

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON FEBRUARY 27, 2020

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, February 27, 2020 at 6:30 p.m.

Roll Call: Present: Shaun Musil
Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick

Mayor Musil declared a quorum was present and called the meeting to order.

2. MINUTES: There were no corrections or additions to the minutes of the regular meeting held on February 13, 2020; the minutes stand approved as presented.

3. FINANCIAL STATEMENT: Finance Director, Kim Rupp, reviewed the financial summaries of the revenue and expenditure activities of the City of Hays for the month ended January 31, 2020.

Month-to-date general fund sales tax collections were at \$638,563, which was an increase of \$5,329 or .84% as compared to last year. The six month average is at 5.01% which is an increase of 2.2% when compared to a year ago.

The report of top ten quarter-to-date sales tax collections by classification was up \$271,424 or 14% when compared to the same time last year. The largest increase among them was in supermarkets, convenience and liquor stores at an increase of 40%. One segment in particular reported a very large increase in January 2020 indicating a great Thanksgiving for them. These top ten represent 77.7% of the total sales tax collections for the quarter.

The portfolio of certificates of deposit on January 31, 2020 totaled \$59,550,000 with a weighted average interest rate of 2.11% down .27% from a

year ago. The total of US Treasuries at par value is now \$1,477,000 with a weighted average yield to maturity of 1.59%. The total balance of the Money Market account on January 31, 2020 was \$2,250,000 with a current yield of .90%. Total investments are down \$1,176,000 when compared to this time last year.

Ron Mellick moved, Sandy Jacobs seconded, to approve the Financial Statement for the month of January, 2020 as presented.

Vote: Ayes: Shaun Musil

Sandy Jacobs

Mason Ruder

Michael Berges

Ron Mellick

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: The following appointments were recommended by Mayor Musil at the February 13, 2020 City Commission meeting and are now being presented for approval.

Hays Area Board of Zoning Appeals

Brian Garrett (resides in city limits) – term to expire May 1, 2022 (1st term)

Russell Koenigsman (resides in city limits) – term to expire May 1, 2021 (1st term)

Hays Area Planning Commission

Ralph (Bernie) Gribben (three mile radius) – term to expire April 30, 2022 (1st term)

Sandy Jacobs moved, Mason Ruder seconded, to approve the Consent Agenda as presented.

Vote: Ayes: Shaun Musil

Sandy Jacobs

Mason Ruder

Michael Berges

Ron Mellick

NEW BUSINESS

6. WATER CONSERVATION UPDATES AND 2020 PROGRAMS: Holly Dickman, Water Conservation Specialist, provided an update to the Commission on the Water Conservation Program and results from 2019.

According to the Ag Research Center, 2018 was the third wettest year in Hays on record with 37.55” of precipitation and 2019 is still above average with 31.02”. Ms. Dickman stated we are in good shape, but reminded everyone that things can change quickly.

Ms. Dickman stated the toilet rebate program was by far the most popular program of 2019 with 347 toilets being replaced. \$50,000 was budgeted for toilet rebates and \$37,820 was paid out. Potential water saved based on an average household of 2.2 people/5.5 flushes per day with a 2.76 gallon per flush toilet being replaced with 1.28 gallon per flush toilet would save 2,721,801 gallons or 8.3 acre feet.

City Manager, Toby Dougherty, noted that to add an additional acre foot of water would cost the City approximately \$15,000 per acre foot so to save 8.3 acre feet with a \$37,000 investment that is a pretty good deal for the City. Ms. Dickman added that based on \$15,000 per acre foot; there is a potential water source cost savings of \$124,500. She also reviewed the results of the washing machine and turf conversion rebate programs and the showerhead replacement program.

Ms. Dickman reviewed the educational outreach programs that are in place. They use traditional and digital media, the City website, water festivals, Water World Day, school visits, and other speaking engagements. She shared some of the digital ads that were used in 2019 through various outlets. She stated social media is a necessary form of communication these days. Facebook, Twitter, and Instagram are being used, and this is a great way to share information regarding water conservation, water leaks, and upcoming events. She added that they will continue to look for new ways to save water and educate citizens on how to do that.

Mayor Musil stated they are asking people to conserve water in a very positive way and he appreciates that.

7. GOLF COURSE MOWERS PURCHASE: Jeff Boyle, Director of Parks, reported the Fort Hays Municipal Golf Course has two 2010 Jacobsen Greensking mowers that are used daily to mow the greens at the Fort Hays Municipal Golf Course. These units are on an eight year replacement schedule and were originally budgeted for replacement in 2018. City staff bumped the replacement of these units for an additional two years and rescheduled them for replacement in 2020. The hydraulics on both units are wearing out and have become very slow to pick up and set down, which is important when the operator approaches the edge of the greens.

An amount of \$53,664 (\$26,832 for each mower) is budgeted in the 2020 New Equipment Reserve Budget for the purchase of these mowers. Because of the large investment that the City has in various reel attachments for this brand of mower, staff is recommending that the two new mowers be the same brand and model so that the parts continue to be interchangeable between the mowers. Kansas Golf and Turf is the sole source provider of Jacobsen mowers in the State of Kansas.

