

April 28, 1994

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays met in regular session, Thursday, April 28, 1994, at 7:30 p.m.

Roll Call: Present: Robert Albers  
Sharon Leikam  
Daniel Rupp  
Joseph Glassman  
Eber Phelps

**2. MINUTES:** Eber Phelps moved, Daniel Rupp seconded, that the minutes of the April 14, 1994, regular session, be approved.

Vote: Ayes: Robert Albers  
Sharon Leikam  
Daniel Rupp  
Joseph Glassman  
Eber Phelps

**3. FINANCIAL STATEMENT:** Sharon Leikam moved, Daniel Rupp seconded, that the Financial Statement for March, 1994, be approved.

Vote: Ayes: Robert Albers  
Sharon Leikam  
Daniel Rupp  
Joseph Glassman  
Eber Phelps

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

**5. COMMISSION INFORMATIONAL MEMORANDUM:** Assistant City Manager Linton Bartlett reviewed the 1995 Budget Calendar.

Commissioner Phelps commended the Ellis County Wellhead Protection Committee for their dedication. He said the Committee has been meeting for over three years; it has been a long and tedious process, and a substantial amount of work.

**6. BURNING ORDINANCE:** Assistant City Manager Bartlett said the proposed ordinance prohibits burning in the residential area, but allows the Fire Department to permit outside burning under certain conditions. Commercial incinerators will be allowed.

Commissioner Rupp asked if the City has any way of controlling the burning of toxic materials in the commercial area of the City. Fire Chief Wayne Schwartz said commercial burning in incinerators is monitored by the State. Most of the incinerators in the City are used to burn paper products.

Discussion took place regarding the burning of grasslands. Commissioner Glassman pointed out that the burning of grasslands in eastern Kansas is very common. Fire Chief Schwartz said the State Fire Code does prohibit such burning, even though it is not enforced.

Commissioner Glassman said he feels there are certain products that should be burned. He has a problem with not allowing any burning, when they do it all the time in eastern Kansas. There should be some consistency throughout the State.

Joseph Glassman moved, Sharon Leikam seconded, that Ordinance No. 3312, being an ordinance amending the provisions of the Fire Prevention Code, Chapter 13, Article I, Sections 13-7, 13-11, 13-12, and 13-13, of the Code of Ordinances of the City of Hays, Kansas, as amended by Ordinance No. 3197, as passed on June 8, 1989, and as published on June 13, 1989, and repealing Section 14-3 of the Code of Ordinances of the City of Hays as amended by Ordinance No. 3070, as passed on February 14, 1985, and published on March 7, 1985, be approved.

Vote: Ayes: Robert Albers  
Sharon Leikam  
Daniel Rupp  
Joseph Glassman  
Eber Phelps

**7. YARD WASTE REPORT:** Assistant City Manager Bartlett said City staff is researching backyard composting. They are visiting with other cities who allow backyard composting, and will travel to Linda's, Kansas to view a community composting site. The logical place for a community composting site would be near the Ellis County Landfill. It appears that a community composting site will not be established in time for this growing season. The County is very busy finalizing details of the new transfer

station.

Mayor Albers suggested that City staff contact the City of Ellis. They have made an arrangement with an area farmer to deposit yard waste on his land.

Assistant City Manager Bartlett reported that City staff is still negotiating with Reclaimed Resources concerning a Recycling Contract with the City of Hays. The two areas of negotiation are the amount of separation of the recyclable products necessary under the contract, and who is responsible for weighing the trucks carrying the recyclable materials.

**8. ISTEIA REPORT:** Business Improvement District Director Wayne Billinger informed the Commissioners that the BID has been awarded a grant from the Kansas Department of Transportation for a beautification project along the railroad tracks in the downtown area.

Mr. Billinger said originally, the project was estimated to cost \$150,000. The new estimated cost is \$184,000. The City has budgeted \$30,000 matching funds for the project. The new estimate will increase the local match to approximately \$40,000. The BID will explore three options to fund the additional \$10,000. One, the City would fund the additional match; two, the difference could be made up by fund raising; three, the project could be downsized to stay within the original budgeted amount.

Commissioner Rupp suggested using in-kind services as part of the match. The Strategic Plan recommends a walking path. Perhaps some of the old brick from Main Street could be installed along the path with volunteer help.

At this point in the meeting, Mayor Albers left the meeting to attend a school awards program for his daughter. Vice-Mayor Leikam presided in the Mayor's absence.

**9. ACCEPTANCE OF BIDS:** Bids were opened on April 12, 1994, for rehabilitation of the digester cover at the Wastewater Treatment Plant. The following are the results of that bid opening:

Carrothers Construction Co.	\$81,850
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Paola, Kansas

CAS Construction, Inc.                    \$164,500  
Topeka, Kansas

Engineer's Estimate                    \$180,000

Joseph Glassman moved, Daniel Rupp seconded, that the bid from Carrothers Construction, totaling \$81,850, for rehabilitation of the digester cover, be approved.

Vote: Ayes: Sharon Leikam  
                 Daniel Rupp  
                 Joseph Glassman  
                 Eber Phelps

Absent: Robert Albers

Bids were opened on April 21, 1994, for construction of asphalt driving areas at the Water Plant and the Wastewater Treatment Plant. The following are the results of that bid opening:

Wes-Kan Construction                    \$27,967.20  
Hays, Kansas

Allied, Inc.                                \$24,600.00  
Hays, Kansas

Eber Phelps moved, Daniel Rupp seconded, that the bid from Allied, Inc., totaling \$24,600, for asphalt driving areas, be approved.

