

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON DECEMBER 13, 2012

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, December 13, 2012 at 6:30 p.m.

Roll Call: Present: Kent Steward
Henry Schwaller IV
Ron Mellick
Barbara Wasinger

Absent: Troy Hickman

Vice-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 November 8, 2012; the minutes stand approved as presented.

3. CITIZEN COMMENTS: There were no comments.

4. CONSENT AGENDA: A. Barbara Wasinger moved, Henry Schwaller IV seconded, that Cereal Malt Beverage License renewals for 2013 for 26 establishments in the City of Hays be approved as presented.

Vote: Ayes: Kent Steward
Henry Schwaller IV
Ron Mellick
Barbara Wasinger

B. The following proposed mayoral appointments were presented and are scheduled to be approved at the December 27, 2012 Commission meeting:

Hays Convention & Visitors Bureau Advisory Committee

Marjorie Dandel – 3-year term to expire December 1, 2015

Robert Wilhelm – 3-year term to expire December 1, 2015

Sister Cities Advisory Board

Ann Leiker – 3-year term to expire January 1, 2016

NEW BUSINESS

5. REPLACEMENT COMMISSIONER APPOINTMENT: City Commissioner Barbara Wasinger will be leaving the Hays City Commission to join the Ellis County Commission in January 2013, as was determined by the November 2012 election. Due to this upcoming Commission seat vacancy, the City Commissioners requested applications from individuals interested in filling this position. This term will expire April 2013. Kansas State Statute requires a vacancy be filled within 10 days of the leaving Commissioner's official resignation. Three citizens have submitted their name for appointment to the vacancy: Shaun Musil, John Basso, and Eber Phelps.

Shaun Musil was in attendance and introduced himself and explained why he is interested in serving on the City Commission.

Henry Schwaller IV moved, Ron Mellick seconded, that Eber Phelps be appointed to fill the unexpired term of Barbara Wasinger effective January 1, 2013.

Vote: Ayes: Kent Steward

Henry Schwaller IV

Ron Mellick

Abstain: Barbara Wasinger

6. REQUIREMENTS FOR WATER CUSTOMERS OUTSIDE CITY LIMITS:

This item was pulled from the agenda.

7. PRE-ANNEXATION AGREEMENT FOR WATER SERVICE FOR 3232 EAST 27TH STREET:

Henry Schwaller IV moved, Barbara Wasinger seconded, that a Pre-Annexation Agreement and Provision for City Water Services for property located at 3232 East 27th Street be approved.

Vote: Ayes: Kent Steward
Henry Schwaller IV
Ron Mellick
Barbara Wasinger

8. CONTRACT EXTENSION WITH RICHARD GUFFEY FOR PRO-SHOP

OPERATIONS: The current Fort Hays Municipal Golf Course Pro-Shop Management Contract with Richard Guffey ends December 31, 2012. Over the last four years, there have been numerous course closures for various projects and turf needs, which have impacted the course financially. City staff is not confident in recommending changes with how the Pro-Shop could or should be operated without a minimum of two full years of financial accounting with all 18 holes open. For this reason, staff recommended a four year contract extension with Richard Guffey for operation of the Pro-Shop at the Fort Hays Municipal Golf Course.

Ron Mellick moved, Barbara Wasinger seconded, that an extension to the current Pro-Shop Management Contract with Richard Guffey, including amendments, for a four year period ending December 31, 2016 be approved.

Vote: Ayes: Kent Steward
Henry Schwaller IV
Ron Mellick
Barbara Wasinger

9. UPDATE ON WATER SITUATION: City Manager Toby Dougherty updated the Commissioners on the current water situation in Hays.

Hays is experiencing a prolonged drought that has had a noticeable impact on its water supplies. Annual average precipitation for Hays is 22.76 inches. 2011 finished with a deficit of -3.71 and to date, rainfall totals are down -9.16 in 2012. The water levels in the Big Creek and Smoky Wellfield have been steadily and slowly declining. The U.S. Seasonal Drought Outlook through February 2013 indicates an 'exceptional' drought which is the highest classification of drought that the Weather Service has. All of Kansas and most of the Midwest is included in this classification.

The City Manager stated that tomorrow he will be sending a letter to the State Water Office requesting a release of water from the artificial recharge in Cedar Bluff Reservoir. The City of Hays has an agreement with the State of Kansas allowing the City to request a water release if certain triggers are met in our well fields. Those triggers were met last spring. The decision to delay the request was put off for two reasons. The first reason is that the City did not want to request water when trees have leaves on them and are going to absorb that water when it comes down the stream channel. The second reason being the City did not want to ask for water until it was absolutely necessary. Now is the time to ask. There is 1,300 acre feet of recharge water available. The contract the City has with the State allows the City to request up to 2,700 acre feet, if that amount is available. That amount is not available. Additionally, a letter will be sent to the Division of Water Resources, which regulates groundwater. The City will be claiming impairment and asking for administration of the Big Creek and Smoky Well Fields.

City Manager Dougherty highlighted the many things the City has done to conserve water since 1992:

- Well Field Improvements
- Effluent Irrigation
- Infrastructure Upgrade
- Local Legislation
- Toilet Rebates
- Education
- Shower Head Replacement

The water supply is dependent on rainfall; the City gets its water from an alluvial aquifer. We do not get water from the Ogallala aquifer. This area is prone to drought and the City needs to be prepared if rainfall/snow amounts continue to decline. If the City takes appropriate measures, there are adequate resources to ride out almost any drought.

Previous conservation measures taken back in the early 1990's have been successful, but there are some additional measures that could be taken at this

time. There are newer, more efficient showerheads on the market today. The City building code can be updated to require even stricter energy/water efficient appliances and plumbing fixtures. It takes 1.8 million gallons of water a day to supply water to the public. In the summer, the usage climbs to 3.8 million gallons of water a day due to outside watering. There are a lot of cool season grasses in Hays. Staff is working on a program to incentivize citizens to convert lawns from cool season grass to warm season grass. The average warm season lawn uses 78% less water than a cool season lawn. Permits for newly seeded lawns will be available only for warm season grasses. City staff will revamp educational programs that can be taken to schools, civic groups, etc. The City will have demonstration gardens for public viewing; the first one will be in front of City Hall. These gardens will have native and non-native plants that are drought tolerant and are suitable for this climate. Grass plots will be planted showing the different kinds of warm season grasses. Staff is also considering a 3rd tier water conservation rate. This is a higher rate that would kick in when the City goes from a water watch to a water warning. Water wise landscaping requirements could be required for all new residential and commercial properties.

The City Manager stated that all of this can be accomplished by educating, advocating, and assisting our citizens. The City needs to show what the expected outcomes are of everything we do; we need to show them the benefits to them personally as well as to the community, and we have to assist them along the way. The alternative is to spend \$60 million to bring water to Hays.

The Commissioners all voiced their support of the proposed programs and water conservation practices that are in the planning stages for implementation in 2013.

10. REPORT OF THE CITY MANAGER: The City Manager had no additional items to report on; however Bernie Kitten, Utilities Director, introduced Roger Moerke, who recently assumed the position of Utilities Superintendent.

11. COMMISSION INQUIRIES AND COMMENTS: Commissioner Wasinger stated that she appreciated the three citizens that applied for her Commission seat. She encouraged Shaun Musil to file for a seat on the Commission by January 22, 2013.

Commissioner Mellick echoed Commissioner Wasinger's comments and welcomed Eber Phelps to the Commission.

The meeting adjourned at 7:42 p.m.

Submitted by: _____

Doris Wing – City Clerk