Mason Ruder moved, Michael Berges seconded, to approve the bid from Kansas Golf and Turf for two Jacobsen Greensking IV mowers for an amount of \$53,320 from the New Equipment Reserve Budget.

Vote: Ayes: Shaun Musil
Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick

8. STREET MAINTENANCE PROGRAM – AWARD OF BIDS: John Braun, Project Manager, reported that bids for 2020 Street Maintenance Projects were opened on January 28, 2020. The projects bid with this year's program include seal coat, chip seal, curb and brick repair, pavement markings, and the reconstruction of several concrete streets. Bids were received from ten different

contractors bidding on 16 different projects. Staff recommends entering contracts with the low bidders for all projects. The projects awarded would be accomplished at various locations at various times throughout this year. The total of the contracts would be \$1,552,288.63 to be funded primarily out of Special Highway.

Staff recommends the following contracts be awarded:

- A. Circle C Paving and Construction, LLC in the amount of \$173,501.28 for seal coat.
- B. Stripe & Seal in the amount of \$23,000.00 for polypatch.
- C. Paul Wertenberger Construction in the amount of \$134,317.70 for major rehabilitation of Mopar Drive and the 800 block of Milner Street.
- D. J Corp., Inc. in the amount of \$634,078.41 for major rehabilitation of Canal Boulevard from Walnut to 27th Street, the 1900 block of Lincoln Drive, and General Custer from 22nd Street to Centennial Boulevard.
- E. Morgan Brothers Construction in the amount of \$247,746.97 for curb and brick repair, major rehabilitation of the 100 block of East 10th Street (base and alternate), and major rehabilitation of the City Hall alley.
- F. APAC, Inc. in the amount of \$253,461.82 for chip seal and major rehabilitation of the 700 block of General Custer.
- G. Road Safe Traffic Systems, Inc. in the amount of \$47,843.25 for pavement markings on Hall Street from 8th to 27th and 8th from Elm Street west to the city limits.
- H. Cillessen & Sons, Inc. in the amount of \$38,339.20 for pavement markings on 8th Street from Elm Street to Milner Street.

Mr. Braun stated there was discussion at the February 20, 2020 Work Session regarding the East 10th Street Project and concerns with Morgan Brothers getting work done in a timely manner. Morgan Brothers has assured them that they will provide the best product in the fastest time frame possible. He added that with the concurrence of the City Attorney, an addendum to the contract documents has been added and agreed to by Morgan Brothers. The addendum allows no more than 32 working days for this project to be

constructed. After discussion with the Downtown Hays Development Corporation group and other stakeholders it was decided that starting this project as soon as possible is the best scenario for everyone. They hope to have this completed before the Farmers Market season and other summer uses of the Pavilion area begin. He added that street closure will be necessary for reconstruction, but pedestrian access to the Pavilion will be maintained.

Commissioner Mellick asked if weather days will be determined by the City or the contractor. Mr. Braun said the City Inspector under Mr. Braun's direction will determine whether the contractor is able to work due to weather. Once the contract time frame has expired, they will be charged for any days they go over the contract time.

Mayor Musil stated this is one of the worst streets in town and this work needs to be done. He asked that people be patient during construction. He believes Morgan Brothers Construction and the other contractors listed have done good work in this community in the past and he thinks they will continue to do so.

Mr. Braun added that an addendum to the contract for the reconstruction of the concrete alley between the 100 block of West 15th Street and 16th Street has been added for this project also. The contractor now has 26 working days to complete this project.

Sandy Jacobs moved, Mason Ruder seconded, to authorize the City Manager to enter contracts for construction as presented, in the amounts specified, to be paid out of the funds identified by staff.

Vote: Ayes: Shaun Musil
Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick

9. CITY MANAGER EMPLOYMENT AGREEMENT – 12TH ADDENDUM: The City Commission, upon the completion of a performance evaluation of the City Manager, has requested that the Twelfth Addendum be attached to the City

Manager's existing Employment Agreement. This addendum would provide the City Manager with the same raise that all of the other City employees received for 2020.

Ron Mellick moved, Michael Berges seconded, to approve the Twelfth Addendum to City Manager Toby Dougherty's Employment Agreement dated June 28, 2007, as presented.

Vote: Ayes: Shaun Musil
Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick

10. PROGRESS REPORT: Assistant City Manager, Collin Bielser, presented a monthly report of city-related activities, services, and programs.

11. COMMISSION INQUIRIES AND COMMENTS: Commissioner Mellick welcomed all wrestlers to Hays this weekend for the State Wrestling Tournament.

Commissioner Berges congratulated Sarah Zimmerman, a Hays High School freshman who placed 6th at the Inaugural Girls State Wrestling Championships.

Vice-Mayor Jacobs stated there is a lot to do in Hays America and encouraged everyone to check out the CVB and Downtown Hays Development websites for all of the events being held in our community.

Mayor Musil stated Becky Kiser, Eagle Communications, asked if the Commissioners would be interested restarting the past practice of having a Commissioner meet with the press the day after each Commission meeting to answer questions and update the community about what was discussed at the meeting. Andrea Windholz, Executive Assistant for the City Manager, will coordinate the scheduling.

The meeting was adjourned at 7:28 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk