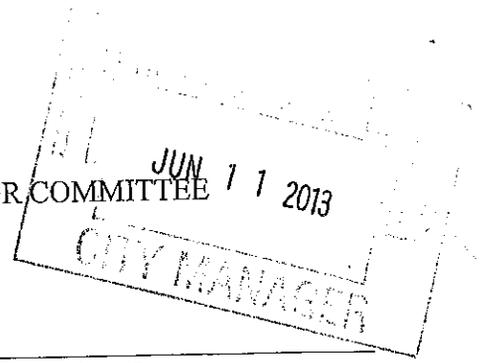
BRIEFLY DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMITTEE FOR THE CITY OF HAYS. Having been a teacher/professor of English at FHSU, I am deeply interested in reading and the resources and services available to the public through the library. I am interested in contributing to the community, using the knowledge I have gained

PLEASE LIST ANY GROUPS OR ACTIVITIES THAT YOU PARTICIPATE IN, OR HAVE PREVIOUSLY PARTICIPATED IN, THAT DEMONSTRATE YOUR INVOLVEMENT IN THE COMMUNITY. I have served as a judge for the Hays Arts Council student writing contest for many years. over many years of teaching

SIGNATURE: Pamela H. Shaffer DATE: 6-5-2013

Thank you for your interest in serving on a Board/Commission. It is rewarding to see individuals who are willing and able to commit their time and energy to make the City of Hays a better place to work, live and play.

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



NAME: Delbert Stanton

ADDRESS: 201 W. 36th Hays, KS

DAY TIME PHONE NUMBER: 625-9456 EVENING PHONE NUMBER: \_\_\_\_\_

E-MAIL ADDRESS: delbertwstanton@hotmail.com

PLACE OF EMPLOYMENT: retired

HOW LONG HAVE YOU BEEN A RESIDENT OF HAYS? 13 yrs.

NAME OF BOARD(S) YOU ARE INTERESTED IN SERVING ON: \_\_\_\_\_

Library

HOW MUCH TIME COULD YOU DEVOTE PER MONTH? whatever is necessary

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.

it is important to give back to your community!

PLEASE LIST ANY GROUPS OR ACTIVITIES THAT YOU PARTICIPATE IN, OR HAVE PREVIOUSLY PARTICIPATED IN, THAT DEMONSTRATE YOUR INVOLVEMENT IN THE COMMUNITY.

Pastor of First United Methodist Church

SIGNATURE: Delbert Stanton DATE: 6-11-2013

Thank you for your interest in serving on a Board/Commission. It is rewarding to see individuals who are willing and able to commit their time and energy to make the City of Hays a better place to work, live and play.

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

Email: [lauren\\_lowry@ksd.uscourts.gov](mailto:lauren_lowry@ksd.uscourts.gov)

Date: 6/12/2013

Name: Lauren M. Lowry

Address: 2401 Ash St.

Day Time Phone Number: 785-231-4325

Evening Phone Number: 785-231-4325

Place of Employment: U.S.District Court

How long have you been a Resident of Hays: 1 1/2 years

Name of Board(s) you are interested in serving on: Hays Public Library Board

How much time could you devote per month: 3-5 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: Our family has several avid readers and I am interested in promoting and sustaining use of the beautiful library here in Hays

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: Junior League, First Presb. Church Topeka and Hays, PEO, childrens' schools/activities, neighborhood associations



**CITY OF HAYS**  
**AGENDA ITEM COVER SHEET**

**COMMISSION AGENDA ITEM NO. 5B**

**MEETING DATE: 6-27-13**

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**TOPIC:**

Mayoral Appointment Recommendation

**ACTION REQUESTED:**

Receive Mayor Steward's proposed appointment to the Hays Area Planning Commission.

**NARRATIVE:**

The following proposed appointment will be presented for approval at the July 11, 2013 City Commission meeting.

Hays Area Planning Commission

Travis Rickford – 3-year term to expire 4-30-16 (1<sup>st</sup> term)

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

Mayor Steward

**ADMINISTRATION RECOMMENDATION:**

N/A

**COMMITTEE RECOMMENDATION(S):**

N/A

**ATTACHMENTS:**

Applications Received for this Board

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

Email: [wtr150@yahoo.com](mailto:wtr150@yahoo.com)

Date: 6/19/2013

Name: Travis Rickford

Address: 4417 Newton Circle

Day Time Phone Number: 785-626-4103

Evening Phone Number: 785-626-4103

Place of Employment: Kansas Department of Health and Environment

How long have you been a Resident of Hays: Seven years.

Name of Board(s) you are interested in serving on: Hays Area Planning Commission

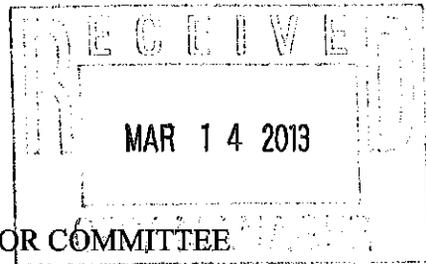
How much time could you devote per month: Evenings and any special sessions

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: In my current position as a Health Educator for KDHE, I work with communities to assess assets and needs in physical activity, nutrition, and tobacco prevention. This includes assessing physical environments such as zoning, pedestrian enhancements, and mixed land use. As a resident of Hays, I have been looking for opportunities to volunteer my knowledge and experience. As a member of the planning committee, I hope to provide a different perspective that will benefit all Hays residents.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: -Member: Ellis County Community Partnership -Former member: Community Emergency Response Team (CERT)



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

NAME: Louis J Caplan

ADDRESS: 2003 Main Street Hays

DAY TIME PHONE NUMBER: 620-2677 EVENING PHONE NUMBER: 620-2677

E-MAIL ADDRESS: lcaplan@fhsu.edu

PLACE OF EMPLOYMENT: retired

HOW LONG HAVE YOU BEEN A RESIDENT OF HAYS? 43 years

NAME OF BOARD(S) YOU ARE INTERESTED IN SERVING ON: Zoning & Planning

HOW MUCH TIME COULD YOU DEVOTE PER MONTH? 10-20 hours each

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 believe I am finishing my third term on each. I am willing to serve again but if others are willing to serve I have no problem. If the legislature passes legislation in opposition to sustainable development, I will no longer serve.

PLEASE LIST ANY GROUPS OR ACTIVITIES THAT YOU PARTICIPATE IN, OR HAVE PREVIOUSLY PARTICIPATED IN, THAT DEMONSTRATE YOUR INVOLVEMENT IN THE COMMUNITY. \_\_\_\_\_

SIGNATURE: Louis J Caplan DATE: 11 March 2013

Thank you for your interest in serving on a Board/Commission. It is rewarding to see individuals who are willing and able to commit their time and energy to make the City of Hays a better place to work, live and play.

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

MAR 19 2013

NAME: Terry Clayman  
ADDRESS: 3400 W 44 St  
DAY TIME PHONE NUMBER: 785-623-1201 EVENING PHONE NUMBER: 785-623-1201  
E-MAIL ADDRESS: terry@landmarkrealthays.com  
PLACE OF EMPLOYMENT: Landmark Realty LLC  
HOW LONG HAVE YOU BEEN A RESIDENT OF HAYS? 1968  
NAME OF BOARD(S) YOU ARE INTERESTED IN SERVING ON: Planning Commission

HOW MUCH TIME COULD YOU DEVOTE PER MONTH? As much as needed  
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.  
Interested in development and promoting Hays

PLEASE LIST ANY GROUPS OR ACTIVITIES THAT YOU PARTICIPATE IN, OR HAVE PREVIOUSLY PARTICIPATED IN, THAT DEMONSTRATE YOUR INVOLVEMENT IN THE COMMUNITY.  
Chamber of Commerce, Hays Board of Realtors

SIGNATURE: Terry Clayman DATE: 3/10/13

Thank you for your interest in serving on a Board/Commission. It is rewarding to see individuals who are willing and able to commit their time and energy to make the City of Hays a better place to work, live and play.

MAR 19 2013

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

NAME: Tom Denning

ADDRESS: 1310 Bison Rd Hays, KS 67601

DAY TIME PHONE NUMBER: 785 628-2593 EVENING PHONE NUMBER: 785 628-2593

E-MAIL ADDRESS: tomtdicil@gmail.com

PLACE OF EMPLOYMENT: self employed

HOW LONG HAVE YOU BEEN A RESIDENT OF HAYS? 60+ years

NAME OF BOARD(S) YOU ARE INTERESTED IN SERVING ON: \_\_\_\_\_

Planning & Zoning

HOW MUCH TIME COULD YOU DEVOTE PER MONTH? 5

ARE YOU RELATED TO ANYONE WHO IS CURRENTLY SERVING ON A BOARD/COMMITTEE? NO

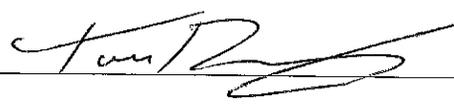
IF YES, EXPLAIN: \_\_\_\_\_

BRIEFLY DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMITTEE FOR THE CITY OF HAYS. I live in the 3 mile zone and want to be sure that it is well represented. Sometime the "City" views and "County" views are different and I want to protect the rural lifestyle but I still understand the importance of regulation in the 3 mile zone.

PLEASE LIST ANY GROUPS OR ACTIVITIES THAT YOU PARTICIPATE IN, OR HAVE PREVIOUSLY PARTICIPATED IN, THAT DEMONSTRATE YOUR INVOLVEMENT IN THE COMMUNITY.

Present member in Hays Planning & Zoning

Board member in Ellis County Rural Water District 1-C

SIGNATURE:  DATE: \_\_\_\_\_

Thank you for your interest in serving on a Board/Commission. It is rewarding to see individuals who are willing and able to commit their time and energy to make the City of Hays a better place to work, live and play.

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

Email: anth.glassman@gmail.com

Date: 3/25/2013

Name: Anthony Glassman

Address: 110 E 19th

Day Time Phone Number: 7856391285

Evening Phone Number: 7856391285

Place of Employment: Glassman Corporation

How long have you been a Resident of Hays: 25 Years

Name of Board(s) you are interested in serving on: HAYS AREA PLANNING  
COMMISSION

How much time could you devote per month: 5-20 Hours

Are you related to anyone who is currently serving on a Board/Committee?: Yes

If Yes, Explain: Joseph Glassman

Briefly describe why you are interested in serving on a Board/Committee for the City of Hays: I've been a resident of Hays my whole life and I want to make sure my community is a good representation of the people who live in it.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: board member of Big Brothers Big Sisters Ellis County Democratic Chairman Hays Area Young Professionals Member

**CITY OF HAYS**  
**AGENDA ITEM COVER SHEET**

**COMMISSION AGENDA ITEM NO. 6**

**MEETING DATE: 6-27-13**

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**TOPIC:**

City of Hays Commercial Insurance Renewal for 2013/2014

**ACTION REQUESTED:**

Authorize the City Manager to renew the 2013/2014 Commercial Insurance Policy with Companion Commercial Insurance for the coverage presented with an annual premium total amount not to exceed \$196,523 to be funded from the Intergovernmental Insurance and Surety line item.

**NARRATIVE:**

The City's Commercial Insurance Policy with Companion Commercial Insurance will expire on 7/1/13. Insurance Planning provides for critical insurance oversight for the City as the Insurance Broker. Requested quotes to various companies by Insurance Planning resulted in one responsive and responsible bid from our current carrier in the amount of \$196,523. The outcome of this effort translates into an increase in premium for the property and liability package of 2.6% or \$4,971.

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

Toby Dougherty, City Manager  
Kim Rupp, Finance Director

**ADMINISTRATION RECOMMENDATION:**

Approval

**COMMITTEE RECOMMENDATION(S):**

n/a

**ATTACHMENTS:**

Commercial Insurance Renewal Memo  
Insurance Planning Insurance Proposal  
Commercial Insurance categorical definitions

# Commission Work Session Agenda

## Memo

**From:** Kim Rupp, Director of Finance

**Work Session:** June 20, 2013

**Subject:** Commercial Insurance Renewal 2013/2014

**Person(s) Responsible:** Kim Rupp, Director of Finance  
Dale Chaffin, Insurance Planning  
Richard G Kraemer, Insurance Planning

### Summary

The City's Commercial Insurance Policy with Companion Commercial Insurance will expire on 7/1/13. Insurance Planning provides for critical insurance oversight for the City as the Insurance Broker. Requested quotes to various companies by Insurance Planning resulted in one responsive and responsible bid from our current carrier in the amount of \$196,523. The outcome of this effort translates into an increase in premium for the property and liability package of 2.6% or \$4,971.

### Background

Each year City staff and its Insurance Broker complete the task of reviewing and preparing for the renewal of the Commercial Insurance package. Below is a chart showing the history of premiums on this package the last four years. The Public Wholesale Water District coverage with EMC was omitted from this chart given its expiration this year.

	2010/2011	2011/2012	2012/2013	2013/2014
Annual Premiums	\$176,312 -1.33%	\$202,145 +14.65%	\$191,552 -5.24%	\$196,523 +2.6%

The package this year includes the following categories. For further detail please refer to the attached definitions page.

- *Commercial Property*
- *Inland Marine/Scheduled Equipment*
- *Crime*
- *General Liability*
- *Public Entity Management Liability*
- *Law Enforcement Liability*
- *Employment Practices Liability*

- *Airport Liability*
- *Commercial Auto*
- *Umbrella*
- *Public Entity Cyber Liability*

The City's Insurance Broker, Insurance Planning Inc (IPI) contacted multiple companies in regards to quoting the insurance program for the City for the 2013-2014 policy term. The following summary is the result of this activity.

**Trident** – Declined to quote due to their pricing not being competitive with current premiums.

**Chubb** – Would only consider property lines with pricing very similar to last years Travelers figures. It renders their quote useless when they do not quote all lines.

**Travelers** – Advised that their pricing has not changed from last year. In fact they indicated that it would most likely be 7-10% higher. They declined to quote due to their pricing not being competitive with current premiums.

**OneBeacon** – Declined to quote due to current pricing. Not competitive at this time.

**Berkshire Hathaway** – Declined to quote due to current pricing. Also cannot provide Cyber Liability.

### Discussion

The following is a breakdown of the various lines of coverage in the City's insurance program. You will see that in some areas there was a decrease, in some cases a significant decrease, while in others areas there were increases. The natural question is "why". The answer we received from the broker representing Companion Insurance was that Companion reviews premiums, losses and program expenses on a nationwide basis each year. Companion decided that nationwide they needed to get as close to a 3% increase as possible. They accomplished this by increasing some lines and decreasing others based on nationwide experience. Obviously in some instances there is a connection. Number of insured autos or significant increases in property values will have an impact on our premiums.

When we look at all lines of coverage in our insurance program we see that we experienced a 2.6% increase in premiums. Based on today's market we feel that this is acceptable. The Broker also informed us that companies were looking at taking some significant increases in property premiums in the next several years. Catastrophic losses, Oklahoma comes to mind, have caused reinsurance companies to ask for sizeable increases in their premiums. This obviously impacts premiums at the retail level. As agents, we have heard similar warnings from other companies we represent. Our plans are to extensively market the City's program next year in hopes that we can limit the potential property increases that appear to be on the horizon.

#### Property

There is an overall increase of property values of \$1,333,358 which includes the following changes

- 1) Increased coverage for the turf at Larks Park from \$67,000 to \$150,000. Also increased the fence, backstop & foul ball net from \$36,050 to \$44,598.
- 2) 3% inflation guard added to all buildings to stay in compliance with Insurance to value on property policy.

In summary, we have an increase of 2.9% in property values and a 3.9% increase in premium for the 2013/2014 policy year.

Terms & Conditions: Company has asked for the date of updates to roofing, plumbing, heating & electrical systems for all buildings over 35 years old.

### Scheduled Equipment

The scheduled equipment section showed an increase of \$536,039 which includes the following changes

- 1) Added a 2012 Volvo Pneumatic Roller Mdl PT125R valued at \$56,850 for the Public Works Service Division
- 2) Added a 2013 Lastec 3300 Mower Model 3300 ZT Unit 1419 valued at \$34,689 for the Golf Course
- 3) Increased Sign coverage at the Sports Complex from \$110,000 to \$160,000
- 4) Deleted the light at 41<sup>st</sup> & Hall valued at \$5,500
- 5) Amended the short term leased equipment coverage from \$100,000 to \$500,000.

In summary, we have a 5.9% increase in property values and a 38% decrease in premium for the 2013/2014 policy term.

### Crime

There were no changes in coverage amounts. Premium is down 6.5% for the 2013-2014 policy year.

### General Liability

There is a 4.9% increase in premium on the General Liability resulting in an additional premium of \$1,739 for the 2013-2014 policy year.

### Public Entity Management Liability

There is a 7.6% increase in premium resulting in an additional premium of \$677.

### Law Enforcement Liability

There is a 3.7% increase in premium on the Law Enforcement Liability resulting in an additional premium of \$583.

### Employment Related Practices

There is an increase of 7.6% for this coverage resulting in \$537 additional premium.

### Airport Liability

No change in exposure and no change in premium.

### Commercial Auto

There were 6 additional autos added to the current coverage and there is a decrease in premium of \$2,257 or a 6% credit.

### Umbrella

There is no change in limit for this coverage; however there is a 13.5% increase in premium resulting in an additional premium of \$1,058 for the 2013-2014 policy term.

### Public Entity Cyber Liability

The premium for this coverage has increased by \$42. Coverage was also increased for Crisis Management Service Expense from \$100,000 to \$500,000.

## **Legal Consideration**

There are no known legal obstacles to proceeding as recommended by City staff.

## **Financial Consideration**

The renewal for 2013/2014 amounts to \$196,523 an increase of \$4,971 or 2.6%.

## **Options**

The City Commission has the following options.

- Renew the policy with Companion Commercial Insurance as submitted
- Do nothing
- Provide staff with further guidance

## **Recommendation**

City Administration recommends pursuing the 2013/2014 Commercial Insurance renewal with Companion Commercial Insurance given their submission of a complete package and responsible bid.

## **Action Requested**

Authorize the City Manager to renew the 2013/2014 Commercial Insurance Policy with Companion Commercial Insurance for the coverage presented with an annual premium total amount not to exceed \$196,523 to be funded from the Intergovernmental Insurance and Surety line item.

## **Supporting Documentation**

Insurance Proposal as prepared by Insurance Planning.  
Commercial Insurance categorical definitions

**City of Hays KS**

<b>Coverages</b>	<b>2011/2012 Travelers</b>	<b>2012/2013 Companion</b>	<b>2013/2014 Companion</b>	<b>Comparisons</b>
<b>COMMERCIAL PROPERTY</b>				
<b>Buildings, Contents, Fences, Bridges-Blanket</b>	\$43,995,334	\$44,656,347	\$45,953,930	
Blanket Coverage applies	Yes – All Locs	Yes – All Locs	Yes – All Locs	
Agreed Amount Endorsement	Yes – All Locs	Yes – All Locs	Yes – All Locs	
Valuation	Replacement Cost	Replacement Cost	Replacement Cost	
Fences & Bridges – Blanket	\$899,122	\$899,122	\$934,897	
Deductible	\$10,000 Per Occurrence	\$10,000 Per Occurrence	\$10,000 Per Occurrence/\$2500 on Fences & Bridges	
Earthquake Coverage	Excluded	Excluded	Excluded	
<b>Business Income</b>	\$1,125,000	\$100,000/ \$1,025,000 Extra Expense	\$100,000/ \$1,025,000 Extra Expense	
Blanket Coverage Applies	Yes	Yes	Yes	
Included Extra Expense	Yes	Yes	Yes	
Co-Insurance	50%	N/A	N/A	
Deductible	72 Hours	\$10,000	\$10,000	
<b>Equipment Breakdown</b>	Blanket	Blanket	Blanket	
Locations Covered	All	All	All	
Coverage is Included in Property Limit	\$43,995,334	\$44,656,347	\$45,953,930	
Spoilage	\$250,000	\$250,000	\$250,000	
Deductible	\$10,000	\$10,000	\$10,000	
<b>Commercial Property Additional Coverages/Extensions</b>				
Property in Transit	\$50,000	\$100,000	\$100,000	
Fine Arts	\$50,000	\$5,000 per Item/\$100,000	\$5,000 per Item/\$100,000	
Pollution Cleanup Per Policy	\$100,000	\$25,000	\$25,000	
Building & Ordinance – Incr Cost of Construction Undamaged Bldg	\$250,000	\$350,000	\$350,000	
Personal Effects- Extension	\$50,000	\$25,000 Per Item/ \$50,000	\$25,000 Per Item/ \$50,000	
Valuable Papers – Blanket	\$100,000	\$250,000/\$50,000 away from Premises	\$250,000/\$50,000 away from Premises	
Accounts Receivable	\$100,000	\$250,000- On Premises/\$50,000 Off	\$250,000- On Premises/\$50,000 Off	
Ground Maintenance Equipment	Included in bldg value	Included in bldg value	Included in bldg value	
Confiscated or Commandeered Property	\$100,000	\$250,000	\$250,000	
Sewer Backup	\$50,000	\$10,000	\$10,000	
<b>Property Premium – Annual</b>	<b>\$42,405</b>	<b>\$31,163</b>	<b>\$43,429</b>	

City of Hays KS

Coverages	2011/2012 Travelers	2012/2013 Companion	2013/2014 Companion	Comparisons
<b>SCHEDULED EQUIPMENT</b>				
Mobile Contractors Equipment (ACV)	\$3,086,360	\$3,075,191	\$3,166,730	
Scheduled Camera Equip	\$124,325	\$124,325	\$124,325	
Scheduled Lights, Signs, Weather Sirens	\$4,418,536	\$4,206,197	\$4,250,697	
Leased /Rented Equipment	\$100,000	\$100,000/ \$250,000	\$500,000/ \$500,000	
EDP	\$677,826	\$677,826	\$677,826	
Scheduled Radios over \$5000	\$24,060	\$24,060	\$24,060	
Blanket Mobile Property Floater – Includes Contractors Equipment	\$350,000 – No one item over \$50,000	\$350,000 – No one item over \$50,000	\$350,000 – No one item over \$50,000	
Blanket Mobile Property Floater – Includes Cameras, Guns, Tazers, Intoximeters, Radios, Pagers, Sirens,	\$490,000 – No one item over \$5,000	\$490,000 – No one item over \$5,000	\$490,000 – No one item over \$5,000	
Total Insured Values	\$9,271,107	\$9,047,599	\$9,583,638	
Deductible	\$2,500	\$2,500	\$2,500	
<b>Premium</b>	<b>\$18,498</b>	<b>\$24,966</b>	<b>\$15,366</b>	
<b>CRIME</b>				
Employee Dishonesty	\$100,000	\$100,000	\$100,000	
Forgery & Alteration	\$100,000	\$100,000	\$100,000	
Money & Securities – Inside/Outside	\$25,000	\$25,000- \$10,000 Deductible	\$25,000-\$10,000 Deductible	
Computer Fraud	\$500,000	\$100,000	\$100,000	
Fund Transfer Fraud	\$500,000	None	None	
Deductible	\$1000	\$1000	\$1000	
Excludes Treasurer or Tax Collector	Yes	Yes	Yes	
Excludes Individually Bonded employees	Yes	Yes	Yes	
<b>Premium</b>	<b>\$1,933</b>	<b>\$1,116</b>	<b>\$1,042</b>	

**City of Hays KS**

<b>Coverages</b>	<b>2011/2012 Travelers</b>	<b>2012/2013 Companion</b>	<b>2013/2014 Companion</b>	<b>Comparisons</b>
<b>GENERAL LIABILITY</b>				
Coverage Form	Occurrence	Occurrence	Occurrence	
General Aggregate	\$2,000,000	\$2,000,000	\$2,000,000	
Products Completed Operations	\$2,000,000	\$2,000,000	\$2,000,000	
BI & PD Per Occurrence Limit	\$1,000,000	\$1,000,000	\$1,000,000	
Personal/Advertising Injury	\$1,000,000	\$1,000,000	\$1,000,000	
Premises Damage Liability	\$100,000	\$500,000	\$500,000	
Medical Expenses per Person/Accident	Excluded	Excluded	Excluded	
Employee Benefits- CLAIMS MADE	\$1,000,000/3,000,000 \$1000 Ded Applies	\$1,000,000	\$1,000,000	
Cemetery Professional Liability	Included	Included	Included	
Sewer Back-Resulting form Negligent Acts Only	\$500,000	Policy Limits	Policy Limits	
Liquor Liability – Occurrence form	Excluded	Excluded	Excluded	
Herbicide or Pesticide Endorsement	Included	Included	Included	
Failure to Supply	\$500,000	\$500,000	\$500,000	
Increased Limits subject to Tort Liability Limitation	Yes	Yes	Yes	
EMT Professional Liability	Included	Included	Included	
Deductible – General Liability	None	None	None	
<b>Premium</b>	<b>\$35,018</b>	<b>\$35,328</b>	<b>\$37,067</b>	

City of Hays KS

Coverages	2011/2012 Travelers	2012/2013 Companion	2013/2014 Companion	Comparisons
<b>PUBLIC ENTITY MANAGEMENT LIABILITY (PEML)</b>				
Each Wrongful Act Limit	\$1,000,000	\$1,000,000	\$1,000,000	
Total Limit	\$2,000,000	\$2,000,000	\$2,000,000	
Defense within limit or Outside the limit	Outside	Outside	Outside	
Coverage Form	Claims Made	Claims Made	Claims Made	
Retroactive Date	04/22/88	None	None	
Deductible – Each Wrongful Act	\$10,000	\$10,000	\$10,000	
Deductible Applies to Loss & Expenses	Yes	Yes	Yes	
Duty to Defend/ Pay on Behalf	Yes	Yes	Yes	
Punitive Damages included (where allowed by law)	Yes	Yes	Yes	
Architects, Engineers & lawyers Included	Yes- Employed	Yes- Employed	Yes- Employed	
Airport Committee/Board Members	Included	Included	Included	
Include Employees, Volunteer workers	Yes	Yes	Yes	
Board Members, Elected or Appointed Officials Included	Yes	Yes	Yes	
<b>Public Officials Errors &amp; Omission Premium (Annual )</b>	<b>\$3,949</b>	<b>\$8,819</b>	<b>\$9,496</b>	

City of Hays KS

Coverages	2011/2012 Travelers	2012/2013 Companion	2013/2014 Companion	Comparisons
<b>LAW ENFORCEMENT LIABILITY</b>				
Coverage Form	Occurrence	Occurrence	Occurrence	
Each Wrongful Act	\$1,000,000	\$1,000,000	\$1,000,000	
Total Limit	\$2,000,000	\$2,000,000	\$2,000,000	
Defense Within Limit or Outside	Outside the Limit	Outside the Limit	Outside the Limit	
Deductible – Each Person	\$5,000	\$5,000	\$5,000	
Deductible applies to	Loss & Expense	Loss Only	Loss Only	
Subject to Ks Statutory Cap Limit	Yes	Yes	Yes	
Coverage Agreement Includes				
Bodily Injury, Personal Injury & Property Damage	Yes	Yes	Yes	
Authorized Moonlighting	Yes	Yes	Yes	
Canine & Equine Exposures	Yes	Yes	Yes	
False Arrest, Detention or Imprisonment	Yes	Yes	Yes	
Handling & Treatment of Corpses & Dispersing Medication	Yes	Yes	Yes	
Injury due to the use of Mace, Pepper Spray or Tear Gas	Yes	Yes	Yes	
Mental Anguish, Emotional Distress, Humiliation	Yes	Yes	Yes	
Mutual Aid Agreement	Yes	Yes	Yes	
Violation of Civil Rights protected under any federal, state or local law	Yes	Yes	Yes	
Duty to Defend	Yes	Yes	Yes	
Punitive Damages included (where allowed by law)	Yes	Yes	Yes	
Include Volunteer Officers as Insureds	Yes	Yes	Yes	
Rating Units	58	59	58	
<b>Law Enforcement Premium (Annual)</b>	<b>\$17,177</b>	<b>\$15,464</b>	<b>\$16,047</b>	

City of Hays KS

Coverages	2011/2012 Travelers	2012/2013 Companion	2013/2014 Companion	Comparisons
<b>EMPLOYMENT PRACTICES LIABILITY</b>				
Each Wrongful Act Limit	\$1,000,000	\$1,000,000	\$1,000,000	
Total Limit	\$1,000,000	\$1,000,000	\$1,000,000	
Defense within Limit or Unlimited	Included in Limit	Outside of Limits	Outside of Limits	
Coverage Form	Claims Made	Claims Made	Claims Made	
Retroactive Date	04/22/88	Full Prior Acts	Full Prior Acts	
Deductible – Each Wrongful Act	\$25,000	\$25,000	\$25,000	
Deductible Applies to Loss & Expenses	Yes	Yes	Yes	
Duty to Defend	Yes	Yes	Yes	
Punitive Damages Included (where allowed by law)	Yes	Yes	Yes	
Include Volunteer Workers as Insured	Yes	Yes	Yes	
Included Employees as Insureds	Yes	Yes	Yes	
Board Members, elected or Appointed Officials Included	Yes	Yes	Yes	
Pay on Behalf	Yes	Yes	Yes	
Rating Units # of Employees	224	232	215	
<b>Employment Practices Liability (Annual Premium)</b>	<b>\$9,819</b>	<b>\$6,995</b>	<b>\$7,532</b>	

**City of Hays KS**

<b>Coverages</b>	<b>2011/2012 Old Republic</b>	<b>2012/2013 Old Republic</b>	<b>2013/2014 Old Republic</b>	<b>Comparisons</b>
<b>AIRPORT LIABILITY</b>				
Coverage Form	Occurrence	Occurrence	Occurrence	
Non Owned Aircraft Liability	Not Covered	Not Covered	Not Covered	
Bodily Injury & Property Damage – Each Occurrence Limit	\$1,000,000	\$1,000,000	\$1,000,000	
Products-Completed Operations Aggregate Limit	\$1,000,000	\$1,000,000	\$1,000,000	
Personal/Advertising Injury	\$1,000,000	\$1,000,000	\$1,000,000	
Fire Damage Limit – Any One Fire	\$50,000	\$50,000	\$100,000	
Medical Expense Limit – Any 1 Person	\$1,000	\$1,000	\$3,000 Per Person/ \$15,000 Any One Occurrence	
Hangarkeepers Limit any 1 Aircraft	\$1,000,000	\$1,000,000	\$1,000,000	
Hangarkeepers Limit any 1 Occurrence	\$1,000,000	\$1,000,000	\$1,000,000	
Hangarkeepers Deductible Each Loss	\$1,000	\$1,000	\$1,000	
<b>Airport Liability Premium– (Annual)</b>	<b>\$3,845</b>	<b>\$3,845</b>	<b>\$3,845</b>	<b>No change</b>

Note: Policy contains Parachuting Exclusion

Not taking possession of any aircraft & not engaging in direct operations for moving, taxing, towing or fueling.

Excludes of Non-Owned Aircraft Liability

City of Hays KS

Coverages	2011/2012 Travelers	2012/2013 Companion	2013/2014 Companion	Comparisons
<b>COMMERCIAL AUTO</b>				
Liability –Combined Single Limit (BI&PD)	\$1,000,000	\$1,000,000	\$1,000,000	
Medical Payments	\$5,000	\$5,000	\$5,000	
Uninsured/Underinsured	\$50,000	\$50,000	\$50,000	
Increased Limits subject to Tort Liability Limitation	Yes	Yes	Yes	
Rating Units	155	154	160	
Hired Auto (PD) – Excess Basis	\$50,000	Included	Included	
Deductible Hired Auto (PD)	\$500 Comprehensive/ \$500 Collision	\$1,000 Comprehensive/ \$1,000 Collision	\$1,000 Comprehensive/ \$1,000 Collision	
Deductible – Scheduled Autos (PD)	\$1,000 Comprehensive / \$1,000 Collision	\$1,000 Comprehensive / \$1,000 Collision	\$1,000 Comprehensive / \$1,000 Collision	
Units with Physical Damage	150	148	155	
Basis of Settlement	Actual Cash Value	ACV/ Stated Amt for Emergency Rescue Vehicles	ACV/ Stated Amt for Emergency Rescue Vehicles	
Catastrophic Loss Deductible Cap	\$25,000	\$25,000	\$25,000	
Garagekeepers at Scheduled Loc	\$25,000	\$25,000	\$25,000	
Deductible Garagekeepers Comprehensive	\$500/2,500	\$500/2,500	\$500/2,500	
Deductible Garagekeepers – Collision	\$1,000	\$1,000	\$1,000	
<b>Commercial Auto Premium (Annual)</b>	<b>\$57,032</b>	<b>\$41,222</b>	<b>\$38,965</b>	

**City of Hays KS**

<b>Coverages</b>	<b>2011/2012 Travelers</b>	<b>2012/2013 Companion</b>	<b>2013/2014 Companion</b>	<b>Comparisons</b>
<b>UMBRELLA – OCCURRENCE FORM</b>				
General Total Limit	\$1,000,000	\$1,000,000	\$1,000,000	
Products & Completed Work Total Limit	\$1,000,000	Included	Included	
Personal Injury & Advertising Limit	\$1,000,000	Included	Included	
Each Event Limit	\$1,000,000	\$1,000,000	\$1,000,000	
Retained Limit applies only to losses covered by the umbrella excess but not covered under the primary.	\$10,000	\$10,000	\$10,000	
Coverage is provided over the following underlying coverages				
General Liability (Occurrence)	Included	Included	Included	
Auto Liability	Included	Included	Included	
Workers Compensation	Included	Included	Included	
Law Enforcement Liability (Occurrence)	Included	Included	Included	
Employment Related Practices	Included	Included	Included	
Cyber First Liability	Included	Excluded	Excluded	
Sewer Back Up & Failure to Supply	Excluded	Excluded	Excluded	
Public Entity Management Liability (Claims-Made)	Included	Included	Included	
Employee Benefit Plans Administration Liability	Included	Excluded	Excluded	
<b>Premium (Umbrella &amp; Excess E&amp;O)</b>	<b>\$10,535</b>	<b>\$7,824</b>	<b>\$8,882</b>	

**City of Hays KS**

<b>Coverages</b>	<b>2011/2012 Travelers</b>	<b>2012/2013 National Union Fire In Co of Pittsburgh (Chartis – APEX)</b>	<b>2013/2014 National Union Fire In Co of Pittsburgh (Chartis – APEX)</b>	<b>Comparisons</b>
<b>PUBLIC ENTITY CYBER LIABILITY – Claims –Made</b>				
General Total Limit	\$2,000,000	\$2,000,000	\$2,000,000	
Each Wrongful Act Limit	\$2,000,000 Includes Defense	\$2,000,000 Excludes Defense	\$2,000,000 Excludes Defense	
Deductible – Each Act	\$5,000	\$25,000	\$25,000	
Deductible Includes Damages & Defense	Included	Included	Included	
Retro Date	07/01/09	07/01/09	07/01/09	
Crisis Management Service Expense	\$50,000	\$100,000	\$500,000/ \$100,000 Electronic Data	
Crisis Fund Insurance	\$50,000	\$100,000	\$100,000	
Regulatory Action Sublimit of Liability	None	\$250,000	\$250,000	
<b>Public Entity Cyber Liability Protection Premium</b>	<b>\$1,934</b>	<b>\$14,810</b>	<b>\$14,852</b>	

**City of Hays KS**

<b>Premiums</b>	<b>2011/2012</b>	<b>2012/2013</b>	<b>2013/2014</b>	<b>Comparisons</b>
<b>ANNUAL PREMIUMS</b>	<b>\$202,145</b>	<b>\$191,552</b>	<b>\$196,523</b>	<b>2.6% Increase + \$4,971</b>

**Public Wholesale Water District #15 (City of Hays /City of Russell R9 Ranch)**

<b>Coverages</b>	<b>2011/2012</b>	<b>2012/2013</b>	<b>2013/2014</b>	<b>Comparisons</b>
<b>Commercial Property – Water Operations</b>				
Carrier	EMC	EMC	<b>NOT RENEWED</b>	
Building & Contents	No Coverage	No Coverage		
Office Business Personal Property				
Agreed Amount Endorsement				
Valuation				
Deductible				
Co-Insurance				
<b>Property Premium (Annual)</b>	<b>0</b>	<b>0</b>		
<b>General Liability – Water Operations</b>				
Carrier	EMC	EMC		
Coverage Form	Occurrence	Occurrence		
General Aggregate	\$1,000,000	\$1,000,000		
Products/Completed Operations	\$1,000,000	\$1,000,000		
BI & PD Per Occurrence Limit	\$500,000	\$500,000		
Personal/Advertising Injury	\$500,000	\$500,000		
Fire Damage – Legal	\$100,000	\$100,000		
Medical Expense Per Person/Accident	\$5,000	\$5,000		
<b>General Liability Premium (Annual )</b>	<b>\$453</b>	<b>\$565</b>		
<b>Linebacker Liability (D &amp; O)</b>				
Each Loss Limit	\$1,000,000	\$1,000,000		
Aggregate Limit	\$1,000,000	\$1,000,000		
Deductible Per Loss	\$1,000	\$1,000		
<b>Premium (Annual)</b>	<b>\$1,114</b>	<b>\$1,113</b>		
<b>Package Premium</b>	<b>\$1,567</b>	<b>\$1,678</b>		

City of Hays KS

Coverages	2011/2012	2012/2013	2013/2014	Comparisons
<b>FLOOD COVERAGE</b>	<b>Selective Ins. Co of America</b>	<b>Selective Ins. Co of America</b>	<b>Selective Ins. Co of America</b>	
1546 E. HWY 40 By Pass- Park Office				
Effective Dates	05-28-11/12	05-28-12/13	05-28-13/14	
Building	\$172,800	\$172,800	\$172,800	
Deductible	\$5,000	\$5,000	\$5,000	
<b>Premium</b>	<b>\$1,415</b>	<b>\$1,415</b>	<b>\$1,415</b>	<b>No Change</b>
1507 Main – City/Fire Dept				
Effective Dates	04-26-11/12	04-26-12/13	04-26-13/14	
Building	\$500,000	\$500,000	\$500,000	
Contents	\$100,000	\$100,000	\$100,000	
Deductible Building	\$5,000	\$5,000	\$5,000	
Deductible Contents	\$5,000	\$5,000	\$5,000	
<b>Premium</b>	<b>\$6,551</b>	<b>\$6,913</b>	<b>\$7,608</b>	<b>10% Increase</b>

## Commercial Insurance package categorical definitions

**Commercial Property:** Provides coverage for permanent structures and the contents of those structures.

**Inland Marine:** This is also referred to as scheduled equipment and provides physical damage coverage for items not meeting the definition of commercial property or automobiles: Example - road graders, backhoes, lights, tornado sirens, police equipment etc.

**Crime:** Provides coverage for employee dishonesty, forgery & alteration, money & securities, computer fraud and funds transfer.

**General Liability:** Provides coverage to all of the public entity premises and operations within the coverage territory, unless specifically excluded.

**Public Entity Management Liability:** Provides coverage for loss that results from the conduct of duties by or for a public entity and is caused by a wrongful act. Wrongful act means any error or omission. It includes defense for claims or suits alleging criminal, malicious, dishonest or fraudulent conduct until determinations or admission of such conduct in a legal proceeding.

**Law Enforcement Liability:** Provides coverage for bodily injury, personal injury or property damage that results from law enforcement activities or operations and is caused by a wrongful act while conducting those activities or operations.

**Employment Practices Liability:** Provides coverage for wrongful employment practice offenses committed by an insured against your employees and independent contractors including: employment discrimination, wrongful employment termination, employment-related harassment, retaliatory action against employees, wrongful, excessive or unfair discipline, wrongful hiring, supervision, demotion or failure to promote, employment-related misrepresentation, defamation, libel, slander disparagement or invasion of privacy.

**Airport Liability:** Provides coverage for bodily injury and property damage resulting from the premises and operations of the airport. This coverage is excluded under the general liability so coverage is provided by a separate general liability specifically for airports.

**Commercial Auto:** Provides bodily injury and property damage liability for any auto claim. In addition physical damage is provided for scheduled autos at actual cash value and hired autos physical damage limited to \$50,000.

**Umbrella:** Provides additional limits of liability for general liability, automobile liability, law enforcement liability, employment related practices, cyber liability and public entity management liability. This coverage is important in the event the suit is brought in court

outside the State of Kansas and the city does not have benefit of the immunity granted by the Kansas Torts Claims Act.

***Public Entity Cyber Liability:*** Provides communications, media, network and information security liability coverage.



# CITY OF HAYS

## AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 7

MEETING DATE: 6-27-13

**TOPIC:**

13th Street Overlay – Vine to Harvest – Award of Bid

**ACTION REQUESTED:**

Consider authorizing the City Manager to enter a Contract with APAC-Kansas, Inc. in the amount of \$621,506.95 for the rehabilitation of 13<sup>th</sup> Street from Vine Street to Harvest Road including the restriping from Milner to Harvest from 4 lanes to 3 lanes, and funded from Financial Policy Projects.

**NARRATIVE:**

Bids have been received for the patching and asphalt overlay of 13<sup>th</sup> Street from Vine to Harvest and restriping of 13<sup>th</sup> Street to 3-lanes from Milner to Harvest. The low bid is from APAC-Kansas, Inc. of Hays in the amount of \$621,506.95. Staff recommends authorizing the City Manager to enter a contract with APAC for the rehabilitation of 13<sup>th</sup> Street from Vine Street to Harvest Road and striping from Milner to Harvest to be funded from Financial Policy Projects in the amount of \$621,506.95.

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

Toby Dougherty, City Manager  
I.D. Creech, Director of Public Works

**ADMINISTRATION RECOMMENDATION:**

City staff recommends accepting the low bid from APAC.

**COMMITTEE RECOMMENDATION(S):**

N/A

**ATTACHMENTS:**

Staff Memo  
Location Map  
Tabulation of Bids

# Commission Work Session Agenda

## Memo

**From:** John Braun, Assistant Director of Public Works

**Work Session:** June 20, 2013

**Subject:** 13<sup>th</sup> Street Overlay – Vine to Harvest – Award of Bid

**Person(s) Responsible:** Toby Dougherty, City Manager  
I.D. Creech, Director of Public Works

### Summary

Bids have been received for the patching and asphalt overlay of 13<sup>th</sup> Street from Vine to Harvest and restriping of 13<sup>th</sup> Street to 3-lanes from Milner to Harvest. The low bid is from APAC-Kansas, Inc. of Hays in the amount of \$621,506.95. Staff recommends authorizing the City Manager to enter a contract with APAC for the rehabilitation of 13<sup>th</sup> Street from Vine Street to Harvest Road and striping from Milner to Harvest to be funded from Financial Policy Projects in the amount of \$621,506.95.

### Background

In May, staff requested authorization to solicit bids for the rehabilitation of 13<sup>th</sup> Street from Vine Street to Harvest Road. The project would repair all areas of curb & gutter and full-depth patch all areas of failed pavement, correcting any subgrade problems. The edges and any high spots would be milled, manholes and water valves would be adjusted, and the entire surface would receive a new 1½ inch asphalt overlay. Finally, the road would be restriped to 3-lanes with bike lanes on each side. The lane reduction from 4-lanes to 3, and the bike lanes would extend west of Vine Street as well, all the way to Milner. Construction would be complete by the end of the 2013 construction season.

On May 23<sup>rd</sup> the City Commission authorized staff to solicit bids for said work.

### Discussion

Bids from two contractors were opened on June 12, 2013, with the low bid coming from APAC-Kansas, Inc., Hays Branch, in the amount of \$621,506.95. The bid proposal was structured with alternate bid items for paving fabric and an alternative asphalt patching method. The recommendation for award to the low bidder includes those Bid Alternates. The tabulation of bids is attached.

The low bid of \$621,506.95 is less than staff's estimate of cost (\$768,243.50).

Due to the Federal Highway Administration funding eligibility requirements of the recently awarded Transportation Enhancement Grant for the Hays Bike Plan, the Bike Lane Symbols have been removed from the project to be included in a subsequent comprehensive project to mark bike routes across the City according to the Hays Bike Plan under an approved Transportation Enhancement Grant Project.

Improving 13<sup>th</sup> Street would be a highly visible project that would provide a benefit to a large portion of the City and regional population. The contractor plans to conduct pavement patching in July and August to be followed by the overlay and striping in September. All work is to be completed by October 31, 2013.

### **Legal Consideration**

There are no known legal obstacles to proceeding as recommended by City Staff.

### **Financial Consideration**

The low bid from APAC-Kansas, Inc. is \$621,506.95 to be funded by City Commission Financial Policy Projects.

The City Commission Financial Policy Projects Fund contains sufficient funds for this project and an amount remains to keep the levy at 25 mils for the next 5 years. This also meets the goals of the City Commission financial policy of utilizing excess funds as well as paying as you go.

### **Options**

The Commission has the following options:

Option 1: Accept the bid from APAC in the amount of \$621,506.95.

Option 2: Provide alternate direction to staff.

### **Recommendation**

City staff recommends proceeding with Option 1.

### **Action Requested**

Consider authorizing the City Manager to enter a Contract with APAC-Kansas, Inc. in the amount of \$621,506.95 for the rehabilitation of 13<sup>th</sup> Street from Vine Street to Harvest Road including the restriping from Milner to Harvest from 4 lanes to 3 lanes, and funded from Financial Policy Projects.

### **Supporting Documentation**

Location Map  
Bid Tabulation



COH Project 2013-08 Mill and Overlay 13th Street from Vine to Harvest





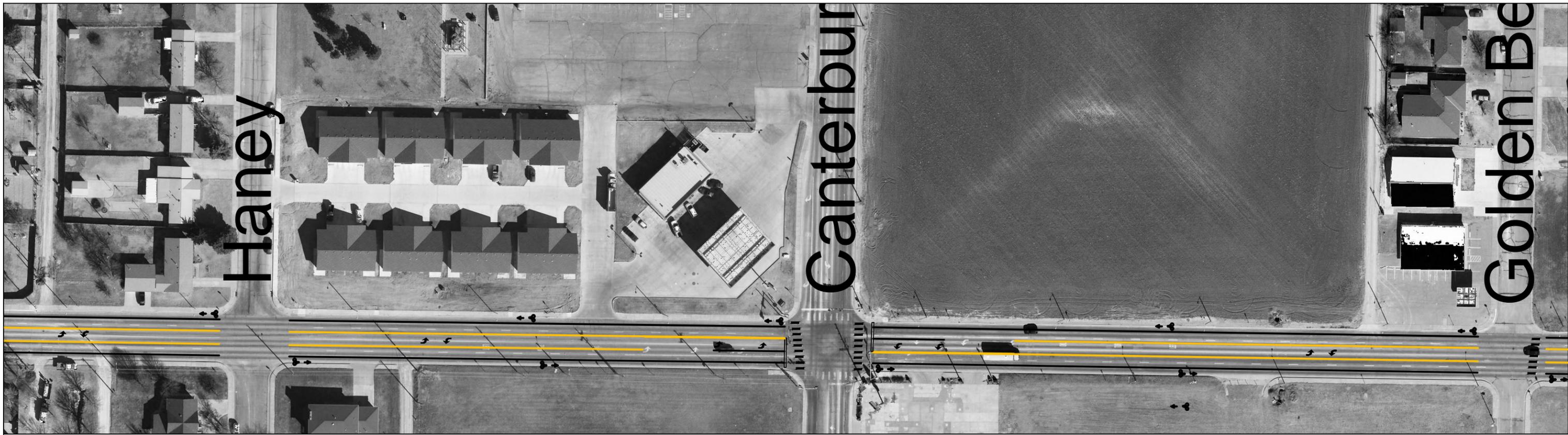
COH Project 2013-08 Striping 13th Street from Milner to Harvest (2/3)





COH Project 2013-08 Striping 13th Street from Milner to Harvest (1/3)





COH Project 2013-08 Striping 13th Street from Milner to Harvest (3/3)



City of Hays Project 2013-08  
13th Street Overlay  
Tabulation of Bids  
Opened June 12, 2013

Base Bid Items	Description	Quantity	Unit	Staff Estimate of Cost		APAC		McCormick	
				Price	Total	Price	Total	Price	Total
1	Curb and Gutter (R&R)	680	LF	\$ 45.00	\$ 30,600.00	\$ 48.95	\$ 33,286.00	\$ 40.00	\$ 27,200.00
2	Concrete Pavement 8" (R&R)	170	SY	\$ 100.00	\$ 17,000.00	\$ 93.50	\$ 15,895.00	\$ 109.00	\$ 18,530.00
3	Asphalt Patching (over concrete base)	5	ton	\$ 150.00	\$ 750.00	\$ 136.00	\$ 680.00	\$ 170.00	\$ 850.00
4	Asphalt Patching (7" Full Depth)	550	SY	\$ 80.00	\$ 44,000.00	\$ 82.00	\$ 45,100.00	\$ 74.00	\$ 40,700.00
5	Subgrade repair	360	CY	\$ 80.00	\$ 28,800.00	\$ 56.50	\$ 20,340.00	\$ 196.00	\$ 70,560.00
6	Edge Mill (10')	16,900	SY	\$ 2.75	\$ 46,475.00	\$ 2.19	\$ 37,011.00	\$ 2.77	\$ 46,813.00
7	1.5" HMA Commercial Grade Class A	3,263	tons	\$ 125.00	\$ 407,875.00	\$ 102.15	\$ 333,315.45	\$ 101.00	\$ 329,563.00
8	Manhole Adjustment	34	EA	\$ 550.00	\$ 18,700.00	\$ 425.00	\$ 14,450.00	\$ 480.00	\$ 16,320.00
9	Pavement Marking - White 6"	14,700	LF	\$ 1.00	\$ 14,700.00	\$ 0.90	\$ 13,230.00	\$ 0.94	\$ 13,818.00
10	Pavement Marking - Yellow 4"	17860	LF	\$ 0.90	\$ 16,074.00	\$ 0.60	\$ 10,716.00	\$ 0.70	\$ 12,502.00
11	Pavement Marking - White 24" Stop Bar	124	LF	\$ 18.00	\$ 2,232.00	\$ 12.00	\$ 1,488.00	\$ 22.00	\$ 2,728.00
12	Pavement Marking - White 24" Crosswalk	400	LF	\$ 20.00	\$ 8,000.00	\$ 15.00	\$ 6,000.00	\$ 22.00	\$ 8,800.00
13	Pavement Marking - Left Turn Arrows	52	EA	\$ 275.00	\$ 14,300.00	\$ 180.00	\$ 9,360.00	\$ 450.00	\$ 23,400.00
14	<del>Pavement Marking - Bike Lane Symbols</del>	52	EA	<del>\$ 425.00</del>	<del>\$ 22,100.00</del>	<del>\$ 180.00</del>	<del>\$ 9,360.00</del>	<del>\$ 600.00</del>	<del>\$ 31,200.00</del>
15	Temporary Pavement Marking (Type I Removable)	750	LF	\$ 1.25	\$ 937.50	\$ 0.91	\$ 682.50	\$ 1.39	\$ 1,042.50
16	Pavement Marking Removal	1	LS	\$ 5,500.00	\$ 5,500.00	\$ 3,600.00	\$ 3,600.00	\$ 5,700.00	\$ 5,700.00
<b>Total Base Bid</b>					<b>\$ 678,043.50</b>		<b>\$ 554,513.95</b>		<b>\$ 649,726.50</b>
Alternate Bid Items									
A1	Asphalt Patching (3" Oversized Surface)	720	SY	\$ 40.00	\$ 28,800.00	\$ 27.40	\$ 19,728.00	\$ 25.00	\$ 18,000.00
A2	Asphalt Patching (4" Base Course)	550	SY	\$ 50.00	\$ 27,500.00	\$ 63.50	\$ 34,925.00	\$ 29.54	\$ 16,247.00
A3	Geotextile Paving Fabric	40,000	SY	\$ 2.50	\$ 100,000.00	\$ 1.67	\$ 66,800.00	\$ 1.89	\$ 75,600.00

Total with A1+A2 minus Bid Item #4 \$ 690,343.50 \$ 564,066.95 \$ 643,273.50  
Total with A3 \$ 778,043.50 \$ 621,313.95 \$ 725,326.50  
Total with A1+A2+A3 minus #4 \$ 790,343.50 \$ 630,866.95 \$ 718,873.50

**Recommended Award - Base Bid + A1 + A2 + A3 minus #4 and #14 \$ 768,243.50 \$ 621,506.95 \$ 687,673.50**

**CITY OF HAYS**  
**AGENDA ITEM COVER SHEET**

**COMMISSION AGENDA ITEM NO. 8**

**MEETING DATE: 6-27-13**

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**TOPIC:**

Review of the 2012 Audit as presented by Adams, Brown, Beran and Ball

**ACTION REQUESTED:**

Accept the 2012 audit report as presented.

**NARRATIVE:**

As required by Kansas Statute, the City of Hays hires an outside firm to conduct an annual audit of City finances. The audit represents an unbiased opinion of business practices and the financial soundness of all City funds. Ken Beran and Melissa Romme of Adams, Brown, Beran and Ball will be here to present the 2012 Audit.

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

Toby Dougherty, City Manager  
Ken Beran and Melissa Romme - Adams, Brown, Beran and Ball

**ADMINISTRATION RECOMMENDATION:**

Acceptance

**COMMITTEE RECOMMENDATION(S):**

N/A

**ATTACHMENTS:**

N/A

**FORM #002**



# CITY OF HAYS

## AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 9

MEETING DATE: 6-27-13

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**TOPIC:**

Concealed Gun and Knife Legislation

**ACTION REQUESTED:**

Hear an update from the City Manager in regard to concealed gun/knife legislation and authorize the City Manager to send a letter to the Attorney General exempting City of Hays facilities from the provisions of the modified concealed carry law through January 1, 2014.

**NARRATIVE:**

The State of Kansas has made it legal to carry concealed weapons in public buildings. Beginning July 1, the only way a municipality can prohibit the concealed carry of handguns in its facilities is by installing electronic equipment and staffing entrances. There is a provision in HB 2052 that allows Hays to exempt its facilities from the provisions of the modified concealed carry law, through January 1, 2014, by sending a letter to the Attorney General. A draft of that letter is attached. I am asking permission to mail the letter. At this time, we do not have the staff or resources to provide adequate security measures at every public entrance to our facilities. Therefore, we would have to remove our no concealed carry stickers from public entrances. Asking for the exemption until January 1, 2014, will allow us to evaluate how other cities handle the situation and determine if anything else needs to be done.

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

Toby Dougherty, City Manager

**ADMINISTRATION RECOMMENDATION:**

Authorize the City Manager to send a letter to the Attorney General exempting City of Hays facilities from the provisions of the modified concealed carry law through January 1, 2014.

**COMMITTEE RECOMMENDATION(S):**

N/A

**ATTACHMENTS:**

Staff Memo  
Draft Letter to Attorney General  
Concealed Carry Legislation Info.

# Memo

To: City Commission  
From: Toby Dougherty, City Manager  
CC: John T. Bird, City Attorney  
Paul Briseno, Assistant City Manager  
Date: 06-10-2013  
Re: Update on Concealed Gun and Knife Legislation

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Please refer to the attached information regarding changes to Kansas law regarding the concealed carry of guns and knives in public buildings. To summarize, the State of Kansas has made it legal to carry concealed weapons in public buildings. There were two pieces of legislation passed in the most recent legislative session. One dealt strictly with concealed carry of handguns. The other dealt with concealed carry of knives, switchblades, daggers, etc.

HB 2033 deals with knives, daggers and switchblades. The law prohibits municipalities from passing legislation restricting the carrying of these weapons. There is no permit requirement or background check for these types of weapons. Currently, the City of Hays does not have regulations restricting the carrying of these weapons.

HB 2052 dealt with handguns. Currently cities can prohibit the carrying of concealed weapons within their facilities by posting a no concealed carry sign at the entrance. There are associated fines for those who violate this prohibition. Beginning July 1, the only way a municipality can prohibit the concealed carry of handguns in its facilities is by installing electronic equipment and staffing entrances. There is still a requirement that a person carrying the handgun obtain a lawful concealed carry permit.

City staff investigated and it would cost \$5,000 to install a metal detector. Currently the City has eight buildings that are accessible to the public. To install a detector at each entrance would cost \$40,000. To staff the entrances to those facilities would require a minimum of 10 employees. These employees would cost \$450,000 annually with benefits. You can probably add \$25,000 for equipment, uniforms, etc. Office space would also be an issue. We are currently limited in the amount of available office space, and this endeavor would require some sort of space.

There is a provision in HB 2052 that allows Hays to exempt its facilities from the provisions of the modified concealed carry law, through January 1, 2014, by sending a letter to the Attorney General. A draft of that letter is attached to this memo. I will be asking permission to mail the

letter. At this time, we do not have the staff or resources to provide adequate security measures at every public entrance to our facilities. Therefore, we would have to remove our no concealed carry stickers from public entrances. Asking for the exemption until January 1, 2014, will allow us to evaluate how other cities handle the situation and determine if anything else needs to be done.



## Concealed Carry Briefing

The Legislature passed and Governor Brownback signed HB 2052 which authorizes the carrying of concealed weapons in state and municipal buildings. The following is a summary of the key elements of that bill.

**Effective Date:** July 1, 2013. However, if your city would like time to assess your buildings and make specific determinations, you can simply send a letter to the Attorney General and local law enforcement. In that case, you will have until January 1, 2014 to make such determinations. While there is no deadline specified regarding the submission of this letter, you must do so by July 1, 2013, in order to prevent the law from going into effect in your city. A sample letter can be found at <http://www.lkm.org/legislative/briefings/concealedcarry/exemption2052letter.doc>.

**Applies to:** The State (with certain exceptions) and municipalities. It does not include school districts.

**Possible Outcomes:** Under the provisions of this bill, cities will have the following choices:

1. Remove your no-carry signs and allow concealed carry in your municipal buildings;
2. Provide metal detectors or wands and personnel at each public entrance. Cities can then post the building as no-carry.
3. Assess your buildings and establish a security plan for the buildings. In this case, the buildings will be eligible for a 4-year exemption from the law. The City of Wichita and Sedgwick County recently completed such an assessment. The League is working with Wichita to create a link to their assessment plan and hope to have that available to share next week.

**Liability:** Public entities will be exempted from liability for the actions or omissions of concealed carry permit holders if:

1. The entity provides door security and posts the building as no-carry **or**
2. The entity allows concealed carry in their buildings.

**Exemption:** The Legislature has provided for a 4-year exemption if the public entity establishes a security plan and adopts a resolution to exempt certain buildings from the requirements of the act. Such resolution shall include the following statement: "A security plan has been developed for the building being exempted which supplies adequate security to the occupants of the building and merits the prohibition of the carrying of a concealed handgun as authorized by the personal and family protection act." The security plan may be developed by the police chief.

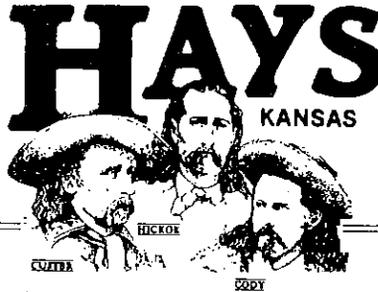
A copy of the security plan shall be maintained on file. Notice of the exemption, together with the resolution, shall be sent to the Kansas Attorney General and to the law enforcement agency of local jurisdiction. Security plans are not subject to KORA.

**Employees:** Cities may restrict or prohibit the carrying of concealed handguns by their employees while on their premises or while engaged in their official duties if the city does so through their personnel policies. Failure to adopt such restrictions in personnel policies will allow public employees to carry concealed handguns in public buildings and while engaged in their duties.

TOBY DOUGHERTY, CPM, CITY MANAGER  
PAUL BRISENO, ASSISTANT CITY MANAGER

P.O. BOX 490  
1507 MAIN STREET  
HAYS, KANSAS 67601-0490

TEL 785/628-7320  
FAX 785/628-7323  
www.haysusa.com



CITY COMMISSION  
KENT STEWARD, MAYOR  
HENRY SCHWALLER, IV  
EBER PHELPS  
SHAUN MUSIL  
RON MELLICK

June 28, 2013

Hon. Derek Schmidt  
Kansas Attorney General  
120 SW 10th Ave., 2nd Floor  
Topeka, KS 66612

RE: Exemption of Municipal Buildings

Dear Attorney General Schmidt:

On June 27, 2013 the governing body of the City of Hays, pursuant to Section 2 (i) of Senate Substitute for House Bill 2052 approved the exemption of the following buildings from the requirements of said bill:

Public Works Facility	1002 Vine Street, Hays, KS 67601
Hays Regional Airport	3950 E 8 <sup>th</sup> Street, Hays, KS 67601
Recycling Facility	1780 W 55 <sup>th</sup> Street, Hays, KS 67601
Water Plant	1000 Vine Street, Hays, KS 67601
Wastewater Treatment Plant	1498 East Highway 40 Bypass, Hays, KS 67601
Welcome Center	2700 Vine Street, Hays, KS 67601
City Hall/Fire Department	1507 Main Street, Hays, KS 67601
Airport Fire Station	3940 E. 8 <sup>th</sup> Street, Hays, KS 67601
Parks Department Facility	1546 E. Highway 40 Bypass, Hays, KS 67601
Ballfield Shop	1006 Vine Street, Hays, KS 67601
Bickle-Schmidt Sports Complex	1376 Highway 183 Alternate, Hays, KS 67601
Hays Aquatic Park	4 <sup>th</sup> & Main Street, Hays, KS 67601
Wilson Pool	101 1/2 E. 28th Street, Hays, KS 67601
Golf Course	1450 Golf Course Road, Hays, KS 67601

The City understands that this exemption will end on January 1, 2014 unless further action is taken by the governing body to extend the exemption.

Respectfully submitted,

Kent L. Steward, Mayor  
City of Hays

cc: Police Department

## **Concealed Carry of Handguns and Other Firearms Amendments; Senate Sub. for HB 2052**

**Senate Sub. for HB 2052** enacts new law and amends existing law concerning firearms, criminal law, and the Personal and Family Protection Act (concealed carry of handguns).

Specifically, the bill:

- Prohibits the unlawful discharge of a firearm within or into the corporate limits of any city. The bill provides exemptions for when a firearm may be discharged within or into a city and also classifies the unlawful discharge of a firearm as a class B, nonperson misdemeanor;
- Modifies the Personal and Family Protection Act to allow the possession of firearms on certain governmental property, including in state and municipal buildings;
- Defines, for the purposes of the bill, the terms "adequate security measures," "municipality," "restricted access entrance," "state and municipal building," and "weapon";
- Excludes school districts from the definition of "municipality";
- Excludes the State Capitol from the definition of "state and municipal building";
- Requires adequate security measures at public entrances of state and municipal buildings in order to prohibit the carrying of any weapon into a building;
- Prevents a state agency or municipality from prohibiting a licensed employee from carrying a concealed handgun at the employee's workplace, unless the building has adequate security measures and adopted personnel policies prohibit such concealed carry by employees who are licensed;
- Provides that it will not be a violation of the provisions in the bill for a licensed person to carry a concealed handgun through a restricted access entrance into a state or municipal building with adequate security measures;
- Establishes that it is not be a crime for a person to carry a concealed handgun into a public building if properly posted and allows for the denial to a building or removal of such person from a building where concealed carry is prohibited;
- Provides liability protections for entities allowing concealed carry in state or municipal buildings;

- Allows corrections facilities, jail facilities, or law enforcement agencies to prohibit the carrying of handguns or firearms, concealed or unconcealed, into the secured areas of such buildings, except any other area of such building, outside a secured area and readily accessible to the public, shall be subject to provisions in the bill;
- Permits the chief judge of each judicial district to prohibit the carrying of a concealed handgun into courtrooms or ancillary courtrooms within the district provided other means of security are employed;
- Allows the governing body or chief administrative officer of any state or municipal building to exempt the building for four years, subject to developing a plan for security measures and filing notification of the exemption;
- Provides a specific four-year exemption for any state or municipal building if the governing body or chief administrative officer follows specified procedures for exempting certain entities identified in the bill: public medical care facilities, public adult care homes, community mental health centers, indigent health care clinics, and post-secondary educational institutions;
- Permits school districts, post-secondary educational institutions, public medical care facilities, public adult care homes, community mental health centers, and indigent health care clinics to allow a licensed employee to concealed carry a handgun if the employee meets the entity's general policy requirements and if the entity does not have a personnel policy prohibiting employees from concealed carry of a handgun;
- Excludes the buildings of the Kansas School for the Blind and School for the Deaf from application for a designated institutional exemption;
- Removes a specific listing of buildings in current law where concealed carrying is prohibited and inserts the new phrase "any building";
- Strikes language prohibiting the possession of a firearm on the grounds of certain government buildings, including the State Capitol, and retains existing law prohibiting "open carry" in state and municipal buildings;
- Exempts the State Capitol from provisions of the bill on and after July 1, 2014, and allows a licensee to carry a concealed handgun in the State Capitol, unless the Legislative Coordinating Council determines the Statehouse does have adequate security measures;
- Updates a statute by striking an outdated reference to the Ombudsman of Corrections which no longer exists;
- Unless otherwise required by law, prohibits the release of records that would disclose the name, home address, zip code, e-mail address, phone number or

- cell number, or other contact information of any person licensed to carry concealed handguns. The provision also applies to applicants for a license;
- Deletes a reduced fee for a concealed carry license obtained by retired law enforcement officers;
  - Allows corrections officers, parole officers, and corrections officers employed by the Federal Bureau of Prisons to apply professional firearms certification toward training requirements for a concealed carry license;
  - Adds law enforcement officers from other states and qualified retired law enforcement officers to a list of individuals exempted from the law prohibiting the criminal carrying of a weapon;
  - Allows law enforcement officers from other states and qualified retired law enforcement officers to possess handguns within buildings where concealed carry may be prohibited;
  - Provides liability protections regarding concealed carry for private businesses either allowing or prohibiting concealed carry in private buildings;
  - Changes all references in the bill for either premise or premises and facility or facilities to either building or buildings; and
  - Makes most provisions in the bill effective on July 1, 2013, and the provisions pertaining to the State Capitol effective on July 1, 2014 (unless the Legislative Coordinating Council determines the Statehouse does not have adequate security measures as defined in the bill).

Senate Substitute for HOUSE BILL No. 2052

AN ACT concerning firearms; dealing with the personal and family protection act; amending K.S.A. 2012 Supp. 21-6302, 21-6309, 45-221, 75-7c05, 75-7c06, 75-7c10 and 75-7c17 and repealing the existing sections; also repealing K.S.A. 2012 Supp. 45-221j and 45-221k.

*Be it enacted by the Legislature of the State of Kansas:*

New Section 1. (a) Unlawful discharge of a firearm is the reckless discharge of a firearm within or into the corporate limits of any city.

(b) This section shall not apply to the discharge of any firearm within or into the corporate limits of any city if:

(1) The firearm is discharged in the lawful defense of one's person, another person or one's property;

(2) the firearm is discharged at a private or public shooting range;

(3) the firearm is discharged to lawfully take wildlife unless prohibited by the department of wildlife, parks and tourism or the governing body of the city;

(4) the firearm is discharged by authorized law enforcement officers, animal control officers or a person who has a wildlife control permit issued by the Kansas department of wildlife, parks and tourism;

(5) the firearm is discharged by special permit of the chief of police or by the sheriff when the city has no police department;

(6) the firearm is discharged using blanks; or

(7) the firearm is discharged in lawful self-defense or defense of another person against an animal attack.

(c) A violation of subsection (a) shall be a class B nonperson misdemeanor.

New Sec. 2. (a) The carrying of a concealed handgun as authorized by the personal and family protection act shall not be prohibited in any state or municipal building unless such building has adequate security measures to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 2012 Supp. 75-7c10, and amendments thereto.

(b) Any state or municipal building which contains both public access entrances and restricted access entrances shall provide adequate security measures at the public access entrances in order to prohibit the carrying of any weapons into such building.

(c) No state agency or municipality shall prohibit an employee who is licensed to carry a concealed handgun under the provisions of the personal and family protection act from carrying such concealed handgun at the employee's work place unless the building has adequate security measures and the building is conspicuously posted in accordance with K.S.A. 2012 Supp. 75-7c10, and amendments thereto.

(d) It shall not be a violation of the personal and family protection act for a person to carry a concealed handgun into a state or municipal building so long as that person is licensed to carry a concealed handgun under the provisions of the personal and family protection act and has authority to enter through a restricted access entrance into such building which provides adequate security measures and the building is conspicuously posted in accordance with K.S.A. 2012 Supp. 75-7c10, and amendments thereto.

(e) A state agency or municipality which provides adequate security measures in a state or municipal building and which conspicuously posts signage in accordance with K.S.A. 2012 Supp. 75-7c10, and amendments thereto, prohibiting the carrying of a concealed handgun in such building, as authorized by the personal and family protection act, such state agency or municipality shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.

(f) A state agency or municipality which does not provide adequate security measures in a state or municipal building and which allows the carrying of a concealed handgun as authorized by the personal and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.

(g) Nothing in this act shall limit the ability of a corrections facility, a jail facility or a law enforcement agency to prohibit the carrying of a handgun or other firearm concealed or unconcealed by any person into any secure area of a building located on such premises, except those areas

of such building outside of a secure area and readily accessible to the public shall be subject to the provisions of subsection (b).

(h) Nothing in this section shall limit the ability of the chief judge of each judicial district to prohibit the carrying of a concealed handgun by any person into courtrooms or ancillary courtrooms within the district provided that other means of security are employed such as armed law enforcement or armed security officers.

(i) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal building, may exempt the building from this section until January 1, 2014, by notifying the Kansas attorney general and the law enforcement agency of the local jurisdiction by letter of such exemption. Thereafter, such governing body or chief administrative officer may exempt a state or municipal building for a period of only four years by adopting a resolution, or drafting a letter, listing the legal description of such building, listing the reasons for such exemption, and including the following statement: "A security plan has been developed for the building being exempted which supplies adequate security to the occupants of the building and merits the prohibition of the carrying of a concealed handgun as authorized by the personal and family protection act." A copy of the security plan for the building shall be maintained on file and shall be made available, upon request, to the Kansas attorney general and the law enforcement agency of local jurisdiction. Notice of this exemption, together with the resolution adopted or the letter drafted, shall be sent to the Kansas attorney general and to the law enforcement agency of local jurisdiction. The security plan shall not be subject to disclosure under the Kansas open records act.

(j) The governing body or the chief administrative officer, if no governing body exists, of any of the following institutions may exempt any building of such institution from this section for a period of four years only by stating the reasons for such exemption and sending notice of such exemption to the Kansas attorney general:

(1) A state or municipal-owned medical care facility, as defined in K.S.A. 65-425, and amendments thereto;

(2) a state or municipal-owned adult care home, as defined in K.S.A. 39-923, and amendments thereto;

(3) a community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto;

(4) an indigent health care clinic, as defined by K.S.A. 2012 Supp. 65-7402, and amendments thereto; or

(5) a postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, including any buildings located on the grounds of such institution and any buildings leased by such institution.

(k) The provisions of this section shall not apply to any building located on the grounds of the Kansas state school for the deaf or the Kansas state school for the blind.

(l) For purposes of this section:

(1) "Adequate security measures" means the use of electronic equipment and personnel at public entrances to detect and restrict the carrying of any weapons into the state or municipal building, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes to ensure that weapons are not permitted to be carried into such building by members of the public. Adequate security measures for storing and securing lawfully carried weapons, including, but not limited to, the use of gun lockers or other similar storage options may be provided at public entrances.

(2) The terms "municipality" and "municipal" are interchangeable and have the same meaning as the term "municipality" is defined in K.S.A. 75-6102, and amendments thereto, but does not include school districts.

(3) "Restricted access entrance" means an entrance that is restricted to the public and requires a key, keycard, code, or similar device to allow entry to authorized personnel.

(4) "State" means the same as the term is defined in K.S.A. 75-6102, and amendments thereto.

(5) (A) "State or municipal building" means a building owned or leased by such public entity. It does not include a building owned by the state or a municipality which is leased by a private entity whether for

profit or not-for-profit or a building held in title by the state or a municipality solely for reasons of revenue bond financing.

(B) On and after July 1, 2014, provided that the provisions of section 3, and amendments thereto, are in full force and effect, the term "state and municipal building" shall not include the state capitol.

(6) "Weapon" means a weapon described in K.S.A. 2012 Supp. 21-6301, and amendments thereto.

(m) This section shall be a part of and supplemental to the personal and family protection act.

New Sec. 3. (a) A license issued under K.S.A. 75-7c01 et seq., and amendments thereto, shall authorize the licensee to carry a concealed handgun in the state capitol in accordance with the provisions of K.S.A. 75-7c01 et seq., and amendments thereto.

(b) The provisions of this section shall take effect and be in force from and after July 1, 2014, unless the legislative coordinating council determines that on July 1, 2014, the state capitol does have adequate security measures, as that term is defined in section 2, and amendments thereto, to ensure that no weapons are permitted to be carried into the state capitol. Such determination shall be made on or after June 1, 2014, but no later than July 1, 2014.

(c) This section shall be a part of and supplemental to the personal and family protection act.

Sec. 4. K.S.A. 2012 Supp. 21-6302 is hereby amended to read as follows: 21-6302. (a) Criminal carrying of a weapon is knowingly carrying:

(1) Any bludgeon, sandclub, metal knuckles or throwing star, or any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;

(2) concealed on one's person, a dagger, dirk, billy, blackjack, slung-shot, dangerous knife, straight-edged razor, stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife with no blade more than four inches in length shall not be construed to be a dangerous knife, or a dangerous or deadly weapon or instrument;

(3) on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;

(4) any pistol, revolver or other firearm concealed on one's person except when on the person's land or in the person's abode or fixed place of business; or

(5) a shotgun with a barrel less than 18 inches in length or any other firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger whether the person knows or has reason to know the length of the barrel or that the firearm is designed or capable of discharging automatically.

(b) Criminal carrying of a weapon as defined in:

(1) Subsections (a)(1), (a)(2), (a)(3) or (a)(4) is a class A nonperson misdemeanor; and

(2) subsection (a)(5) is a severity level 9, nonperson felony.

(c) Subsection (a) shall not apply to:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) the manufacture of, transportation to, or sale of weapons to a person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess such weapons.

(d) Subsection (a)(4) shall not apply to:

- (1) Watchmen, while actually engaged in the performance of the duties of their employment;
- (2) licensed hunters or fishermen, while engaged in hunting or fishing;
- (3) private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;
- (4) detectives or special agents regularly employed by railroad companies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment;
- (5) the state fire marshal, the state fire marshal's deputies or any member of a fire department authorized to carry a firearm pursuant to K.S.A. 31-157, and amendments thereto, while engaged in an investigation in which such fire marshal, deputy or member is authorized to carry a firearm pursuant to K.S.A. 31-157, and amendments thereto;
- (6) special deputy sheriffs described in K.S.A. 19-827, and amendments thereto, who have satisfactorily completed the basic course of instruction required for permanent appointment as a part-time law enforcement officer under K.S.A. 74-5607a, and amendments thereto;
- (7) the United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed. The provisions of this paragraph shall not apply to any person not in compliance with K.S.A. 75-7c19, and amendments thereto; ~~or~~
- (8) *law enforcement officers from another state or a retired law enforcement officer meeting the requirements of the federal law enforcement officers safety act, 18 U.S.C. §§ 926B and 926C; or*
- ~~(9)~~ any person carrying a concealed handgun as authorized by K.S.A. 2012 Supp. 75-7c01 through 75-7c17, and amendments thereto.

(e) Subsection (a)(5) shall not apply to:

- (1) Any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. § 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor;
  - (2) any person employed by a laboratory which is certified by the United States department of justice, national institute of justice, while actually engaged in the duties of their employment and on the premises of such certified laboratory. Subsection (a)(5) shall not affect the manufacture of, transportation to or sale of weapons to such certified laboratory; or
  - (3) any person or entity in compliance with the national firearms act, 26 U.S.C. § 5801 et seq.
- (f) Subsection (a)(1) shall not apply to any ordinary pocket knife which has a spring, detent or other device which creates a bias towards closure of the blade and which requires hand pressure applied to such spring, detent or device through the blade of the knife to overcome the bias towards closure to assist in the opening of the knife.
- (g) It shall not be a violation of this section if a person violates the provisions of K.S.A. 2012 Supp. 75-7c03, and amendments thereto, but has an otherwise valid license to carry a concealed handgun which is issued or recognized by this state.
- (h) As used in this section, "throwing star" means the same as prescribed by K.S.A. 2012 Supp. 21-6301, and amendments thereto.

Sec. 5. K.S.A. 2012 Supp. 21-6309 is hereby amended to read as follows: 21-6309. (a) It shall be unlawful to possess, with no requirement of a culpable mental state, a firearm on the grounds in any of the following places:

- (1) Within any building located within the capitol complex;
- (2) within the governor's residence;

(3) on the grounds of or in any building on the grounds of the governor's residence;

(4) within any other state-owned or leased building if the secretary of administration has so designated by rules and regulations and conspicuously placed signs clearly stating that firearms are prohibited within such building; or

(5) within any county courthouse, unless, by county resolution, the board of county commissioners authorize the possession of a firearm within such courthouse.

(b) Violation of this section is a class A misdemeanor.

(c) This section shall not apply to:

(1) A commissioned law enforcement officer;

(2) a full-time salaried law enforcement officer of another state or the federal government who is carrying out official duties while in this state;

(3) any person summoned by any such officer to assist in making arrests or preserving the peace while actually engaged in assisting such officer; or

(4) a member of the military of this state or the United States engaged in the performance of duties; or

~~(5) a person with a license issued pursuant to or recognized under K.S.A. 2012 Supp. 75-7c01 et seq., and amendments thereto, except in buildings posted in accordance with K.S.A. 2012 Supp. 75-7c10, and amendments thereto, and in the areas specified in subsections (a)(2) and (a)(3).~~

(d) It is not a violation of this section for the:

(1) Governor, the governor's immediate family, or specifically authorized guest of the governor to possess a firearm within the governor's residence or on the grounds of or in any building on the grounds of the governor's residence; or

(2) United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed, to possess a firearm within any county courthouse and court-related facility, subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district. The provisions of this paragraph shall not apply to any person not in compliance with K.S.A. 2012 Supp. 75-7c19, and amendments thereto; or

(3) law enforcement officers from another state or a retired law enforcement officer meeting the requirements of the federal law enforcement officers safety act, 18 U.S.C. §§ 926B and 926C, to possess a firearm.

(e) It is not a violation of this section for a person to possess a handgun as authorized under the personal and family protection act.

(f) Notwithstanding the provisions of this section, any county may elect by passage of a resolution that the provisions of subsection (d)(2) shall not apply to such county's courthouse or court-related facilities if such:

(1) ~~Facilities-buildings~~ have adequate security measures to ensure that no weapons are permitted to be carried into such ~~facilities-buildings~~;

~~(2) facilities have adequate measures for storing and securing lawfully carried weapons, including, but not limited to, the use of gun lockers or other similar storage options;~~

~~(3)(2)~~ county also has a policy or regulation requiring all law enforcement officers to secure and store such officer's firearm upon entering the courthouse or court-related facility. Such policy or regulation may provide that it does not apply to court security or sheriff's office personnel for such county; and

~~(4)(3)~~ ~~facilities-buildings~~ have a sign conspicuously posted at each entryway into such ~~facility-building~~ stating that the provisions of subsection (d)(2) do not apply to such ~~facility-building~~.

~~(g)~~ As used in this section:

(1) "Adequate security measures" means the use of electronic equipment and personnel to detect and restrict the carrying of any weapons into the facility, including, but not limited to, metal detectors, metal detector-wands or any other equipment used for similar purposes shall have

*the same meaning as the term is defined in section 2, and amendments thereto;*

(2) "possession" means having joint or exclusive control over a firearm or having a firearm in a place where the person has some measure of access and right of control; and

(3) "capitol complex" means the same as in K.S.A. 75-4514, and amendments thereto.

~~(g)(h)~~ For the purposes of subsections (a)(1), (a)(4) and (a)(5), "building" and "courthouse" shall not include any structure, or any area of any structure, designated for the parking of motor vehicles.

Sec. 6. K.S.A. 2012 Supp. 45-221 is hereby amended to read as follows: 45-221. (a) Except to the extent disclosure is otherwise required by law, a public agency shall not be required to disclose:

(1) Records the disclosure of which is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2012 Supp. 75-4315d, and amendments thereto, or the disclosure of which is prohibited or restricted pursuant to specific authorization of federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2012 Supp. 75-4315d, and amendments thereto, to restrict or prohibit disclosure.

(2) Records which are privileged under the rules of evidence, unless the holder of the privilege consents to the disclosure.

(3) Medical, psychiatric, psychological or alcoholism or drug dependency treatment records which pertain to identifiable patients.

(4) Personnel records, performance ratings or individually identifiable records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries or actual compensation employment contracts or employment-related contracts or agreements and lengths of service of officers and employees of public agencies once they are employed as such.

(5) Information which would reveal the identity of any undercover agent or any informant reporting a specific violation of law.

(6) Letters of reference or recommendation pertaining to the character or qualifications of an identifiable individual, except documents relating to the appointment of persons to fill a vacancy in an elected office.

(7) Library, archive and museum materials contributed by private persons, to the extent of any limitations imposed as conditions of the contribution.

(8) Information which would reveal the identity of an individual who lawfully makes a donation to a public agency, if anonymity of the donor is a condition of the donation, except if the donation is intended for or restricted to providing remuneration or personal tangible benefit to a named public officer or employee.

(9) Testing and examination materials, before the test or examination is given or if it is to be given again, or records of individual test or examination scores, other than records which show only passage or failure and not specific scores.

(10) Criminal investigation records, except as provided herein. The district court, in an action brought pursuant to K.S.A. 45-222, and amendments thereto, may order disclosure of such records, subject to such conditions as the court may impose, if the court finds that disclosure:

(A) Is in the public interest;

(B) would not interfere with any prospective law enforcement action, criminal investigation or prosecution;

(C) would not reveal the identity of any confidential source or undercover agent;

(D) would not reveal confidential investigative techniques or procedures not known to the general public;

(E) would not endanger the life or physical safety of any person; and

(F) would not reveal the name, address, phone number or any other information which specifically and individually identifies the victim of any sexual offense in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto.

If a public record is discretionarily closed by a public agency pursuant to this subsection, the record custodian, upon request, shall provide a written citation to the specific provisions of paragraphs (A) through (F) that necessitate closure of that public record.

(11) Records of agencies involved in administrative adjudication or civil litigation, compiled in the process of detecting or investigating violations of civil law or administrative rules and regulations, if disclosure would interfere with a prospective administrative adjudication or civil litigation or reveal the identity of a confidential source or undercover agent.

(12) Records of emergency or security information or procedures of a public agency, or plans, drawings, specifications or related information for any building or facility which is used for purposes requiring security measures in or around the building or facility or which is used for the generation or transmission of power, water, fuels or communications, if disclosure would jeopardize security of the public agency, building or facility.

(13) The contents of appraisals or engineering or feasibility estimates or evaluations made by or for a public agency relative to the acquisition or disposal of property, prior to the award of formal contracts therefor.

(14) Correspondence between a public agency and a private individual, other than correspondence which is intended to give notice of an action, policy or determination relating to any regulatory, supervisory or enforcement responsibility of the public agency or which is widely distributed to the public by a public agency and is not specifically in response to communications from such a private individual.

(15) Records pertaining to employer-employee negotiations, if disclosure would reveal information discussed in a lawful executive session under K.S.A. 75-4319, and amendments thereto.

(16) Software programs for electronic data processing and documentation thereof, but each public agency shall maintain a register, open to the public, that describes:

(A) The information which the agency maintains on computer facilities; and

(B) the form in which the information can be made available using existing computer programs.

(17) Applications, financial statements and other information submitted in connection with applications for student financial assistance where financial need is a consideration for the award.

(18) Plans, designs, drawings or specifications which are prepared by a person other than an employee of a public agency or records which are the property of a private person.

(19) Well samples, logs or surveys which the state corporation commission requires to be filed by persons who have drilled or caused to be drilled, or are drilling or causing to be drilled, holes for the purpose of discovery or production of oil or gas, to the extent that disclosure is limited by rules and regulations of the state corporation commission.

(20) Notes, preliminary drafts, research data in the process of analysis, unfunded grant proposals, memoranda, recommendations or other records in which opinions are expressed or policies or actions are proposed, except that this exemption shall not apply when such records are publicly cited or identified in an open meeting or in an agenda of an open meeting.

(21) Records of a public agency having legislative powers, which records pertain to proposed legislation or amendments to proposed legislation, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(22) Records of a public agency having legislative powers, which records pertain to research prepared for one or more members of such agency, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body which has au-

thority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(23) Library patron and circulation records which pertain to identifiable individuals.

(24) Records which are compiled for census or research purposes and which pertain to identifiable individuals.

(25) Records which represent and constitute the work product of an attorney.

(26) Records of a utility or other public service pertaining to individually identifiable residential customers of the utility or service, except that information concerning billings for specific individual customers named by the requester shall be subject to disclosure as provided by this act.

(27) Specifications for competitive bidding, until the specifications are officially approved by the public agency.

(28) Sealed bids and related documents, until a bid is accepted or all bids rejected.

(29) Correctional records pertaining to an identifiable inmate or release, except that:

(A) The name; photograph and other identifying information; sentence data; parole eligibility date; custody or supervision level; disciplinary record; supervision violations; conditions of supervision, excluding requirements pertaining to mental health or substance abuse counseling; location of facility where incarcerated or location of parole office maintaining supervision and address of a releasee whose crime was committed after the effective date of this act shall be subject to disclosure to any person other than another inmate or releasee, except that the disclosure of the location of an inmate transferred to another state pursuant to the interstate corrections compact shall be at the discretion of the secretary of corrections;

(R) the ombudsman of corrections, the attorney general, law enforcement agencies, counsel for the inmate to whom the record pertains and any county or district attorney shall have access to correctional records to the extent otherwise permitted by law;

(C) the information provided to the law enforcement agency pursuant to the sex offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall be subject to disclosure to any person, except that the name, address, telephone number or any other information which specifically and individually identifies the victim of any offender required to register as provided by the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, shall not be disclosed; and

(D) records of the department of corrections regarding the financial assets of an offender in the custody of the secretary of corrections shall be subject to disclosure to the victim, or such victim's family, of the crime for which the inmate is in custody as set forth in an order of restitution by the sentencing court.

(30) Public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.

(31) Public records pertaining to prospective location of a business or industry where no previous public disclosure has been made of the business' or industry's interest in locating in, relocating within or expanding within the state. This exception shall not include those records pertaining to application of agencies for permits or licenses necessary to do business or to expand business operations within this state, except as otherwise provided by law.

(32) Engineering and architectural estimates made by or for any public agency relative to public improvements.

(33) Financial information submitted by contractors in qualification statements to any public agency.

(34) Records involved in the obtaining and processing of intellectual property rights that are expected to be, wholly or partially vested in or owned by a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, or an assignee of the institution organized and existing for the benefit of the institution.

(35) Any report or record which is made pursuant to K.S.A. 65-4922, 65-4923 or 65-4924, and amendments thereto, and which is privileged pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

(36) Information which would reveal the precise location of an archeological site.

(37) Any financial data or traffic information from a railroad company, to a public agency, concerning the sale, lease or rehabilitation of the railroad's property in Kansas.

(38) Risk-based capital reports, risk-based capital plans and corrective orders including the working papers and the results of any analysis filed with the commissioner of insurance in accordance with K.S.A. 40-2c20 and 40-2d20, and amendments thereto.

(39) Memoranda and related materials required to be used to support the annual actuarial opinions submitted pursuant to subsection (b) of K.S.A. 40-409, and amendments thereto.

(40) Disclosure reports filed with the commissioner of insurance under subsection (a) of K.S.A. 40-2,156, and amendments thereto.

(41) All financial analysis ratios and examination synopses concerning insurance companies that are submitted to the commissioner by the national association of insurance commissioners' insurance regulatory information system.

(42) Any records the disclosure of which is restricted or prohibited by a tribal-state gaming compact.

(43) Market research, market plans, business plans and the terms and conditions of managed care or other third-party contracts, developed or entered into by the university of Kansas medical center in the operation and management of the university hospital which the chancellor of the university of Kansas or the chancellor's designee determines would give an unfair advantage to competitors of the university of Kansas medical center.

(44) The amount of franchise tax paid to the secretary of revenue or the secretary of state by domestic corporations, foreign corporations, domestic limited liability companies, foreign limited liability companies, domestic limited partnership, foreign limited partnership, domestic limited liability partnerships and foreign limited liability partnerships.

(45) Records, other than criminal investigation records, the disclosure of which would pose a substantial likelihood of revealing security measures that protect: (A) Systems, facilities or equipment used in the production, transmission or distribution of energy, water or communications services; (B) transportation and sewer or wastewater treatment systems, facilities or equipment; or (C) private property or persons, if the records are submitted to the agency. For purposes of this paragraph, security means measures that protect against criminal acts intended to intimidate or coerce the civilian population, influence government policy by intimidation or coercion or to affect the operation of government by disruption of public services, mass destruction, assassination or kidnapping. Security measures include, but are not limited to, intelligence information, tactical plans, resource deployment and vulnerability assessments.

(46) Any information or material received by the register of deeds of a county from military discharge papers, DD Form 214. Such papers shall be disclosed: To the military dischargee; to such dischargee's immediate family members and lineal descendants; to such dischargee's heirs, agents or assigns; to the licensed funeral director who has custody of the body of the deceased dischargee; when required by a department or agency of the federal or state government or a political subdivision thereof; when the form is required to perfect the claim of military service or honorable discharge or a claim of a dependent of the dischargee; and upon the written approval of the commissioner of veterans affairs, to a person conducting research.

(47) Information that would reveal the location of a shelter or a safe-house or similar place where persons are provided protection from abuse or the name, address, location or other contact information of alleged victims of stalking, domestic violence or sexual assault.

(48) Policy information provided by an insurance carrier in accordance with subsection (h)(1) of K.S.A. 44-532, and amendments thereto. This exemption shall not be construed to preclude access to an individual employer's record for the purpose of verification of insurance coverage or to the department of labor for their business purposes.

(49) An individual's e-mail address, cell phone number and other contact information which has been given to the public agency for the pur-

pose of public agency notifications or communications which are widely distributed to the public.

(50) Information provided by providers to the local collection point administrator or to the 911 coordinating council pursuant to the Kansas 911 act, and amendments thereto, upon request of the party submitting such records.

(51) Records of a public agency which identify the home address or home ownership of a law enforcement officer as defined in K.S.A. 2012 Supp. 21-5111, and amendments thereto, parole officer, probation officer, court services officer or community correctional services officer. The agency head of such law enforcement office, parole office, probation office, court services office or community correctional services office or such individual officer shall file with the custodian of such record a request to have such officer's identifying information removed from public access. Within seven days of receipt of such requests, the public agency shall remove such officer's identifying information from such public access.

(52) Records of a public agency which identify the home address or home ownership of a federal judge, a justice of the supreme court, a judge of the court of appeals, a district judge, a district magistrate judge, the United States attorney for the district of Kansas, an assistant United States attorney, the attorney general, an assistant attorney general, a district attorney or county attorney or an assistant district attorney or assistant county attorney. Such person or such person's employer shall file with the custodian of such record a request to have such person's identifying information removed from public access. Within seven days of receipt of such requests, the public agency shall remove such person's identifying information from such public access.

(53) *Records of a public agency that would disclose the name, home address, zip code, e-mail address, phone number or cell phone number or other contact information for any person licensed to carry concealed handguns or of any person who enrolled in or completed any weapons training in order to be licensed or has made application for such license under the personal and family protection act, K.S.A. 2012 Supp. 75-7c01 et seq., and amendments thereto.*

(b) Except to the extent disclosure is otherwise required by law or as appropriate during the course of an administrative proceeding or on appeal from agency action, a public agency or officer shall not disclose financial information of a taxpayer which may be required or requested by a county appraiser or the director of property valuation to assist in the determination of the value of the taxpayer's property for ad valorem taxation purposes; or any financial information of a personal nature required or requested by a public agency or officer, including a name, job description or title revealing the salary or other compensation of officers, employees or applicants for employment with a firm, corporation or agency, except a public agency. Nothing contained herein shall be construed to prohibit the publication of statistics, so classified as to prevent identification of particular reports or returns and the items thereof.

(c) As used in this section, the term "cited or identified" shall not include a request to an employee of a public agency that a document be prepared.

(d) If a public record contains material which is not subject to disclosure pursuant to this act, the public agency shall separate or delete such material and make available to the requester that material in the public record which is subject to disclosure pursuant to this act. If a public record is not subject to disclosure because it pertains to an identifiable individual, the public agency shall delete the identifying portions of the record and make available to the requester any remaining portions which are subject to disclosure pursuant to this act, unless the request is for a record pertaining to a specific individual or to such a limited group of individuals that the individuals' identities are reasonably ascertainable, the public agency shall not be required to disclose those portions of the record which pertain to such individual or individuals.

(e) The provisions of this section shall not be construed to exempt from public disclosure statistical information not descriptive of any identifiable person.

(f) Notwithstanding the provisions of subsection (a), any public record which has been in existence more than 70 years shall be open for

inspection by any person unless disclosure of the record is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and amendments thereto.

(g) Any confidential records or information relating to security measures provided or received under the provisions of subsection (a)(45) shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.

Sec. 7. K.S.A. 2012 Supp. 75-7c05 is hereby amended to read as follows: 75-7c05. (a) The application for a license pursuant to this act shall be completed, under oath, on a form prescribed by the attorney general and shall only include:

(1) (A) Subject to the provisions of subsection (a)(1)(B), the name, address, social security number, Kansas driver's license number or Kansas nondriver's license identification number, place and date of birth, a photocopy of the applicant's driver's license or nondriver's identification card and a photocopy of the applicant's certificate of training course completion; (B) in the case of an applicant who presents proof that such person is on active duty with any branch of the armed forces of the United States, or is the dependent of such a person, and who does not possess a Kansas driver's license or Kansas nondriver's license identification, the number of such license or identification shall not be required;

(2) a statement that the applicant is in compliance with criteria contained within K.S.A. 2012 Supp. 75-7c04, and amendments thereto;

(3) a statement that the applicant has been furnished a copy of this act and is knowledgeable of its provisions;

(4) a conspicuous warning that the application is executed under oath and that a false answer to any question, or the submission of any false document by the applicant, subjects the applicant to criminal prosecution under K.S.A. 2012 Supp. 21-5903, and amendments thereto; and

(5) a statement that the applicant desires a concealed handgun license as a means of lawful self-defense.

(b) The applicant shall submit to the sheriff of the county where the applicant resides, during any normal business hours:

(1) A completed application described in subsection (a);

(2) ~~except as provided by subsection (g),~~ a nonrefundable license fee of \$132.50, if the applicant has not previously been issued a statewide license or if the applicant's license has permanently expired, which fee shall be in the form of two cashier's checks, personal checks or money orders of \$32.50 payable to the sheriff of the county where the applicant resides and \$100 payable to the attorney general;

(3) a photocopy of a certificate or an affidavit or document as described in subsection (b) of K.S.A. 2012 Supp. 75-7c04, and amendments thereto, or if applicable, of a license to carry a firearm as described in subsection (d) of K.S.A. 2012 Supp. 75-7c03, and amendments thereto; and

(4) a full frontal view photograph of the applicant taken within the preceding 30 days.

(c) (1) The sheriff, upon receipt of the items listed in subsection (b) of this section, shall provide for the full set of fingerprints of the applicant to be taken and forwarded to the attorney general for purposes of a criminal history records check as provided by subsection (d). In addition, the sheriff shall forward to the attorney general a copy of the application and the portion of the original license fee which is payable to the attorney general. The cost of taking such fingerprints shall be included in the portion of the fee retained by the sheriff. Notwithstanding anything in this section to the contrary, an applicant shall not be required to submit fingerprints for a renewal application under K.S.A. 2012 Supp. 75-7c08, and amendments thereto.

(2) The sheriff of the applicant's county of residence or the chief law enforcement officer of any law enforcement agency, at the sheriff's or chief law enforcement officer's discretion, may participate in the process by submitting a voluntary report to the attorney general containing readily discoverable information, corroborated through public records, which, when combined with another enumerated factor, establishes that the applicant poses a significantly greater threat to law enforcement or the public at large than the average citizen. Any such voluntary reporting shall

be made within 45 days after the date the sheriff receives the application. Any sheriff or chief law enforcement officer submitting a voluntary report shall not incur any civil or criminal liability as the result of the good faith submission of such report.

(3) All funds retained by the sheriff pursuant to the provisions of this section shall be credited to a special fund of the sheriff's office which shall be used solely for the purpose of administering this act.

(d) Each applicant shall be subject to a state and national criminal history records check which conforms to applicable federal standards, including an inquiry of the national instant criminal background check system for the purpose of verifying the identity of the applicant and whether the applicant has been convicted of any crime or has been the subject of any restraining order or any mental health related finding that would disqualify the applicant from holding a license under this act. The attorney general is authorized to use the information obtained from the state or national criminal history record check to determine the applicant's eligibility for such license.

(e) Within 90 days after the date of receipt of the items listed in subsection (b), the attorney general shall:

(1) Issue the license and certify the issuance to the department of revenue; or

(2) deny the application based solely on: (A) The report submitted by the sheriff or other chief law enforcement officer under subsection (c)(2) for good cause shown therein; or (B) the ground that the applicant is disqualified under the criteria listed in K.S.A. 2012 Supp. 75-7c04, and amendments thereto. If the attorney general denies the application, the attorney general shall notify the applicant in writing, stating the ground for denial and informing the applicant the opportunity for a hearing pursuant to the Kansas administrative procedure act.

(f) Each person issued a license shall pay to the department of revenue a fee for the cost of the license which shall be in amounts equal to the fee required pursuant to K.S.A. 8-243 and 8-246, and amendments thereto, for replacement of a driver's license.

(g) (1) A person who is a retired law enforcement officer, as defined in K.S.A. 2012 Supp. 21-5111, and amendments thereto, shall be: (A) Required to pay an original license fee of ~~\$75, which fee shall be in the form of two cashier checks or money orders, \$25 payable to the sheriff of the county where the applicant resides and \$50 payable to the attorney general; as provided in subsection (b)(2),~~ to be forwarded by the sheriff to the attorney general; (B) exempt from the required completion of a weapons handgun safety and training course if such person was certified by the Kansas commission on peace officer's standards and training, or similar body from another jurisdiction, not more than eight years prior to submission of the application; (C) required to pay the license renewal fee; (D) required to pay to the department of revenue the fees required by subsection (f); and (E) required to comply with the criminal history records check requirement of this section.

(2) Proof of retirement as a law enforcement officer shall be required and provided to the attorney general in the form of a letter from the agency head, or their designee, of the officer's retiring agency that attests to the officer having retired in good standing from that agency as a law enforcement officer for reasons other than mental instability and that the officer has a nonforfeitable right to benefits under a retirement plan of the agency.

(h) A person who is a corrections officer, a parole officer or a corrections officer employed by the federal bureau of prisons, as defined by K.S.A. 75-5202, and amendments thereto, shall be: (1) Required to pay an original license fee as provided in subsection (b)(2); (2) exempt from the required completion of a handgun safety and training course if such person was issued a certificate of firearms training by the department of corrections or the federal bureau of prisons or similar body not more than one year prior to submission of the application; (3) required to pay the license renewal fee; (4) required to pay to the department of revenue the fees required by subsection (f); and (5) required to comply with the criminal history records check requirement of this section.

Sec. 8. K.S.A. 2012 Supp. 75-7c06 is hereby amended to read as follows: 75-7c06. (a) The attorney general shall be the official custodian of

all records relating to licenses issued pursuant to the personal and family protection act.

(b) Except as provided by subsections (c) and (d), records relating to persons issued licenses pursuant to this act, persons applying for licenses pursuant to this act or persons who have had a license denied pursuant to this act shall be confidential and shall not be disclosed ~~in a manner which enables identification of any such person pursuant to the Kansas open records act.~~ Any disclosure of a record in violation of this subsection is a class A misdemeanor.

(c) Records of a person whose license has been suspended or revoked pursuant to this act shall be subject to public inspection in accordance with the open records act.

(d) The attorney general shall maintain an automated listing of license holders and pertinent information, and such information shall be available at all times to all law enforcement agencies in this state, other states and the District of Columbia when requested for a legitimate law enforcement purpose.

(e) Within 30 days after the changing of a permanent address, or within 30 days after the discovery that a license has been lost or destroyed, the licensee shall notify the attorney general of such change, loss or destruction. The attorney general, upon notice and opportunity for hearing in accordance with the provisions of the Kansas administrative procedure act, may order a licensee to pay a fine of not more than \$100, or may suspend the licensee's license for not more than 180 days, for failure to notify the attorney general pursuant to the provisions of this subsection.

(f) In the event that a concealed handgun license is lost or destroyed, the license shall be automatically invalid, and the person to whom the license was issued, upon payment of \$15 to the attorney general, may obtain a duplicate, or substitute thereof, upon furnishing a notarized statement to the attorney general that such license has been lost or destroyed.

Sec. 9. K.S.A. 2012 Supp. 75-7c10 is hereby amended to read as follows: 75-7c10. *Subject to the provisions of section 2, and amendments thereto:*

(a) Provided that the ~~premises are~~ *building is* conspicuously posted in accordance with rules and regulations adopted by the attorney general as ~~premises a building~~ where carrying a concealed handgun is prohibited, no license issued pursuant to or recognized by this act shall authorize the licensee to carry a concealed handgun into ~~the building of:~~

~~(1) any place where an activity declared a common nuisance by K.S.A. 22-3901, and amendments thereto, is maintained;~~

~~(2) any police, sheriff or highway patrol station;~~

~~(3) any detention facility, prison or jail;~~

~~(4) any courthouse, except that nothing in this section would preclude a judge from carrying a concealed handgun or determining who may carry a concealed handgun in the judge's courtroom;~~

~~(5) any polling place on the day an election is held;~~

~~(6) any state office;~~

~~(7) any facility hosting an athletic event not related to or involving firearms which is sponsored by a private or public elementary or secondary school or any private or public institution of postsecondary education;~~

~~(8) any facility hosting a professional athletic event not related to or involving firearms;~~

~~(9) any drinking establishment as defined by K.S.A. 41-2601, and amendments thereto;~~

~~(10) any elementary or secondary school, attendance center, administrative office, services center or other facility;~~

~~(11) any community college, college or university;~~

~~(12) any child exchange and visitation center provided for in K.S.A. 75-720, and amendments thereto;~~

~~(13) any community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto; any mental health clinic organized pursuant to K.S.A. 65-211 et seq., and amendments thereto; any psychiatric hospital licensed under K.S.A. 75-3307b, and amendments thereto; or a state psychiatric hospital, as follows: Larned state hospital, Osawatimic state hospital or Rainbow mental health facility;~~

~~(14) any public library operated by the state;~~

~~(15) any day care home or group day care home, as defined in Kansas administrative regulation 28-4-113, or any preschool or childcare center, as defined in Kansas administrative regulation 28-4-420; or~~

~~(16) any place of worship any building.~~

(b) Nothing in this act shall be construed to prevent:

(1) Any public or private employer from restricting or prohibiting by personnel policies persons licensed under this act from carrying a concealed handgun while on the premises of the employer's business or while engaged in the duties of the person's employment by the employer, except that no employer may prohibit possession of a handgun in a private means of conveyance, even if parked on the employer's premises; or

(2) any private business or city, county or political subdivision from restricting or prohibiting persons licensed or recognized under this act from carrying a concealed handgun within a building or buildings of such entity, provided that the ~~premises are building~~ is posted in accordance with rules and regulations adopted by the attorney general pursuant to subsection (f) (h), as ~~premises-a building~~ where carrying a concealed handgun is prohibited.

~~(c) (1) It shall be a violation of this section to carry a concealed handgun in violation of any restriction or prohibition allowed by subsection (a) or (b) if the premises are posted in accordance with rules and regulations adopted by the attorney general pursuant to subsection (f). Any person who violates this section shall be guilty of a misdemeanor punishable by a fine of: (A) Not more than \$50 for the first offense; or (B) not more than \$100 for the second offense. Any third or subsequent offense is a class B misdemeanor.~~

*Any private entity which provides adequate security measures in a private building and which conspicuously posts signage in accordance with this section prohibiting the carrying of a concealed handgun in such building as authorized by the personal and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.*

*(2) Any private entity which does not provide adequate security measures in a private building and which allows the carrying of a concealed handgun as authorized by the personal and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.*

*(3) Nothing in this act shall be deemed to increase the liability of any private entity where liability would have existed under the personal and family protection act prior to the effective date of this act.*

*(d) The governing body or the chief administrative officer, if no governing body exists, of any of the following institutions may permit any employee, who is licensed to carry a concealed handgun as authorized by the provisions of K.S.A. 75-7c01 et seq., and amendments thereto, to carry a concealed handgun in any building of such institution, if the employee meets such institution's own policy requirements regardless of whether such building is conspicuously posted in accordance with the provisions of this section:*

*(1) A unified school district;*

*(2) a postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto;*

*(3) a state or municipal-owned medical care facility, as defined in K.S.A. 65-425, and amendments thereto;*

*(4) a state or municipal-owned adult care home, as defined in K.S.A. 39-923, and amendments thereto;*

*(5) a community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto; or*

*(6) an indigent health care clinic, as defined by K.S.A. 2012 Supp. 65-7402, and amendments thereto.*

*(e) (1) It shall be a violation of this section to carry a concealed handgun in violation of any restriction or prohibition allowed by subsection (a) or (b) if the building is posted in accordance with rules and regulations adopted by the attorney general pursuant to subsection (h). Any person who violates this section shall not be subject to a criminal penalty but may be subject to denial to such premises or removal from such premises.*

*(2) Notwithstanding the provisions of subsection (a) or (b), it is not*

a violation of this section for the United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed, to possess a handgun within any of the buildings described in subsection (a) or (b), subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district. The provisions of this paragraph shall not apply to any person who is not in compliance with K.S.A. 2012 Supp. 75-7c19, and amendments thereto.

(3) *Notwithstanding the provisions of subsection (a) or (b), it is not a violation of this section for a law enforcement officer from another state or a retired law enforcement officer meeting the requirements of the federal law enforcement officers safety act, 18 U.S.C. §§ 926B and 926C, to possess a handgun within any of the buildings described in subsection (a) or (b), subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district.*

(f) *On and after July 1, 2014, provided that the provisions of section 3, and amendments thereto, are in full force and effect, the provisions of this section shall not apply to the carrying of a concealed handgun in the state capitol.*

~~(d)(g)~~ For the purposes of this section:

(1) *"Adequate security measures" shall have the same meaning as the term is defined in section 2, and amendments thereto;*

(2) *"building" shall not include any structure, or any area of any structure, designated for the parking of motor vehicles.*

~~(e)(h)~~ Nothing in this act shall be construed to authorize the carrying or possession of a handgun where prohibited by federal law.

~~(f)(i)~~ The attorney general shall adopt rules and regulations prescribing the location, content, size and other characteristics of signs to be posted on ~~premises~~*a building* where carrying a concealed handgun is prohibited pursuant to subsections (a) and (b). Such regulations shall prescribe, at a minimum, that:

(1) The signs be posted at all exterior entrances to the prohibited buildings;

(2) ~~they~~*the signs* be posted at eye level of adults using the entrance and not more than 12 inches to the right or left of such entrance;

(3) the signs not be obstructed or altered in any way; and

(4) signs which become illegible for any reason be immediately replaced.

Sec. 10. K.S.A. 2012 Supp. 75-7c17 is hereby amended to read as follows: 75-7c17. (a) The legislature finds as a matter of public policy and fact that it is necessary to provide statewide uniform standards for issuing licenses to carry concealed handguns for self-defense and finds it necessary to occupy the field of regulation of the bearing of concealed handguns for self-defense to ensure that no honest, law-abiding person who qualifies under the provisions of this act is subjectively or arbitrarily denied the person's rights. No city, county or other political subdivision of this state shall regulate, restrict or prohibit the carrying of concealed handguns by persons licensed under this act except as provided in *section 2, and amendments thereto, and in subsection (b) of K.S.A. 2012 Supp. 75-7c10, and amendments thereto, and subsection (f) of K.S.A. 21-4218, prior to its repeal, or subsection (e) of K.S.A. 2012 Supp. 21-6309, and amendments thereto.* Any existing or future law, ordinance, rule, regulation or resolution enacted by any city, county or other political subdivision of this state that regulates, restricts or prohibits the carrying of concealed handguns by persons licensed under this act except as provided in *section 2, and amendments thereto, and in subsection (b) of K.S.A. 2012 Supp. 75-7c10, and amendments thereto, and subsection (f) of K.S.A. 21-4218, prior to its repeal, or subsection (e) of K.S.A. 2012 Supp. 21-6309, and amendments thereto,* shall be null and void.

(b) Prosecution of any person licensed under the personal and family protection act, and amendments thereto, for violating any restrictions on licensees will be done through the district court.

(c) The legislature does not delegate to the attorney general the au-

thority to regulate or restrict the issuing of licenses provided for in this act, beyond those provisions of this act pertaining to licensing and training. Subjective or arbitrary actions or rules and regulations which encumber the issuing process by placing burdens on the applicant beyond those sworn statements and specified documents detailed in this act or which create restrictions beyond those specified in this act are in conflict with the intent of this act and are prohibited.

(d) This act shall be liberally construed. This act is supplemental and additional to existing constitutional rights to bear arms and nothing in this act shall impair or diminish such rights.

Sec. 11. K.S.A. 2012 Supp. 21-6302, 21-6309, 45-221, 45-221j, 45-221k, 75-7c05, 75-7c06, 75-7c10 and 75-7c17 are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and was adopted by that body

\_\_\_\_\_  
HOUSE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

Passed the SENATE  
as amended \_\_\_\_\_

SENATE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*President of the Senate.*

\_\_\_\_\_  
*Secretary of the Senate.*

APPROVED \_\_\_\_\_

\_\_\_\_\_  
*Governor.*

HOUSE BILL No. 2033

AN ACT concerning regulation of knives; relating to carrying or using weapons; amending K.S.A. 2012 Supp. 21-6301 and 21-6302 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) A municipality shall not enact any ordinance, resolution, rule or tax relating to the transportation, possession, carrying, sale, transfer, purchase, gift, devise, licensing, registration or use of a knife or knife making components.

(b) A municipality shall not enact any ordinance, resolution or rule relating to the manufacture of a knife that is more restrictive than any such ordinance, resolution or rule relating to the manufacture of any other commercial goods.

(c) As used in this section:

(1) "Knife" means a cutting instrument and includes a sharpened or pointed blade.

(2) "Municipality" has the same meaning as defined in K.S.A. 75-6102, and amendments thereto, *but shall not include school districts, jails as defined in K.S.A. 38-2302, and amendments thereto, and juvenile correctional facilities as defined in K.S.A. 38-2302, and amendments thereto.*

Sec. 2. K.S.A. 2012 Supp. 21-6301 is hereby amended to read as follows: 21-6301. (a) Criminal use of weapons is knowingly:

(1) Selling, manufacturing, purchasing or possessing any bludgeon, sand club, metal knuckles or throwing star, ~~or any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;~~

(2) possessing with intent to use the same unlawfully against another, ~~a dagger, dirk, billy, blackjack, slungshot, dangerous knife, straight-edged razor, stilette or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife with no blade more than four inches in length shall not be construed to be a dangerous knife, or a dangerous or deadly weapon or instrument;~~

(3) setting a spring gun;

(4) possessing any device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm;

(5) selling, manufacturing, purchasing or possessing a shotgun with a barrel less than 18 inches in length, or any firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger, whether the person knows or has reason to know the length of the barrel or that the firearm is designed or capable of discharging automatically;

(6) possessing, manufacturing, causing to be manufactured, selling, offering for sale, lending, purchasing or giving away any cartridge which can be fired by a handgun and which has a plastic-coated bullet that has a core of less than 60% lead by weight, whether the person knows or has reason to know that the plastic-coated bullet has a core of less than 60% lead by weight;

(7) selling, giving or otherwise transferring any firearm with a barrel less than 12 inches long to any person under 18 years of age whether the person knows or has reason to know the length of the barrel;

(8) selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful user of a controlled substance;

(9) selling, giving or otherwise transferring any firearm to any person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto;

(10) possession of any firearm by a person who is both addicted to and an unlawful user of a controlled substance;

(11) possession of any firearm by any person, other than a law enforcement officer, in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extra-curricular activities of pupils enrolled in kindergarten or any of the grades 1 through 12 or at any regularly scheduled school sponsored ac-

tivity or event whether the person knows or has reason to know that such person was in or on any such property or grounds;

(12) refusal to surrender or immediately remove from school property or grounds or at any regularly scheduled school sponsored activity or event any firearm in the possession of any person, other than a law enforcement officer, when so requested or directed by any duly authorized school employee or any law enforcement officer;

(13) possession of any firearm by a person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or persons with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto; or

(14) possessing a firearm with a barrel less than 12 inches long by any person less than 18 years of age whether the person knows or has reason to know the length of the barrel.

(b) Criminal use of weapons as defined in:

(1) Subsection (a)(1), (a)(2), (a)(3), (a)(7), (a)(8), (a)(9) or (a)(12) is a class A nonperson misdemeanor;

(2) subsection (a)(4), (a)(5) or (a)(6) is a severity level 9, nonperson felony;

(3) subsection (a)(10) or (a)(11) is a class B nonperson select misdemeanor;

(4) subsection (a)(13) is a severity level 8, nonperson felony; and

(5) subsection (a)(14) is a:

(A) Class A nonperson misdemeanor except as provided in subsection (b)(5)(B);

(B) severity level 8, nonperson felony upon a second or subsequent conviction.

(c) Subsections (a)(1), (a)(2) and (a)(5) shall not apply to:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) the manufacture of, transportation to, or sale of weapons to a person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess such weapons.

(d) Subsections (a)(4) and (a)(5) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. § 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.

(e) Subsection (a)(6) shall not apply to a governmental laboratory or solid plastic bullets.

(f) Subsection (a)(4) shall not apply to a law enforcement officer who is:

(1) Assigned by the head of such officer's law enforcement agency to a tactical unit which receives specialized, regular training;

(2) designated by the head of such officer's law enforcement agency to possess devices described in subsection (a)(4); and

(3) in possession of commercially manufactured devices which are:

(A) Owned by the law enforcement agency;

(B) in such officer's possession only during specific operations; and

(C) approved by the bureau of alcohol, tobacco, firearms and explosives of the United States department of justice.

(g) Subsections (a)(4), (a)(5) and (a)(6) shall not apply to any person employed by a laboratory which is certified by the United States department of justice, national institute of justice, while actually engaged in the duties of their employment and on the premises of such certified labo-

ratory. Subsections (a)(4), (a)(5) and (a)(6) shall not affect the manufacture of, transportation to or sale of weapons to such certified laboratory.

(h) Subsections (a)(4) and (a)(5) shall not apply to or affect any person or entity in compliance with the national firearms act, 26 U.S.C. § 5801 et seq.

(i) Subsection (a)(11) shall not apply to:

(1) Possession of any firearm in connection with a firearms safety course of instruction or firearms education course approved and authorized by the school;

(2) any possession of any firearm specifically authorized in writing by the superintendent of any unified school district or the chief administrator of any accredited nonpublic school;

(3) possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person's behalf who is delivering or collecting a student;

(4) possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds, which contain a polling place for the purpose of voting during polling hours on an election day; or

(5) possession of a handgun by an individual who is licensed by the attorney general to carry a concealed handgun under K.S.A. 2012 Supp. 75-7c01 et seq., and amendments thereto.

(j) Subsections (a)(9) and (a)(13) shall not apply to a person who has received a certificate of restoration pursuant to K.S.A. 2012 Supp. 75-7c26, and amendments thereto.

(k) Subsection (a)(14) shall not apply if such person, less than 18 years of age, was:

(1) In attendance at a hunter's safety course or a firearms safety course;

(2) engaging in practice in the use of such firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located;

(3) engaging in an organized competition involving the use of such firearm, or participating in or practicing for a performance by an organization exempt from federal income tax pursuant to section 501(c)(3) of the internal revenue code of 1986 which uses firearms as a part of such performance;

(4) hunting or trapping pursuant to a valid license issued to such person pursuant to article 9 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto;

(5) traveling with any such firearm in such person's possession being unloaded to or from any activity described in subsections (k)(1) through (k)(4), only if such firearm is secured, unloaded and outside the immediate access of such person;

(6) on real property under the control of such person's parent, legal guardian or grandparent and who has the permission of such parent, legal guardian or grandparent to possess such firearm; or

(7) at such person's residence and who, with the permission of such person's parent or legal guardian, possesses such firearm for the purpose of exercising the rights contained in K.S.A. 2012 Supp. 21-5222, 21-5223 or 21-5225, and amendments thereto.

~~(l) Subsection (a)(1) shall not apply to any ordinary pocket knife which has a spring, detent or other device which creates a bias towards closure of the blade and which requires hand pressure applied to such spring, detent or device through the blade of the knife to overcome the bias towards closure to assist in the opening of the knife.~~

~~(m) As used in this section, "throwing star" means any instrument, without handles, consisting of a metal plate having three or more radiating points with one or more sharp edges and designed in the shape of a polygon, trefoil, cross, star, diamond or other geometric shape, manufactured for use as a weapon for throwing.~~

Sec. 3. K.S.A. 2012 Supp. 21-6302 is hereby amended to read as follows: 21-6302. (a) Criminal carrying of a weapon is knowingly carrying:

~~(1) Any bludgeon, sandclub, metal knuckles or throwing star, or any knife, commonly referred to as a switch blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens~~

or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;

(2) concealed on one's person, a dagger, dirk, billy, blackjack, slung-shot, dangerous knife, straight-edged razor, stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket-knife with no blade more than four inches in length shall not be construed to be a dangerous knife, or a dangerous or deadly weapon or instrument;

(3) on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;

(4) any pistol, revolver or other firearm concealed on one's person except when on the person's land or in the person's abode or fixed place of business; or

(5) a shotgun with a barrel less than 18 inches in length or any other firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger whether the person knows or has reason to know the length of the barrel or that the firearm is designed or capable of discharging automatically.

(b) Criminal carrying of a weapon as defined in:

(1) Subsections (a)(1), (a)(2), (a)(3) or (a)(4) is a class A nonperson misdemeanor; and

(2) subsection (a)(5) is a severity level 9, nonperson felony.

(c) Subsection (a) shall not apply to:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) the manufacture of, transportation to, or sale of weapons to a person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess such weapons.

(d) Subsection (a)(4) shall not apply to:

(1) Watchmen, while actually engaged in the performance of the duties of their employment;

(2) licensed hunters or fishermen, while engaged in hunting or fishing;

(3) private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;

(4) detectives or special agents regularly employed by railroad companies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment;

(5) the state fire marshal, the state fire marshal's deputies or any member of a fire department authorized to carry a firearm pursuant to K.S.A. 31-157, and amendments thereto, while engaged in an investigation in which such fire marshal, deputy or member is authorized to carry a firearm pursuant to K.S.A. 31-157, and amendments thereto;

(6) special deputy sheriffs described in K.S.A. 19-827, and amendments thereto, who have satisfactorily completed the basic course of instruction required for permanent appointment as a part-time law enforcement officer under K.S.A. 74-5607a, and amendments thereto;

(7) the United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed. The provisions of this paragraph shall not apply to any person not in compliance with K.S.A. 75-7c19, and amendments thereto; or

(8) any person carrying a concealed handgun as authorized by K.S.A. 2012 Supp. 75-7c01 through 75-7c17, and amendments thereto.

(e) Subsection (a)(5) shall not apply to:

(1) Any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. § 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor;

(2) any person employed by a laboratory which is certified by the United States department of justice, national institute of justice, while actually engaged in the duties of their employment and on the premises of such certified laboratory. Subsection (a)(5) shall not affect the manufacture of, transportation to or sale of weapons to such certified laboratory; or

(3) any person or entity in compliance with the national firearms act, 26 U.S.C. § 5801 et seq.

~~(f) Subsection (a)(1) shall not apply to any ordinary pocket knife which has a spring, detent or other device which creates a bias towards closure of the blade and which requires hand pressure applied to such spring, detent or device through the blade of the knife to overcome the bias towards closure to assist in the opening of the knife.~~

~~(g)~~ It shall not be a violation of this section if a person violates the provisions of K.S.A. 2012 Supp. 75-7c03, and amendments thereto, but has an otherwise valid license to carry a concealed handgun which is issued or recognized by this state.

~~(h)(g)~~ As used in this section, "throwing star" means the same as prescribed by K.S.A. 2012 Supp. 21-6301, and amendments thereto.

Sec. 4. K.S.A. 2012 Supp. 21-6301 and 21-6302 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and was adopted by that body

\_\_\_\_\_  
HOUSE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

Passed the SENATE  
as amended \_\_\_\_\_

SENATE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*President of the Senate.*

\_\_\_\_\_  
*Secretary of the Senate.*

APPROVED \_\_\_\_\_  
\_\_\_\_\_  
*Governor.*

## **Uniform State Law for Knives; HB 2033**

**HB 2033** prohibits municipalities from regulating the transportation, possession, carrying, sales, transfers, purchases, gifting, licensing, registration, or uses of a knife or knife-making components. In addition, the bill prohibits a municipality from passing any ordinance, resolution, or rule that would be more restrictive regarding knife manufacturing than the manufacture of any other commercial product.

The bill amends provisions related to the criminal use of weapons and criminal carrying of a weapon by removing certain types of knives, as well as by eliminating certain exceptions for carrying specific types of pocket knives and switchblade knives.

The bill also excludes from the definition of "municipality," school districts, jails, and juvenile correctional facilities.



# CITY OF HAYS

## AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 10

MEETING DATE: 6-27-13

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**TOPIC:**

City of Hays Policy for Water Service Requests for Properties Outside the City Limits

**ACTION REQUESTED:**

Consider approving the City of Hays Policy for Water Service Requests for Properties Outside the City Limits.

**NARRATIVE:**

Properties outside the city limits of Hays have been allowed to connect to the City's water system. The only requirements placed on the connections were that the customers pay an outside city limit rate and the owner signs a pre-annexation agreement. City staff has evaluated this practice and recommends that it be stopped. Water is in short supply and every new customer creates more demand on the system. New customers should provide the most benefit to the City of Hays.

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

Toby Dougherty, City Manager

**ADMINISTRATION RECOMMENDATION:**

City staff recommends that customers outside the city limits not be allowed to connect to the City's water system unless a significant and quantifiable benefit can be demonstrated to the City Commission.

**COMMITTEE RECOMMENDATION(S):**

N/A

**ATTACHMENTS:**

Staff Memo  
Policy for Water Service Requests for Properties Outside the City Limits  
List of Water Customers Outside the City Limits  
Map of Customers Outside City Limits

# Commission Work Session Agenda

## Memo

**From:** Toby Dougherty, City Manager

**Work Session:** June 20, 2013

**Subject:** Water Customers Outside City Limits

**Person(s) Responsible:** Toby Dougherty, City Manager

### Summary

Properties outside the city limits of Hays have been allowed to connect to the City's water system. The only requirements placed on the connections were that the customers pay an outside city limit rate and the owner signs a pre-annexation agreement. City staff has evaluated this practice and recommends that it be stopped. Water is in short supply and every new customer creates more demand on the system. New customers should provide the most benefit to the City of Hays.

### Background

In the past, properties outside the city limits of Hays have been allowed to connect to the City's water system. The only requirement placed on these connections were that these customers pay an outside city limit rate and the owner sign a preannexation agreement. The City has tended to accommodate these types of requests if they do not require any additional infrastructure. At this time, there are 47 water accounts for customers outside the city limits. These customers pay a rate that is approximately 1.7 times the rate for those customers inside the city limits. The practice has been in place for many years, so staff is not certain when it began. A justification may have been that water is a utility and the more sold, the more revenue generated for the utility. When source is not limited, this line of thinking is valid. As a result of the ongoing drought, city staff has seen an increase in properties outside the city limits wishing to connect to City water.

### Discussion

Recently City staff examined the practice of allowing customers outside the city limits to connect to the system. After examination, it is staff's recommendation that the practice be stopped as there is very little, if any, benefit to the City of Hays.

The justification for staff's position:

1. Hays is limited by the State of Kansas in its total water rights. In the past, the State has limited Hays' water rights to population projections within a reasonable planning period. Adding customers without adding people to the city population undermines the City's negotiating position in obtaining more water rights in the future. If and where growth occurs, it should be within the city limits.
2. Hays has the most secure and stable water supply within 30 miles. This should be seen as a powerful economic development tool and should only be used when a significant return on investment is expected.
3. Hays is limited in its water supply due to the current drought. It is unknown when the drought will end. Addition of more customers means Hays will reach a crisis level sooner than if the city did not add customers.
4. The City Commission recently adopted a Comprehensive Plan outlining the future of Hays. This plan was based off the city's available water rights and a reasonable growth projection. Any and all customers added outside the city limits could result in a disruption of the plan.
5. The current practice encourages development outside the city limits. Encouraging growth outside the city limits by providing water to un-annexed property can lead to haphazard development and sprawl.
6. Most properties inside the city limits pay for a portion of the water infrastructure through special assessments or through the lot purchase price. There is no impact or other fees for those outside the city limits.
7. Many potential customers outside of city limits have older houses and businesses which are most likely far less efficient than new construction added in Hays.
8. Many potential customers outside of city limits have large irrigated lawns and/or ponds filled with well water. Is this the type of customer that should be granted city supplies?
9. It can reasonably be assumed that many individuals located outside of Hays did so to avoid the rules and taxes levied by the City. Especially during periods of drought, the City needs understanding and responsive water customers.
10. Police powers end at the city limits. Subjecting in-town customers to a different set of rules, particularly when it comes to legal actions and potential fines against them for violations, is unfair.
11. Hays is looking at installing an AMI system (automated meter reading). It would be wise to know coverage areas, as some areas outside of city limits may not be covered with proposed tower locations.

12. Should the use of private water wells be regulated by the City as part of its drought plan, customers in the city would most likely have more rules than those outside of city limits.
13. The owner of a property in the city limits will pay \$1,883 in property taxes on an assessed valuation of \$150,000. The owner of the property just outside the city limits will pay \$1,483 on an assessed valuation of \$150,000. It is economically desirable to have City water and live outside of town, everything else being equal, especially on more valuable properties. This is unfair to persons owning property within city limits, that they should subsidize the tax bills of those outside city limits. If someone wants city water, they should be more than willing to pay for other city amenities via property taxes, such as the library and airport.
14. Businesses outside the city limits do not pay sales tax to the City.
15. The City of Hays is surrounded by Trego County Rural water district #2. There is a process that must be followed for the City to begin providing water service in Trego's territory. In short, either the water district must cede that territory to the City, or the City must buy out their infrastructure. While Trego may give their blessing to Hays providing service to small properties scattered around its perimeter, it may be reluctant to cede large chunks of territory. This could result in the City providing water to small parcels, in scatterplot fashion, without the ability to fill in the void, even if the property is annexed.
16. Lastly, given that our water supply is limited, there should be a direct and quantifiable benefit to the City of Hays when considering a customer outside the city limits. Customers requesting water should be required to demonstrate the economic benefit to Hays if provided with water.

Staff understands that there may be times when the Commission feels it is in the community's best interest to provide water to customers outside the city limits. The positive effects of economic development expand beyond the city limits. Staff's suggestion is not meant to harm economic development. It is meant to ensure that water is provided outside the city limits only when it is in the economic interest of Hays.

### **Legal Consideration**

The rationale for using Pre-Annexation Agreements to allow for provision of limited City services outside City Limits is overridden by current exigencies and the addition of the Rural Water District since the beginning of the use of Pre-Annexation Agreements has changed the equation. There are no known legal obstacles to proceeding as recommended by City Staff.

### **Financial Consideration**

Municipal utilities are dependent upon sales. So typically any customer added, without having to increase treatment capacity, means more revenue with very little added work. But when source is limited, this factor should not be considered.

### **Options**

- 1) Accept staff's recommendation to stop allowing customers outside the city limits to connect to the City's water system unless a significant and quantifiable benefit can be demonstrated to the City Commission.
- 2) Deny staff's suggestion.
- 3) Do nothing.

### **Recommendation**

Accept staff's recommendation to stop allowing customers outside the city limits to connect to the City's water system unless a significant and quantifiable benefit can be demonstrated to the City Commission.

### **Supporting Documentation**

Policy

List of Water Customers Outside the City Limits

Map of Customers Outside City Limits

SUBJECT	ISSUED BY	EFFECTIVE DATE	REVISION DATE
<b>POLICY FOR WATER SERVICE REQUESTS FOR PROPERTIES OUTSIDE THE CITY LIMITS</b>	City Commission	6-28-13	

**POLICY STATEMENT:**

The City of Hays currently has a stable water supply. However, that supply is limited and subject to impact from periodic drought. Therefore, the City of Hays will only consider providing water to customers outside the city limits when it provides a significant economic benefit to the City.

**Procedure:**

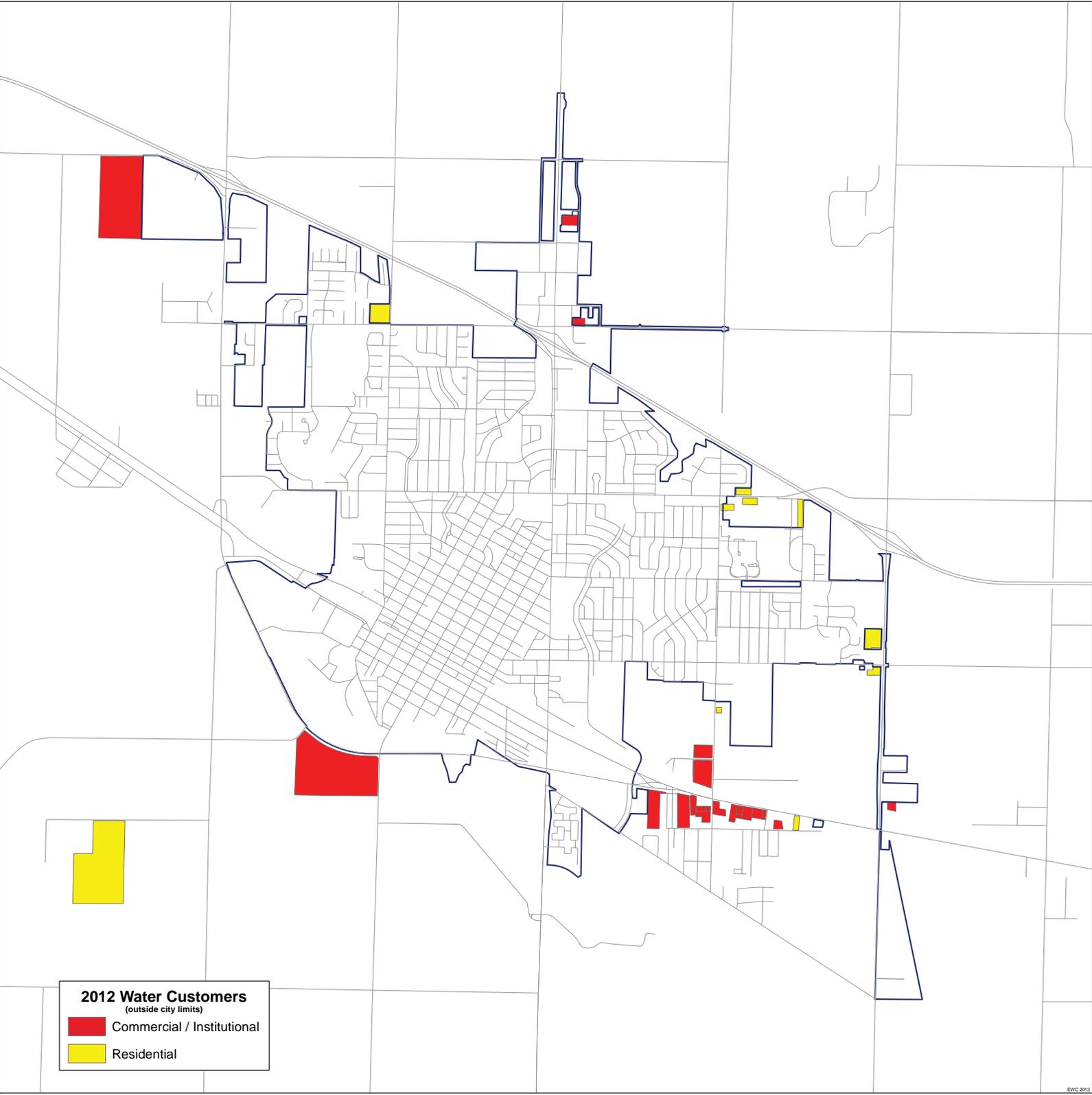
Any property owner outside the city limits wishing to apply for City water service must do so via a formal written request. The request must include a letter from the rural water district that serves the property. The letter must clearly state that the district has declined to serve the property with water and is transferring the ability to provide water to the City of Hays. The request must clearly outline intended use of the water, quantities needed on an annual and monthly basis, and the current and planned future use of the property being served. The request must also contain an economic analysis demonstrating the positive economic benefit to the City of Hays, not including revenues generated from water sales, by providing water service to the property. Applications that do not contain the above-mentioned information will be deemed incomplete and not considered.

## Outside City Limits Water Customers

Acct #	Customer	Address	Cubic Ft Used	Status	Service Code
10267	STEEL FABRICATIONS, INC.	1640 HWY 40 BYPS	7,500.00	A	158BO
10268	VITZTUM COMMERCIAL FL.	2050 HWY 40 BYPS	2,500.00	A	134BO
10269	PEPSI BEVERAGES CO.	1860 E 8TH ST	2,700.00	A	140BO
10270	MYER'S ICE COMPANY	715 CANTERBURY DR	1,500.00	A	158BO
10271	HERRMAN LEROY	709 CANTERBURY DR	2,800.00	A	134BO
10272	WESTERN BEVERAGE INC.	2100 HWY 40 BYPS	4,800.00	A	134BO
10422	EAGLE MED	3950 E 8TH ST	9,700.00	A	158BO
10423	CHAMBERS RICK	3950 E 8TH ST	0.00	A	158BO
10424	ROME CORPORATION	3948 E 8TH ST	300.00	A	158BO
10426	HAYS AIRCRAFT	3930 E 8TH ST	1,200.00	A	158BO
10431	KANSAS HISTORICAL SOC.	1472 US 183 ALT HWY	3,700.00	A	110BO
10432	REISIG GENE	1348 BISON RD.	3,000.00	A	158RO
10815	DOLEZAL JOE F.	2020 E 8TH ST	112,100.00	A	1MUO
10816	KARST WATER WELL	2240 E 8TH ST.	3,700.00	A	158BO
10817	KANSAS ACID, INC.	2150 E 8TH ST	17,750.00	A	115BO
10818	GOTTSCHALK JUDE	2270 E 8TH ST	6,900.00	A	158BO
10819	FANCHON / LINNENBERGER	0 HWY 40 BYPS	6,900.00	A	110BO
10820	HAYS SENIOR CENTER	2450 E 8TH ST	7,800.00	A	158BO
12474	NORTHWEST DISTRIBUTORS	1005 CANTERBURY DR	2,200.00	A	134BO
12480	BEFORT CLAYTON	3210 E 13TH ST	7,800.00	A	158RO
12481	UNKNOWN	3300 E 13TH ST	0.00	I	158RO
12482	UNKNOWN	3302 E 13TH ST	0.00	I	158RO
14563	KISNER LLOYD	2165 E 27TH ST	6,400.00	A	158RO
14625	TOEPFER JENNYFER	2220 E 27TH ST	9,400.00	A	158RO
14637	MORGAN CHERYL	2515 WHEATLAND AVE	23,900.00	A	110RO
14639	NOWAK JODILYNN D	804 COMMERCE PKWY	800.00	A	158RO
16098	BRETHOUR JOHN	1555 W 41ST ST	1,300.00	A	158RO
16369	XX XX - DO NOT USE THIS ACCT.	0 WAY I83 BYP	0.00	I	158BO
16372	ELLIS COUNTY 4-H GROUNDS	1343 FAIRGROUND RD	112,900.00	A	120BO
16374	UNKNOWN	4602 US 183 ALT HWY	0.00	I	158BO
17608	UNKNOWN	4820 VINE ST	0.00	I	120BO
17710	WERTH AERIAL SPRAYING	3950 E 8TH ST	0.00	I	158BO
17827	CLARK ROSE	1521 COMMERCE PKWY	6,800.00	A	158RO
17841	UNREIN GLENN	375 E 41ST ST	5,200.00	A	110BO
17845	CUTTERS MACHINE, INC	2240 E 8TH ST	800.00	A	158BO
17907	LOW MACH AERO LLC	3950 E 8TH ST	100.00	A	158BO
17908	CHAMBERS RICK	3950 E 8TH ST	0.00	A	158BO
17909	MYERS JAMES	1104 CANTERBURY DR	5,700.00	A	158RO

17924	CROSS MANUFACTURING	901	CANTERBURY DR	76,510.00	A	120BO
18048	BARBER FRED E.	2620 E	8TH ST	300.00	A	158BO
18112	CHEM-TEK LLC	2615	EAST 7TH ST	1,200.00	A	158BO
18164	SPORTS COMPLEX - SOUTHWEST 4	1376	HWY 40	0.00	I	120BO
18165	SPORTS COMPLEX - SOCCER FIELC	1376	HWY 40	0.00	I	120BO
18166	SPORTS COMPLEX - NORTHEAST 4	1376	HWY 40	7,700.00	I	120BO
18167	SPORTS COMPLEX - MAINTENANCE	1376	HWY 40	4,000.00	I	110BO
18168	FORT HAYS STATE UNIVERS.	1451	HWY 183 ALT	17,350.00	A	120BO
19051	MCGINNIS DONALD	2520	CANTERBURY DR	2,600.00	A	158RO

01/04/2013



**2012 Water Customers**  
(outside city limits)

- Commercial / Institutional
- Residential



# CITY OF HAYS

## AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 11

MEETING DATE: 6-27-13

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**TOPIC:**

Water Rate Adjustments – 2<sup>nd</sup> Conservation Tier

**ACTION REQUESTED:**

Approval of Ordinance No. 3866 amending Chapter 65 of the City of Hays, Kansas, Municipal Code, by modifying Article IV, Section 65-224, regarding rates inside and outside the city and adding the 2<sup>nd</sup> Conservation Tier, to take effect based on the Commission's desire.

**NARRATIVE:**

Water rates in the City of Hays are designed to incentivize conservation through the implementation of two pricing tiers. While staff believes the current structure has served to limit outdoor watering, much waste still occurs. This is evident in 2012 residential usage among the top customers. An additional conservation tier is proposed to curb the excess use of water among top residential users. This proposed system will not hinder those currently using water efficiently. Furthermore, it will financially encourage those who use water in excess to take measures to reduce usage.

During conditions when the City's Water Plan calls for 'warning' or "emergency" ONLY the proposed second conservation tier would increase to promote the most prudent use of water at our driest time.

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

Toby Dougherty, City Manager  
Paul Briseno, Assistant City Manager

**ADMINISTRATION RECOMMENDATION:**

Staff recommends approving the ordinance amending Chapter 65 of the City of Hays, Kansas, Municipal Code, by modifying Article IV, Section 65-224, regarding rates inside and outside the city and adding the 2<sup>nd</sup> Conservation Tier to be implemented \_\_\_\_\_ (to be determined).

**COMMITTEE RECOMMENDATION(S):**

N/A

**ATTACHMENTS:**

Staff Memo  
Ordinance No. 3866

# Commission Work Session Agenda

## Memo

**From:** Nicholas Willis, Stormwater/Water Conservation Superintendent

**Work Session:** June 20, 2013

**Subject:** Second Conservation Tier

**Person(s) Responsible:** Paul Briseno, Assistant City Manager  
Nick Willis, Stormwater/Water Conservation Supt.  
Bernie Kitten, Director of Utilities

### Summary

Water rates in the City of Hays are designed to incentivize conservation through the implementation of two pricing tiers. While staff believes the current structure has served to limit outdoor watering, much waste still occurs. This is evident in 2012 residential usage among the top customers. An additional conservation tier is proposed to curb the excess use of water among top residential users. This proposed system will not hinder those currently using water efficiently. Furthermore, it will financially encourage those who use water in excess to take measures to reduce usage.

During conditions when the City's Water Plan calls for 'warning' or "emergency" **ONLY** the proposed second conservation tier would increase to promote the most prudent use of water at our driest time.

This item is presented for further policy guidance from the City Commission.

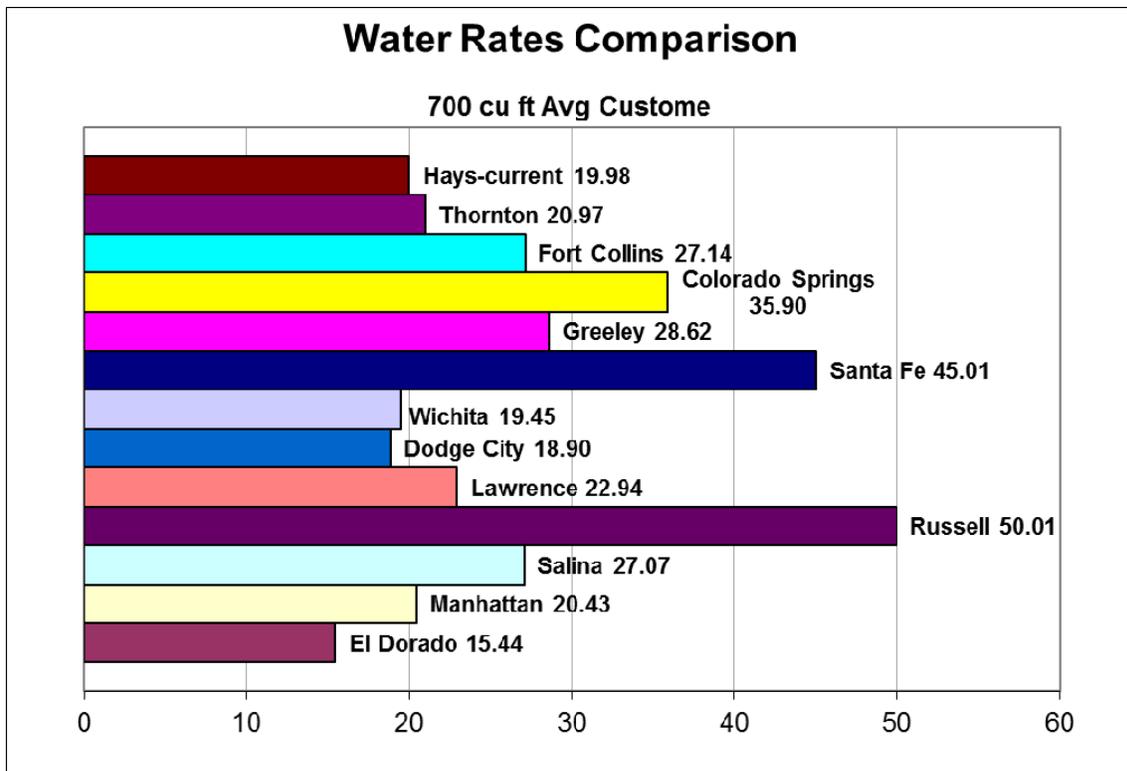
### Background

In the 1990's Hays enacted its first water rate structure designed to limit excessive consumption. Hays' current water rate structure was implemented in 2004. It contains a base tier and conservation tier meant to encourage efficient and wise use of potable water. Staff believes the current rate structure, particularly in times of drought, does not adequately reflect the fact that less resource is available. The following information emphasizes this fact:

- Normal Total Daily Consumption is 1.8 Million Gallons per Day
- **Summer Total Daily Consumption is 3.8 Million Gallons per Day**
  - A majority of increased water usage is consumed on outside uses

- Top 20% of residential customers consume 44% of residential water
- Top 10% of residential customers consume 28% of residential water
- July 2012 the highest residential user consumed 23,600 cubic feet in one month
  - 700 cu ft is the winter average consumption
  - This amount would provide 34 (avg) customers water for one winter month
- July 2011 the highest water user applied 2.2 feet of water to their landscape, the second highest user applied 1.5 feet of water to their landscape, this is 2-3x more than needed
- City has 3,764 ac ft of water rights

Staff has examined water rates in other communities. All rates below are base rates, not rates implemented due to short-term supply concerns.



In short, water in Hays, when compared to other towns with less than ideal water supplies, is relatively cheap at the current rate of \$1.80 for the base tier and \$3.60 for the conservation tier.

### Discussion

A year round additional conservation tier for residential customers on top of the current rate structure would encourage greater water efficiency throughout the year and not hinder those currently using water efficiently. The following implications are intentional with the proposed three tier system:

- Curb excessive residential use of water and extend viability of resources especially during summer months
- No impact to a majority (82%-85%) of residential customers who use water efficiently
- Only impact consumers that use water in excess with proportional increased costs
- No impact to commercial customers that do not have lawn meters

**METHODOLOGY**

To establish the parameters of an additional conservation tier staff considered three factors 1) the average customer who uses water efficiently, 2) not penalizing those who use their monthly average plus 1,000 cu ft, 3) anything above the average usage plus 1,000 cu ft was considered excessive.

The average usage is based on the Jan/Feb/Mar water usage and predominately establishes indoor water consumption. All water usage is billed using the Base Tier which is the meter minimum (includes 100 cf.) plus \$1.80 per/100 cf. Currently, the Conservation Tier allows for unlimited use at a price of \$3.60 per/100 cf. for usage over the average. Staff is proposing to add a 2<sup>nd</sup> tier to the Conservation Tier and limit usage in the 1<sup>st</sup> tier to 1,000 cf. at \$3.60 per/100 cf. The proposed 2<sup>nd</sup> tier of the conservation Tier would charge \$5.60 for all usage exceeding the water average + 1,000 cf. In the event of a water warning or emergency, the 2<sup>nd</sup> tier would be raised to \$7.20.

Staff feels that by allowing citizens to use an additional 1,000 cf over their water average at a reasonable cost would be adequate for efficient outdoor watering usage and would not adversely affect 82-85% of the residential customers. It is hoped that by adding a 2<sup>nd</sup> tier to the Conservation Tier, excess usage of water among the top residential users will be curbed and that efforts will be made to reduce usage by taking advantage of other landscaping measures.

	<b>BASE TIER</b>		<b>CONSERVATION TIER 1</b>		<b>CONSERVATION TIER 2</b>
USE	INDOOR USE	+	AVG WARM SEASON YARD	+	WATER MORE THAN AVG EFFICIENT CUSTOMER
QTY	AVG or 500 cu ft MIN	+	1st 1,000 c.f. OVER AVG	+	ALL USAGE EXCEEDING 1ST 1,000 CF. IN TIER 1
RATE	MIN + \$1.80	+	\$3.60 PER 100 cu ft	+	\$5.40 PER 100 cu ft
	<b>RATE IF WATER WARNING/EMERGENCY ENACTED</b>				<b>\$7.20 per cu ft</b>

An allowance of 1,000 cu ft at the 1<sup>ST</sup> conservation tier allows for one of the following watering practices to take place:

- Irrigation of 1.4 inches on an average size warm season yard (0.21 acres) per month to keep grasses growing.

- Approximately 3 inches per week on a 960 square foot flower or vegetable garden.
- Complete irrigation of most xeriscaped yards incorporating native and drought-tolerant vegetation.

### **POTENTIAL IMPACT**

To adequately understand the impact to water customers' staff has calculated potential financial ramifications if the proposed rate system had been in place for July 2012 and July 2011.

- In 2012/2011 –
  - **Majority with NO impact** - 5,271/5,362 (83%/85%) of residential customers would have seen no increase and stayed within the base and 1<sup>st</sup> conservation tier
  - Minority would be charged in the second conservation tier – 1,118/977
    - **Less than \$10 Increase** - 408/423 (6%/7%) of residential customers would have entered the 2<sup>nd</sup> conservation tier
    - **More than \$10 Increase** - 710/554 (11%/8%) of residential customers
- There are families on limited incomes reliant on their gardens for a healthy food supply during the growing season. These are protected.

It is hoped the current drought will help spur people toward warm season grasses and appropriate vegetation for the High Plains climate. This water rate will place a higher price on landscapes with inefficient watering systems and inappropriate plants for the climate. Staff will continue to encourage the use of city incentives to reduce home and outside usage to maintain current quality of life standard while using water as efficiently as possible.

### **Legal Consideration**

Because there is no action recommended and this is an informational item, there is no recommendation from the City Attorney at this time. Cities may set reasonable rates for use of services and water rates are within that purview. The City may take any course of action it deems necessary and reasonable under the circumstances.

### **Financial Consideration**

Studies generally show a 3%-4% reduction in residential water usage for a 10% increase in water rates. The implementation of a 2<sup>nd</sup> conservation tier could provide a 15% - 20% reduction of water usage among the highest users. There will be many who will reduce that are within the base and 1<sup>st</sup> conservation tiers not understanding the implication of the tiered system. This will also contribute to the overall reduction in usage.

A reduction in use will have a direct correlation in decrease water revenue, impacting the operational budget. It is difficult to accurately forecast how the sale of less, but more expensive water, will impact both operational costs and revenues.

### **Options**

The City Commission has the following options available.

1. Enact the recommended rate structure as directed by City Commission
2. Provide staff with further direction.
3. Do nothing.

### **Recommendation**

This item is presented for further Commission Guidance. Should the Commission want to move forward with a 2<sup>nd</sup> conservation tier, an ordinance update would occur.

### **Action Requested**

None, this item is provided for further discussion.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 65 OF THE CITY OF HAYS, KANSAS, MUNICIPAL CODE, BY MODIFYING ARTICLE IV, SECTION 65-224, REGARDING RATES INSIDE AND OUTSIDE CITY.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAYS, KANSAS:

Section 1. Chapter 65, Article IV, Section 65-224 of the City of Hays, Kansas Municipal Code is hereby amended as follows:

**CHAPTER 65**

**UTILITIES**

**ARTICLE IV. WATER RATES AND CHARGES**

**Sec. 65-224. Rates Inside and Outside City.**

Meter rates for the furnishing of water by the municipal water system of the city to consumers of such municipal water system are established as follows:

(1) *Monthly Usage Minimum Service Charge.*

- a. Water usage as shown on the January, February and March billing is averaged to determine a water use average for both residential and business accounts. Usage that falls within this average will be billed at the ~~first-Base~~ ~~tier~~ rate as established by resolution. Any usage that exceeds the water use average by up to 1,000 cubic feet will be billed at the ~~conservation~~ Conservation tier-Tier 1 rate as established by resolution, for both residential and business accounts. The water use average shall be a minimum of 500 cubic feet. Any customer without an established water use average will be allotted 500 cubic feet until a new water use average is established if more than 500 cubic feet. The water use average shall be recalculated annually after the March billing date.
- b. All residential usage that exceeds the water use average in excess of 1,000 cubic feet will be billed at the Conservation Tier 2 rate, as established by resolution.
- c. All residential usage that exceeds the water use average in excess of 1,000 cubic feet during times of official "Water Warning" or "Water Emergency" periods, as defined by the City of Hays Drought Response Plan, will be billed at the Conservation Tier 2 rate for Water Warning or Water Emergency, as established by resolution.
- b. Any premises equipped or built to be occupied as a duplex, apartment house or by other multiple-dwelling units, or occupied in conjunction with a commercial building

or other building and which receives water service from a single service shall pay the minimum water bill as for a domestic customer for each separate unit; provided that a mobile home park shall not be charged the minimum water bill for lots without a mobile home located thereon, as of the date for meter reading.

- c. The minimum monthly service charge to be paid regardless of usage shall be as follows:

Meter Size (inches)	Inside City Limits (per month, in dollars)	Outside City Limits (per month, in dollars)
5/8	9.18	15.60
3/4	16.66	28.32
1	24.14	41.03
1½	39.10	66.47
2	76.50	130.05
3	113.90	193.63
4	188.70	320.79
6	375.70	638.69

(2) *Water Rates for Residential and Business Consumers.* The water rates for residential and business consumers, and the effective dates of such rates, shall be determined by the governing body and shall be specified in a resolution authorizing the same, and may be amended annually by resolution of the governing body. The following rates are currently in effect at the time of passage of the ordinance from which this section is derived, and shall continue in full force and effect until any new or different rate goes into effect:

Cubic Feet of Water Usage	Inside City Limits (per 100 cubic feet, in dollars)	Outside City Limits (per 100 cubic feet, in dollars)
First 100	Included in minimum	Included in minimum
<del>1st Base tier</del> <u>Tier</u>	<del>1.60</del> <u>80</u>	<del>2.72</del> <u>3.06</u>
<del>Conservation tier</del> <u>Tier 1</u>	<del>3.20</del> <u>60</u>	<del>6.12</del> <u>5.44</u>
<u>Conservation Tier 2 (Residential Only)</u>	<u>5.40</u>	<u>9.18</u>

ORDINANCE NO. \_\_\_\_\_

Page 3

<a href="#">Conservation Tier 2 – Water Warning or Water Emergency (Residential Only)</a>	<a href="#">7.20</a>	<a href="#">12.24</a>
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Section 2. The ordinance shall take effect and be in force from and after its passage and publication in the Hays Daily News, the official city newspaper.

PASSED by the Commission on \_\_\_\_\_, 2013.

\_\_\_\_\_  
KENT L. STEWARD  
Mayor

ATTEST:

\_\_\_\_\_  
BRENDA KITCHEN  
City Clerk

(SEAL)

**ORDINANCE NO. 3866**

**AN ORDINANCE AMENDING CHAPTER 65 OF THE CITY OF HAYS, KANSAS, MUNICIPAL CODE, BY MODIFYING ARTICLE IV, SECTION 65-224, REGARDING RATES INSIDE AND OUTSIDE CITY.**

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Cubic Feet of Water Usage	Inside City Limits (per 100 cubic feet, in dollars)	Outside City Limits (per 100 cubic feet, in dollars)
First 100	Included in minimum	Included in minimum
Base Tier	1.80	3.06
Conservation Tier 1	3.60	6.12
Conservation Tier 2 (Residential Only)	5.40	9.18

ORDINANCE NO. 3866

Page 3

Conservation Tier 2 – Water Warning or Water Emergency (Residential Only)	7.20	12.24
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Section 2. The ordinance shall take effect and be in force from and after its passage and publication in the Hays Daily News, the official city newspaper.

PASSED by the Commission on June 27, 2013.

\_\_\_\_\_  
KENT L. STEWARD  
Mayor

ATTEST:

\_\_\_\_\_  
BRENDA KITCHEN  
City Clerk

(SEAL)

## COMMISSION INFORMATIONAL MEMORANDUM

TO: City Commission  
FROM: Toby Dougherty, CPM  
City Manager  
DATE: June 20, 2013

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Attached are the following items:

1. The minutes of the November 5, 2012 meeting of the **Building Trades Board**.
2. The minutes of the March 14, 2013 meeting of the **Northwest Kansas Community Corrections Governing Board**.
3. The minutes of the May 8, 2013 meeting of the **Downtown Hays Development Corporation Board**.
4. The minutes of the May 8, 2013 meeting of the **Hays Area Board of Zoning Appeals**.
5. The minutes of the May 15, 2013 meeting of the **Hays Recreation Commission Board**.
6. The minutes of the May 16, 2013 meeting of the **Hays Beautification Committee**.
7. The minutes of the May 20, 2013 meetings of the **Hays Area Planning Commission**.
8. The **Great Lakes On-Time Report** for June 2013.

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

ab



**BUILDING TRADES BOARD MEETING**  
**Commission Chambers of City Hall**  
**November 5, 2012**  
**5:30 p.m.**

**1. CALL TO ORDER:** The Building Trades Board met on Monday, November 5, 2012 at 5:30 p.m. in Commission Chambers at City Hall. Vice-Chairman Jerry Sonntag declared that a quorum was present and called the meeting to order.

Present:

Arlen Flax	Jerry Sonntag	Dale Befort	Dave Schoendaller
Tim Jacobs	Ralph Augustine	(Roger Mettlen arrived at 5:45 p.m.)	

City Staff Present: Jesse Rohr, Superintendent of PIE  
Scott Zimmerman, Inspector of P.I.E.  
Mike Schlyer, Inspector of P.I.E.  
Linda K Bixenman, Administrative Secretary of P.I.E.

**2. MINUTES:** There was a motion by Arlen Flax with a second by Dale Befort to approve the minutes as presented from the March 12, 2012 meeting.

Vote: AYES:

Arlen Flax	Jerry Sonntag	Ralph Augustine
Dale Befort	Tim Jacobs	Dave Schoendaller

**3. OLD BUSINESS: None**

**4. UPDATE TRADE CONTRACTOR LICENSES ISSUED FROM 03-06-2012 to 10-26-2012:** A list of the new licensed contractors since the last board meeting was presented to the board for informational purposes.

**5. APPEAL OF BUILDING CONDEMNATION FOR SHED AT 217 E 6<sup>TH</sup> STREET:**

Jesse Rohr presented the pictures of the dilapidated outbuilding that is in disrepair at the above address on the overhead.

Jesse Rohr explained that the City Building Inspection Department has been in contact with the owner for the last eight months requiring him to reconstruct the dangerous state of the outbuilding or demolish the outbuilding. The electrical service that is connected to the outbuilding feeds power to the home which compounds the issue.

He explained that due to some hardship issues by the owner, he has not been able to improve the condition of the outbuilding. He asked the owner to speak to his appeal.

Kurt Beyers, owner of 217 E 6<sup>th</sup>, stated that he is not contesting that something needs to be done. He explained the issue is that it is impossible to meet the time limitation to accomplish this. His wife has been an invalid for four years and has had back surgery this year so he has to carry the work load. This has been a hardship as well as having only one income.

He did receive a \$1,000 bid from an electrical contractor to move the electrical service. Another alternative was to put the \$1,000.00 plus more towards repair of the shed so he could come out with something. This has proven difficult. One contractor looked at the job and did not want to do anything. He is going to check with another contractor.

He would like some time to either have the outbuilding repaired or move the electrical service and demolish the building.

Vice-Chairman Jerry Sonntag explained the three requirements to be met for this appeal. This board cannot grant an extension although they can make a recommendation to the governing body. He pointed out the potential danger with the utilities being fed from this detached deteriorated building to the home.

Jesse Rohr asked Mr. Beyers how much extended time he was asking for if the building has to come down and correction of the electrical service. He explained that if there is voluntary action to resolve this, there would not be any administrative fees versus if the City is directed to hire someone to demolish the structure. Kurt Beyers answered that he plans to have the electrical service corrected and the building reconstructed or demolished by the end of the year.

Jesse Rohr explained to the board, that they could make their recommendation to include that this issue be resolved on or before December 31, 2012.

Ralph Augustine stated that he was the electrician that gave Mr. Beyers the electrical bid.

Arlen Flax noted that the first letter sent out by the City asking him to address this issue was on February 7, 2012. He asked why it has taken him so long to get moving on this. Mr. Beyers answered that his wife had been

in the hospital at Wichita for back surgery and it has taken them some time to clear out the shed. He has a list of contractors to contact.

There was a motion by Ralph Augustine with a second by Dale Befort to recommend to the governing body to deny the appeal and that the building be demolished and the electrical service be corrected based on the fact that none of the three required criteria were present for an appeal and to recommend the owner be granted until on or before December 31, 2012 to satisfy this violation.

Vote: AYES:

Arlen Flax	Jerry Sonntag	Ralph Augustine
Dale Befort	Tim Jacobs	Dave Schoendaller
Roger Mettlen		

Jerry Sonntag explained to Mr. Beyers that the recommendation will go before the City Commission. He asked that he keep Jesse Rohr informed of the progress on this project.

#### **6. CODE REVIEW WITH THE FIRE DEPARTMENT**

Gary Brown, Fire Chief, and Wendy Schumacher, Deputy Fire Chief, came before the board to explain the role of the Building Trades Board as Fire Code Board of Appeals per the City Fire Prevention Code, Section 32-48.

He explained that the provision of the fire code acutely affects public safety. The finding of an unsafe building goes before the building official to determine the proper course of action.

Fire Chief Gary Brown gave a power point presentation and a hand out on the 2006 International Fire Code Inspection Standards to explain to the board of their role as an appeal board. The board would have to meet within 10 days after the appeal is filed.

In the 10 years as Fire Chief, there has never been an appeal come to this board; although they wanted to keep the board informed of their role in the event there is an appeal.

1. The important safeguard is to make sure the fire department judiciously applies the code.
2. Objective forum for code issues to be resolved.
3. Effective settlement of dispute of fire code issues.

When it is determined that a property owner is in violation of a fire code, a letter is written from the City Attorney. If no response, then the owner is sent a formal order to comply with the fire code. If the owner disputes the order, they have the opportunity to appeal before the Building Trades Board. A third party code expert can be brought in to render advisement. If the dispute is not settled, it will go before Municipal Court.

Jerry Sonntag asked what would be the extent of the authority of the Trades Board. Gary Brown answered that the board would do due diligence on hearing the case.

**7. REORGANIZATION TO VOTE FOR CHAIRMAN AND VICE-CHAIRMAN FOR THE BUILDING TRADES BOARD:** Jesse Rohr stated that there are several openings on the board for respective trades. He asked the board to let members know in case they would like to be considered to be on the board.

He stated that the board would need to vote for a Chairman and Vice-Chairman.

There was a motion by Dale Befort with a second by Arlen Flax to recommend Jerry Sonntag for Chair and Dave Schoendaller for Vice-Chairman.

Vote: AYES:

Arlen Flax	Jerry Sonntag	Ralph Augustine
Dale Befort	Tim Jacobs	Dave Schoendaller
Roger Mettlen		

**8: Other: INTRODUCTION OF NEW INSPECTOR** Jesse Rohr introduced the new full time inspector, Mike Schlyer, that will be covering for Curtis Deines during his deployment with the Navy.

**9: Other: ADJOURNMENT:** Chairman Jerry Sonntag adjourned the meeting at 6:20 p.m.

Submitted by: Linda K. Bixenman  
Administrative Secretary  
Planning, Inspection and Enforcement

**Northwest Kansas Community Corrections  
Governing Board Meeting Minutes  
March 14, 2013  
Oakley, Kansas**

Present were: Ken Badsky, Bryan Byrd, Tom Drees, Byron Hale, Bill Jones, Stacie Minson, Robert Paxson, Larry Poore, Orvella Romine, Mike Smith, Ron Speier, Koran Thadani (phone), Richard Thompson, Daniel Thornton, Mahlon Tuttle, Pelgy Vaz, Barb Wasinger

Excused were: Sue Evans, Karen Griffiths, Michael Kirchoff, Richard Ress, Sue Rouse, Mary Ellen Welshhon

Absent were: Bruce Buck, Judge Pat Carroll, Judge Paula Hofaker

Roll call was taken and there were seventeen board members present that included one board member by phone; six board members were excused; three board members were absent.

Director Trembley started the meeting explaining the sex offender data on the slides. The first six months, sex offenders are on the highest level. There is mandatory home visits and surveillance. A polygraph is done every six months and sex offenders are required to register. The Kansas Bureau of Investigation uses the computer system. NWKCC has to determine residence and registration. Some of the sex offenders are on federal parole. NWKCC was notified three weeks ago that the sex offender counselor was quitting. KDOC approached NWKCC to start video communication with sex offenders. There is not a counselor close to take over the program. Ray Dreher did a presentation and let the board know the necessity to keep on top of the sex offenders activities. The therapist is out of Manhattan. Dreher will get a new laptop with cameras and equipment needed to monitor the sex offenders. The therapist would be provided to offenders who need this service and offenders would have the same therapist. Ray's main concern is public safety. The officer is there before and after the meeting. Dreher will continue to get his notes. Mr. Dreher had 100% of the offenders passing the polygraph tests. Monday, March 18<sup>th</sup> will be the first day. Anyone can get online to see where sex offenders are living and if they are on supervision. Offenders that were on prior to 1994 were not required to be on the website.

Chairperson Stacie Minson introduced the new board members. Barb Wasinger replaced Glenn Diehl and Richard Thomson replaced John Miller. Koran Thadani was contacted by phone and replaced Kari Gilliland.

Lisa Thornton, the NWKCC Peer Mentoring Coordinator, gave a presentation on the mentor program. There was \$30,000.00 supervision funds allocated to NWKCC for services through the program. Lisa is very positive about this program. For every offender released from prison who wants a peer mentor to help him/her get back into the community, Lisa tries to find a match for that offender. Norton Correctional Facility now has five mentors and there are four mentors in the Hays area. Prior to this program,

people did not want to associate with released offenders. There is a minimum of one meeting per month with the mentor and the offender. This program also focuses on keeping the community safe. Thornton asked the board to contact her if they wanted to be a mentor or knew anyone else who would like to be a mentor. It is a volunteer program and the parolee must ask for the mentor.

Director Trembley provided BIP data. NWKCC and FES received full certification from the Kansas Attorney General's office. The certification is through 2014. Daren Organ told the board that Tom Runge has helped his office and offenders with this program as well. Director Trembley told the board that the money offenders pay for BIP has to be expended each year. Director advised that the money offenders pay for the program is used for the match money needed for the program. Director told the board the total FY14 grant award was \$46,667.00. The award amount was \$35,000.00 with \$11,667.00 match. Director requested a motion to accept the FY14 VAWA. Tom Drees made a motion to accept this motion and Barb Wasinger seconded the motion and the motion carried.

Director Trembley then went over the Community Corrections State Director Report. Director Trembley is on the advisory committee. The committee meets with Secretary Roberts often. Director also discussed the methamphetamine and the mental health data with the board.

Daren Organ went over the cognitive-behavior program. The program is focused on getting the offenders to think differently. The offenders also get extra services and programs to support successful completion. Daren told the board that Judge Shiffner loves the program and has been ordering offenders to complete the program at sentencing if ordered by NWKCC.

Director told the board that the numbers of offenders in substance abuse treatment out of the 17<sup>th</sup> Judicial District is down. Director explained that if NWKCC does not continue to get the Byrne grant that the substance abuse treatment program in the Norton office would be closed. Director explained that if NWKCC has the close the office, the chances of getting funding for the program are not good.

Director went over the caseloads of the officers. Caseloads are as high as they have ever been. In 1997, ADP was 98 on corrections and 50 on parole. There were five offices and seven officers. Presently NWKCC has three offices and six officers. NWKCC is now the ninth largest community corrections program in the state with an ADP of 212. Director asked Daren Organ to address the Board about his caseload number and what he is facing in the future. Daren was very thankful to have the help of Ray Dreher from the Norton office and Grant Pfannenstiel from the Hays office. The help from these two officers has released some of the stress level.

Stacie Minson will do the Directors evaluations the same way as in 2012. Survey Monkey will be utilized for the surveys. Chairperson Minson asked that both Adult and Juvenile Directors update the list of agencies, judges and board members to be contacted.

A motion was made to accept Survey Monkey for the surveys. Dan Thornton made a motion to accept and Mike Smith seconded the motion and the motion carried.

Ken Badsky made a motion to adjourn the meeting for NWKCC and Daniel Thornton seconded the motion and motion carried.

The next board meeting will be held June 13, 2013 in Hays, Kansas at 4:00pm.



Downtown Hays Development Corporation  
May 8, 2013 Meeting Minutes

May 8, 2013

11:30 a.m. – Gella’s Diner & Lb. Brewing Co.

Attendees: Chris Wentte, Sandy Jacobs, Sarah Cearley, Andrew Rupp, Henry Schwaller, Eddie Perrett, Elodie Jones, Karen Dreiling, Traci Stanford

Absent: Stacey Smith, Michele Flax, Pam Joy, Michael Billinger

Guests: None

CALL TO ORDER: President Sandy Jacobs called the meeting to order.

PUBLIC COMMENT: Jana at the Hays CVB has done some advertising for Downtown. Traci passed around these publications – including Farmer’s Market. Eddie announced he took a new job as the Director of Finance at TMP. Komen Race this weekend, still time to register. Sarah Cearley announced she will take over Simply Charmed July 12<sup>th</sup>.

CORRESPONDENCE: Bill Overbey is no longer on the board due to board attendance. Sandy read a note from him, and the board expressed their thanks for his dedication on the board for the last few years. Sandy will speak with John Jeter about another representative to serve on the board.

APPROVAL OF MINUTES: Chris Wentte motioned. Andrew Rupp seconded.

TREASURER’S REPORT: Eddie – Reference Financial Statement. Payroll under budget – Jen low hours. Technology will go up once kinks worked out (low now). Henry motioned. Karen seconded. No past due invoices. Karen - Traci make plan to step out for partnership fundraising come this fall.

ECC REPORT: Karen – Recycling company will be constructing by Pathology Place. Henry – Grocery go into Hamm’s True Value. Karen – Salina Steel thinking about coming to Hays (recyclable metal, etc.)

CURRENT BUSINESS: Gateway Marker: Put up gateway marker prototype for commission to see, 17<sup>th</sup> & Main. City of Hays Funding Request: City funding request is 6/6/13, plan to attend. Summer Interns/TGOF: 2 interns, Becca Kohl & Leah Shriwise, both from FHSU. Working on Core to Campus Kick-off Event. Initiative in business community (TGOF) They will start to report on progress and BOD meetings.

NEW BUSINESS:

Assistant: Traci passed around the resignation letter from assistant Jennifer Helfrich. Traci accepted her registration and will start the process of hiring new.

## COMMITTEE UPDATES:

**Physical improvements:** Michele's update came per her email. **Downtown Hays Market:** Traci – 1 resume, 1 vendor for DHM so far. Will open on June 8<sup>th</sup> in the 10<sup>th</sup> street parking lot.

**Branding/Marketing:** Sarah: Website up by end of month. Looking at e Billboards on interstate. Henry offered land for Billboard on HWY 183 by Frontier City. **Event/Fundraising:** No Wines & Steins news. BBB – No major changes, finalizing sponsorships/contracts, looking into storage trailer – no expense to DHDC, just in DHDC name. **Partnership Program:** Karen: Traci, make plan to step-out for Partnership Program in the fall.

## ANNOUNCEMENTS & ACTIVITIES

May 8 – May 20 – Traci out of the office.

Blues, BBQ and Bargains Meeting – May 20th – 5:30pm at the Welcome Center

Leadership Hays Recognition – May 31st – Noon at the Smoky Hill Country Club

DHDC Executive Board Meeting – June 3rd – 4:00pm at the Welcome Center

City Commission Meeting – Funding Request – June 6th – 6:00pm at City Hall

DHDC June BOD Meeting – June 12th – 11:30am at the Welcome Center

## ADJOURN

**HAYS AREA BOARD OF ZONING APPEALS**  
**COMMISSION CHAMBERS IN CITY HALL**  
**MINUTES**  
**May 8, 2013**  
**8:15 A.M.**

**1. CALL TO ORDER:** The Hays Area Board of Zoning Appeals met on Wednesday, May 8, 2013 at 8:15 a.m. in Commission Chambers of City Hall. Chairman Lou Caplan declared that a quorum was present and called the meeting to order.

Present: Lou Caplan Gerald Befort Jerry Sonntag

City Staff Present: Jesse Rohr, Superintendent and Linda Bixenman, Administrative Secretary of Planning, Inspection and Enforcement

**2. MINUTES:** There was a motion by Jerry Sonntag with a second by Gerald Befort to approve the minutes from the April 10, 2013 meeting.

Vote: Ayes: Lou Caplan Gerald Befort Jerry Sonntag

**3. CASE #05-13 AARON J & ROCHELLE L WERTH - 1607 OAKMONT Variance Request ZONED "R-1":** Jesse Rohr presented the above property on the overhead visual.

Aaron & Rochelle Werth came before the board to request a 6 foot variance to reduce the west side yard building setback from the required 9 feet to 3 feet to construct a 16 foot by 22 foot attached third car garage. Because there is not an alley and undeveloped land abuts their backyard; they could not construct a garage in their backyard.

Lou Caplan asked if there were any comments from the audience. There were no comments from the audience.

Lou Caplan asked how far away the existing garage was away from the west side yard property line. It was answered that it was 19 feet.

Jerry Sonntag asked why they wanted the oversized garage that requires a greater setback than a standard size garage. He also asked if they considered moving the garage back further. He emphasized that a side yard setback of 3 feet was too close to the property line. He explained that he would consider a lesser variance to construct a standard size garage.

Mrs. Werth answered that the reason for the larger garage is to utilize the extra space for storage. The garage could not be pushed back because of the kitchen window.

Lou Caplan and Jerry Sonntag explained that they would not want to set precedence with this great a variance; it was implied that it would not meet the five statutory requirements; specifically that it is created by an action of the property owner. Jerry

Sonntag recommended a 3 foot variance to build a standard size garage to reduce the west side yard building setback from the required 9 feet to 6 feet. The Werth's stated that they would accept the lesser variance.

There was a motion by Lou Caplan with a second by Gerald Befort to grant a 3 foot variance to reduce the west side yard building setback from the required 9 feet to 6 feet on the property of 1607 Oakmont to construct a standard size attached third car garage based on the consideration it does meet the five statutory requirements.

Vote: Ayes: Lou Caplan Gerald Befort Jerry Sonntag

**3. CASE #06-13 BROTHERS PROPERTIES LLC & HADLEY REDEVELOPMENT LLC - Lot 17 and East Half of Lot 15, Block 4 H P Wilson Addition Variance Request ZONED "C-2":**

Jesse Rohr presented the above property on the overhead visual.

Don G Bickle Jr. and Tim Bickle, potential buyers of above property, presented their application request for a 24 foot variance to reduce the east front yard building setback from the required 35 feet to 11 feet and a request for a 26 ½ foot variance to reduce the south front yard building setback from the required 35 feet to 8 ½ feet to construct a commercial storage building. They have completed three different expansions over the years as their business has continued to grow.

Don Bickle Jr. explained the need for a warehouse to store the over stock supplies for their business. He explained the different options they considered before they decided on the subject property.

He said they had approached Jesse Rohr explaining of their plan to construct a structure to store their overstock items. The lot they were interested in was not large enough for the proposed structure. He commended Mr. Rohr for pointing out an option to them that they could try asking the owner of the adjoining lot (same owner) if they would want to sell half of that lot. The owner was willing to sell half of the adjoining lot; thus the plan to construct a commercial storage building that would accommodate easy transport of the supplies to their business across the alley. They hope to make a concrete alley.

The proposed structure would line up with the structures on the adjoining lots. Because 7<sup>th</sup> Street is a one way street west bound, the location of the building would not impede the view of traffic at the intersection.

Lou Caplan asked how it would line up to the south. He also asked if there would be a loading dock. Mr. Bickle and Jesse Rohr answered that it would line up with the Hadley Building; it would not be as far south as the fence sets on Lot 17. Mr. Bickle stated that there will be a loading dock on the back facing the alley.

Gerald Befort asked the height of the building and if it would be a 7500 sq foot building. He asked if there was any problem with the building being built up to the west property line. Mr. Bickle answered that it would be a 7500 foot building roughly 22

feet tall. He explained that Spec Woods is the architect for the project. Jesse Rohr answered that they would need fire rated construction on the west side of the building.

Jerry Sonntag asked if access would be from the alley. He also asked if there had been any public response regarding the public notification of the public hearing for this request. Mr. Bickle explained that there would be zero public access to the building. There would be an entrance from the north. Jesse Rohr added that there had not been any public response from the public notification from this request.

Lou Caplan asked if there was anyone in the audience for comments.

The owner of Advanced Land Surveying stated that they were handling the survey work for the project and attended the public hearing in case there were any surveying questions.

There was a motion by Jerry Sonntag with a second by Gerald Befort for the board to grant a 24 foot variance to reduce the east front yard building setback from the required 35 feet to 11 feet and a 26 ½ foot variance to reduce the south front yard building setback from the required 35 feet to 8 ½ feet to construct a commercial storage building on Lot 17 and the east half of Lot 15, Block 4, H.P. Wilson Addition, the general location is being 300 block of E 7<sup>th</sup> Street based on the consideration it meets the five statutory requirements.

Vote: Ayes: Lou Caplan Gerald Befort Jerry Sonntag

The board adjourned at 8:40 a.m.

Submitted by: Linda K. Bixenman, Administrative Secretary,  
Planning, Inspection and Enforcement



**HAYS RECREATION COMMISSION  
REGULAR MEETING  
May 15, 2013**

Chair called the meeting to order at 12pm.

**Roll Call**

Chair	Todd Lynd
Vice-Chair	Jeff Briggs
Commissioner	Nancy Jeter
Commissioner	Lynn Maska
Superintendent	Roger Bixenman

Secretary Mark Junk was absent.

**Approval of Agenda**

Motion by Nancy Jeter to approve the May 15, 2013 agenda. Second by Jeff Briggs. Motion carried 4-0.

**Approval of Minutes**

Motion by Nancy Jeter to approve the minutes of the regular meeting for April 17, 2013. Second by Lynn Maska. Motion carried 4-0.

Motion by Nancy Jeter to approve the minutes of the special meeting for April 23, 2013. Second by Lynn Maska. Motion carried 4-0.

**Audience Participation**

Melissa Romme-ABB&B discussed with the board the financials year to date.

**Written Communication**

Thank you letters were shared with the board.

**Finances**

*Financial Statement*

Motion by Nancy Jeter to approve the financial statement for April 2013. Second by Lynn Maska. Motion carried 4-0.

**Staff Reports**

**Sports Director**

Information was shared with the board concerning sports.

**Program Director**

Information concerning all programming was shared with the board.

**Aquatics Director**

Information was shared with the board concerning aquatics.

**Wellness Director**

Information was shared with the board concerning wellness.

**Sports Complex Director**

Information was shared with the board concerning the sports complex.

**Superintendent**

Information was shared with the board concerning information items which included progress on facility planning, time clock system and additional maintenance building at the Bickle/Schmidt sports complex. It was discussed that the Superintendent put together a presentation along with staff explaining the needs for additional programming space.

**Unfinished Business**

No Unfinished Business

**New Business**

No New Business

**Board Member Reports**

No Reports

**Other Action**

None

**Executive Session**

None

**Adjournment**

Motion by Nancy Jeter to adjourn the meeting. Second by Jeff Briggs. Motion carried 4-0.

Respectfully submitted,

Roger Bixenman CPRP  
Superintendent

**HAYS BEAUTIFICATION COMMITTEE**  
**Minutes of May 16th, 2013 Meeting**

**Members Present:** Carol Heiman, Joni Phelps, Linda Stahlman, Marlis Fletcher, Judy Dawson

**Ex-officio Present:** Jeff Boyle, Jim Strine

**Members Absent:** Glenn Cox, Vaughn O'dea,

**Ex-officio Absent:** Holly Dickman, Jo Ann Schroller

Special Guest: City of Hays Mayor Kent Steward, City Commissioner Eber Phelps

Jeff Boyle started the meeting by announcing the resignation of Vaughn O'dea & Glenn Cox from HBC do to changes in their work schedules.

We discussed attendance of current committee members and lack of committee members and how these factors affect the productivity of the committee. We came up with some possible groups we could approach such as Commissioner Phelps suggested talking with FHSU student groups and other committee members mentioned several other groups that could be approached.

It was suggested that HBC change or discontinue some current projects and focus on other projects. We would have to re write resolution and send to commission for approval (Mayor Steward mentioned his support for revamping of projects

After a late arrival by Judy Dawson we were able to approve minutes from November meeting with one change in Redbud report: from 244 total students to 244 total 5<sup>th</sup> grade students"

In closing, Jeff asked all the committee members to pursue active recruiting for prospective committee members.

Meeting was adjourned.

Next meeting will be June 20<sup>th</sup>, 2013

**Joni Phelps,**  
**For the HBC**



**HAYS AREA PLANNING COMMISSION  
CITY HALL IN COMMISSION CHAMBERS  
May 20, 2013  
MINUTES  
6:30 P.M.**

**1. CALL TO ORDER:** The Hays Area Planning Commission met in regular session Monday, May 20, 2013 at 6:30 p.m. in Commission Chambers at City Hall. Chairman Larry Gould declared that a quorum was present and called the meeting to order.

**Present:** Larry Gould Terry Claycamp Jim Fouts  
Paul Phillips Tom Denning Pam Rein

**Absent:** Jake Glover Lou Caplan (Emery Jennings resigned to be allowed to continue to advocate as agent for his client so not to create a "Conflict of Interest" as a member of the Planning Commission).

City Staff: John Braun, Assistant Director of Public Works, Jesse Rohr, Superintendent of Planning, Inspection and Enforcement, Nick Willis, Stormwater Superintendent and Administrative Secretary Linda K. Bixenman.

**2. MINUTES:** There was a motion by Paul Phillips with a second by Tom Denning to approve the minutes from the April 15, 2013 meeting

The Minutes were approved by consensus.

**3. CITIZEN COMMENTS:** - Stephen Lewis, 1608 W 28<sup>th</sup> Street, came before the commission to voice his concern that there may be plans for a multi-family housing development in the flood plain that sets south of his property. Because structures built within the 100 year flood plain are to be built one foot above the flood zone, he was concerned there would be a dam affect at his property from the Big Creek area.

Jesse Rohr answered that there has not been anything come before his desk at this time regarding this property. He explained that the property is within the 3 mile exterritorial zone; although it is not in the City Limits. It is zoned "R-4" Multi-Family Housing District and is in the 100 year flood plain. If there would be the proposal for a development, it would have to meet all the stormwater requirements.

He and Larry Gould explained that if there would be a rezoning classification request, property owners within 1,000 feet of the subject property would be sent notification of a public hearing for this request. If there would be an application for a plat or annexation, he would want to watch for the Planning Commission and City Commission agenda items.

**4. CITY/COUNTY COMMISSION ACTION & PLANNING & DEVELOPMENT ISSUE**

**UPDATES:** Jesse explained it would be in association with Agenda item # 7 regarding the Luecke development.

**5. REZONING CASE # 13-03Z - PUBLIC HEARING FOR A REQUEST OF CHANGE OF ZONING CLASSIFICATION FROM "A-L" AGRICULTURE TO "R-2" SINGLE FAMILY DWELLING DISTRICT ON THE PROPERTY PROPOSED TO BE GOLDEN BELT ESTATES FIFTH**

**ADDITION:** Jesse Rohr presented the location of the property requested to be rezoned as listed above on the overhead visual.

Chairman Larry Gould explained that because of the Open Meetings Act by Kansas Law, the first part of the hearing would be the public hearing on this request. After the public hearing, it will be closed for the commission members to discuss the issues relative to this request to make a substantive motion for a recommendation to the City Commission.

Chris Wente, President of Western Plains Service Corporation, presented the application to request a change of zoning classification from "A-L" Agriculture to "R-2" Single Family Dwelling District on the above property located between Vista Dr and Larned Circle. The zoning would be consistent with the zoning of the surrounding property. There is a proposed plat on this property consisting of 34 lots.

Larry Gould asked if there was anyone in the audience opposed to the rezoning request. There were no comments.

Larry Gould asked if there was anyone in the audience in favor of the rezoning request. There were no comments.

Larry Gould asked for Staff Findings of Fact.

Jesse Rohr presented the Staff Findings of Fact. He explained that this is the last tract of a development started 20 plus years ago. The surrounding zoning classification is "R-2" Single-Family Zoning Classification with some zoned "R-3" Two-Family Zoning Classification. The rezoning would be compatible with the surrounding zoning classifications and consistent with the Comprehensive Plan. Based on those considerations, staff does recommend approval of this rezoning request.

Property owners within 1,000 foot radius of the subject property were sent notification of the public hearing. There had been no response from them.

There was a motion by Paul Phillips with a second by Jim Fouts to concur with Staff Findings of Fact.

Vote: Ayes Pam Rein	Terry Claycamp	Jim Fouts
Paul Phillips	Tom Denning	

Abstention: Larry Gould – Conflict of Interest

Larry Gould closed the public hearing. He explained to the audience that because of the Open Meeting Act by Kansas Law, after the public hearing the commission members discuss issues relative to this request to make a substantive motion for a recommendation to the City Commission.

He pointed out the considerations the commission is to consider for a rezoning request.

There was a motion by Jim Fouts with a second by Paul Phillips to recommend to the City Commission to approve the request of change of zoning classification from "A-L" Agriculture to "R-2" Single-Family zoning classification on a tract of land in the SE/4 of Section 20-T13S-R18W (10.935 Acres - See Legal) based on the consideration it is in conformance with the Comprehensive Plan.

Vote: Ayes Pam Rein Terry Claycamp Jim Fouts  
Paul Phillips Tom Denning

Abstention: Larry Gould – Conflict of Interest

**6. PRELIMINARY PLAT CASE # 13-04P - CONSIDER PRELIMINARY PLAT OF RAG ADDITION – ZONED "C-2" GENERAL COMMERCIAL & SERVICE DISTRICT (EAST OF VFW ON 22<sup>ND</sup> ST – TRACT SW/4 OF S34-T13S-R18W):** Jesse Rohr presented the proposed preliminary plat of the property on the overhead visual. The land lays south of 22<sup>nd</sup> Street east of the Veterans of Foreign Wars parking lot property and the Pizza Hut at 22<sup>nd</sup> and Vine. It is zoned "C-2" Commercial and Service District. It is a unique property with the odd-sized parcels.

The plat has been reviewed by the Utility Advisory Committee and City Staff.

This case was tabled at the 04-15-2013 Planning Commission Meeting.

As per the commission, since it was a non-debatable motion from the April 15, 2013 meeting, it was taken off the table to consider the above preliminary plat.

Ralph Augustine, partner of RAG Addition, presented the preliminary plat application for the above property. He explained they would like to have the lots platted so they can do something with the land.

Paul Phillips asked about access and parking for the five lots. Jesse Rohr explained there is a thirty foot access easement through the middle of the lots similar to an extended driveway providing access for all five lots. It will not be a city street. Because the property is zoned commercial, the parking would have to be off-

street parking provided for on the subject lots. The lots can be developed individually.

Ralph Augustine added that the 30 foot access would be paved.

Jim Fouts asked how they accessed the property now. Ralph Augustine and Jesse Rohr answered that they access the property on a gravel path from the east and west side.

Larry Gould asked if there were any concerns by the Utility Advisory Committee. Jesse Rohr answered that the plat had gone before the Utility Advisory twice. It was confirmed that the easements for the gas and electric are in place. Water is already there. The sanitary sewer will be fed from the east to serve the lots accordingly.

Larry Gould reminded the Commission this was a preliminary plat.

There was a motion by Jim Fouts with a second by Tom Denning to approve the preliminary plat of the RAG Addition (Tract of Land in SW/4 of S34-T13S-R18W – See Legal)

Vote: Ayes	Larry Gould	Terry Claycamp	Jim Fouts
	Paul Phillips	Tom Denning	Pam Rein

**7. FINAL PLAT #13-05F - CONSIDER FINAL PLAT OF LUECKE ADDITION – TRACT IN NW/4 OF S27-T13S-R18W (EAST OF 41<sup>ST</sup> STREET, EAST OF SHERMAN):**

Jesse Rohr presented the proposed preliminary plat of the property on the overhead visual. The land lies east of Sherman Avenue; East of 41<sup>st</sup> Street.

He explained that City Staff recommends that the plat be tabled until the rezoning would be acted upon at the Planning Commission meeting. Per the May 16, 2013 work session, the City Commission plans to send the rezoning requests back to the Planning Commission for further discussion specifically the "C-2" rezoning request because it does not seem to be considered in conformance with the zoning of nearby property since there is a tract of land zoned agriculture abutting this tract within the proposed plat.

City staff will check if there will need to be another public hearing.

Larry Gould explained the letter that was received by the Planning Commission from the City Attorney stating that a member of the committee could not advocate for an applicant as was done at the public hearing for the rezoning request of the subject property. Chairman Gould stated that he felt there could be procedural problem at the public hearing and would have asked the City Attorney. To regain the public confidence, Larry Gould suggested to the commission to open back up the public hearing for the rezoning request since the

requests were coming back before the commission. The commission concurred to reopen the public hearings for the rezoning requests.

Jesse Rohr explained that Emery Jennings has submitted his resignation as a member of the Planning Commission to act as agent for Mr. Luecke.

Emery Jennings, agent for the applicant and Planning Commission member, explained that he had submitted his resignation as a member from the Hays Area Planning Commission to Jesse Rohr, Dr. Larry Gould, the Mayor and the City Manager so he could continue to represent his client, Mr. Luecke. He explained that he was not allowed to wear two hats, one as an advocate and the other as a Planning Commission member.

There was a motion by Paul Phillips with a second by Tom Denning to table the application request for the final plat of the above listed Luecke Addition to allow the rezoning to be acted upon by the Planning Commission before the recommendation on the final plat. – (See Legal on proposed final plat)

Vote: Ayes	Larry Gould	Terry Claycamp	Jim Fouts
	Paul Phillips	Tom Denning	Pam Rein

**8. CONSIDER CHANGES TO THE STORMWATER REGULATIONS AND RELATED ZONING AND SUBDIVISION REGULATIONS:**

Jesse Rohr used the overhead visual to present the additions and edits to consider for the Zoning and Subdivision Regulations associated with the stormwater regulations and housekeeping issues. They had a meeting with the City Attorney on the recommended changes.

The Stream Buffer Ordinance will be reviewed at another meeting after the City Attorney has had a chance to review the ordinance.

Jesse Rohr stated that he welcomed any questions and comments from the commission. They began with the subdivision regulations:

The definition for “Best Management Practices” was added to the regulations.

Allow green space to act as the drainage reservation if it is approved through an engineered plan.

Elimination of overhead utilities that run parallel with the drainage easement; although with further study and engineering it may be considered to allow underground utilities constructed below the channel.

Tom Denning asked how that would apply to the three mile zone where there are above ground utility lines along the ditches. Jesse Rohr explained that it would not apply along ditches in the 3-mile zone unless the land is planned for development in some manner that would require implementation of the zoning and subdivision regulations.

Nick Willis added that the Stormwater Best Management Practices will be part of the development process.

Jim Fouts pointed out that the stormwater improvement would have to be reflected on the final plat.

Per Chapter 59, Section 104, Larry Gould pointed out the low-priced filing fee for a preliminary plat was \$100.00 and no more than \$200.00. He did not want to create a burden to the developer, but the amount of effort and time put in by City Staff would be worth more than that. He would recommend that the filing fee be raised. Jesse Rohr stated that he could get comparisons of the filing fees from other jurisdictions for more information to base a recommendation.

Larry Gould pointed out the importance of educating the public of the stormwater management. He encouraged City Staff to use messaging as a way to keep the public informed. Nick Willis answered that they are educating the public with the educational means provided thru Kansas State University. Jesse Rohr pointed out that the main burden for knowledge of this information falls on the engineers and surveyors. City Staff works closely with them to make them aware of what is required in the development process.

The next part was the review of the zoning regulations.

They cleaned up the language associated with public water and sanitary sewer to reference the state regulations.

Per Section 71-727 (11) Paul Phillips asked about the regulations associated with the permitting of renting of rooms in all residential zoning districts. After discussion among the commission and City Staff, it was determined to keep this section and clean up the verbiage.

Per Section 71-727 (12), the commission concurred with City Staff to delete the section on storage and handling of chemicals. Nick Willis explained that this predates what is now under the regulations of the Department of Agriculture.

Per Section 71-758 on surfacing; an addition was added that would encourage the use of the benefits of impervious surface for percolation. Nick Willis stated that some use this method for fire lanes and also to meet the stormwater requirements. Paul Phillips voiced a concern that residents may also consider using this method.

Per Section 71-1148 on the regulatory procedural guide, in regard to the deletions considered, Larry Gould suggested it can be forwarded to the Planning Commission if there are any inconsistencies.

Per Section 71-1173 on the submission of a site plan prior to the issuance of a site plan would include a revision for clarity of this statement. Larry Gould suggested making it more of a positive statement.

Jesse Rohr stated that the plan would be to set a public hearing in July, 2013 for the public hearing to be August 19, 2013.

**9. OTHER: 41<sup>ST</sup> AND HALL** Pam Rein noted that the fences were being relocated further back at 41<sup>st</sup> and Hall. She asked if it was in association with the reconstruction of 41<sup>st</sup> Street. She asked if the bridge north of 41<sup>st</sup> and Hall would be widened. She asked of the status of the amount of traffic at that intersection. John Braun explained the agreements for right of ways with the landowners that are in association with the reconstruction of the intersection of 41<sup>st</sup> Street and Hall. He answered that per KDOT, it is not in the plans to widen the bridge over Interstate at this time. They do have the traffic study from this intersection.

**10. OTHER: 27<sup>TH</sup> AND HALL:** Paul Phillips noted that there was a bottleneck affect at the intersection of 27<sup>th</sup> Street and Hall for about a 15 minute interval that he was aware of slightly before and after 8:00 a.m. John Braun stated that the traffic signals carry the identical amount of traffic if the amount of traffic is the same going both ways. With this being a 15 minute affect each day, he did not foresee any changes to the intersection other than the restriping of 27th Street to three lanes on east side of the intersection.

**11. OTHER: 13<sup>TH</sup> AND HALL:** Larry Gould commended the traffic light set up at 13<sup>th</sup> and Hall of the optimal productivity how the traffic keeps flowing.

**12. OTHER: 45<sup>TH</sup> AND HALL:** Larry Gould stated that he had received comments from residents about the intersection at 45<sup>th</sup> and Hall that there is an "accident waiting to happen at that intersection".

The meeting was adjourned at 8:20 p.m.

Submitted by: Administrative Secretary,  
Planning, Inspection and Enforcement



Great Lakes Airlines On-Time Report

Jun-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	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			L	x	x	x	x			x	x	x	x	x			C	x	x	x											86%	7%				7%
645			L	x	x	x	x			x	x	x	x	x			x	x	x	x											93%	7%				
1016			x	C	L	x	x			x	x	x	x	L			x	x	x	x											79%	14%				7%
1026			L	C	L	L	x			x	x	L	L	L			L	x	x	L										36%	50%	7%			7%	
1311			x	x	x	x	x			L	x	x	L	x			x	L	x	x										79%	7%	7%			7%	
1321			x	x	x	x	x			L	L	x	L	L			x	L	x	x										64%	21%		7%		7%	
1425			x	x	x	x	x			C	x	x	C	x			x	L	x	x										79%	7%				14%	
1435			x	x	x	x	x			C	x	x	C	x			x	L	x	x										79%	7%				14%	
1626			L	x	x	x	x			x	L	x	x	x			L	L	x	x										71%	7%	7%			14%	
1636			L	x	x	x	L			x	L	x	x	x			L	L	x	x										64%	14%	7%			14%	
2156			x	x	x	x	x			x	x	x	L	L			x	x	x	x										86%	14%					
2206			x	x	x	x	x			x	x	x	L	L			x	x	x	x										86%	14%					
Saturday																																				
715	x							x							x															100%						
725	x							x							x															100%						
1250	x							x							x															100%						
1300	x							x							x															100%						
1406	x							x							x															100%						
1416	x							x							x															100%						
1931	x							L							L															33%	33%	33%				
1941	x							L							C															33%	33%				33%	
Sunday																																				
845	x							x							C															67%					33%	
855	x							x							x															100%						
1250	x							L							x															67%					33%	
1300	x							L							x															67%					33%	
1626	x							x							L															67%		33%				
1636	x							x							L															67%		33%				
2156	x							x							L															67%					33%	
2206	x							x							C															67%					33%	

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

<b>Average</b>	<b>75%</b>	<b>12%</b>	<b>3%</b>	<b>0%</b>	<b>4%</b>	<b>5%</b>
<b>Total Flights - 216</b>	<b>163</b>	<b>26</b>	<b>7</b>	<b>1</b>	<b>9</b>	<b>10</b>
<b>Percentage of flights delayed or canceled</b>	<b>25%</b>					

On time means <= 15 minutes