Vote: Ayes: Sharon Leikam  
                 Daniel Rupp  
                 Joseph Glassman  
                 Eber Phelps

Bids were opened on March 31, 1994 for water meters. The results of the bid opening are as follows:



Order No. 2 (final), totaling \$146.15, for the placement of water and sanitary sewer lines in Golden Belt Eight Addition, be approved.

Assistant City Manager Bartlett said this change order will be totally financed by the developer.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Joseph Glassman  
Eber Phelps

**11. EASEMENT VACATION:** Building Inspector Kent Laas said this easement was retained as a safe guard for further utility expansion in the area following the abandonment of the "walkway" right-of-way. None of the utility companies foresee any future need for this easement. Vacation of this easement would allow the existing property owner to build closer to the property line.

Joseph Glassman moved, Daniel Rupp seconded, that City staff prepare an ordinance vacating an easement at 2912 Roosevelt.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Joseph Glassman  
Eber Phelps

**12. ENGINEERING SERVICES:** Assistant City Manager Bartlett said the City submitted an application for a FAA Grant for reconstruction of Taxiway F, construction of an ARFF structure, acquire an ARFF vehicle, and to acquire a front end loader, equipped with snow removal equipment.

The FAA has recommended that the City initiate actions necessary to complete the engineering, in order to be ready to accept the grant, should funding be approved. The estimated amount of the Federal grant is \$606,000 and the local match is estimated to be \$67,000.

Since the City has an engineering agreement with Bucher, Willis & Ratliff in place for previous AIP's, the FAA has determined that the City may continue to use the same

engineering firm.

Eber Phelps moved, Joseph Glassman seconded, that an Engineering Agreement with Bucher, Willis and Ratliff for airport improvements, be approved.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Joseph Glassman  
Eber Phelps

**13. ELECTRONIC METER READING:** Proposals for electronic meter reading equipment were received from the following:

Rockwell Meter Company	\$14,385.24
Itron	\$16,444.00 (plus expenses for training)
Neptune Meter Company	\$20,350.00

City staff has recommended that the electronic meter reading equipment be purchased from Neptune Meter Company. This equipment will provide the best value to the City and allow us to have upgradable components for future conversions.

Joseph Glassman moved, Daniel Rupp seconded, that electronic meter reading equipment be purchased from Neptune Meter Company for a total cost of \$20,350.00.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Joseph Glassman  
Eber Phelps

**14. FRONTIER PARK IMPROVEMENTS:** Commissioner Glassman said he visited Frontier Park recently. He was appalled by the amount of litter and debris in and along the creek, which consisted of a picnic table, tires, trash cans, empty beer kegs, beer cans, cups, etc. He said it was a real eyesore. He presented photos of the area for the Commission to view. He said it was a beautiful park, and he wondered if everyone has lost their sense of pride. Commissioner Glassman suggested the City sponsor a clean-up day, and ask citizens to volunteer to clean out Big Creek.

Commissioner Glassman said City staff will be meeting with

the Corps of Engineers to explore the possibility of damming the creek and use the area as a recreation facility.

Commissioner Leikam said at the last meeting of the Pride Committee, it was suggested that the City sponsor an Adopt-a-Block Program, whereby citizens are assigned to clean up a particular block. This program would take organization, but we as leaders need to take the initiative to deal with this issue. Assistant City Manager Bartlett said City staff will look into an Adopt-a-Block Program.

**15. LAWN FURNITURE ORDINANCE:** Assistant City Manager Bartlett asked the Commission for some direction in terms of an ordinance prohibiting couches on porches. Mr. Bartlett said the City of Manhattan uses their trash/nuisance ordinance to prohibit couches on lawns.

Commissioner Rupp said if we already have an ordinance on the books, let's enforce it. He suggested couches on porches be included as a nuisance.

Commissioner Phelps said he did not think that we need to draft a new ordinance every time something of this nature comes up. There are more creative ways to handle such issues. He said he would be willing to visit with students who have furniture on their porches. They may be willing to remove the furniture. Prohibiting lawn furniture may cause the student to dump the furniture someplace else. Commissioner Rupp said that would be very commendable for Commissioner Phelps to visited each residence, and ask them to remove their furniture from the porch. However, without an ordinance, the couches will probably return next fall.

Bill Davis, Pride Committee member, said if the present nuisance ordinance will work, they favored that approach. The Pride Committee would like to have the opportunity to refine the present ordinance to make it more applicable to this situation, and also expedite the process for removing the furniture. He will come back before the Commission with a recommendation.

**16. ADD-ON ITEMS:** Joseph Glassman moved, Daniel Rupp seconded, that a Lease Agreement with Mac Air for office space at the

Airport Terminal Building, be approved.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Joseph Glassman  
Eber Phelps

Assistant City Manager Bartlett said the City has receive a response from County Treasurer Mike Billinger regarding out-of-state motor vehicle registrations. He made a number of suggestions which are being reviewed by the Police Chief. We will have a report on that issue in the near future.

City staff has written a "letter of support" on behalf of Developmental Services who have applied for funds for additional vouchers for low income housing units.

Commissioner Glassman said he would like to pursue the high school internship program. We have talked about the Program; he would like to see some action taken.

Commissioner Glassman said he would like to initiate a regional support program with the smaller cities surrounding the City of Hays. One method of promoting this concept would be to invite the leaders of those communities to City functions, and give them special places of honor. This would be a way of promoting good will with neighboring communities.

Commissioner Glassman said he would like to pursue the idea of a City operated landfill. Also, he would like City staff to research the possibility of building an approved City incinerator.

Commissioner Rupp would like the Traffic Advisory Committee to restudy the issue of traffic signs at 41st and Hall Streets.

Commissioner Rupp asked City staff to pursue Mayor Albers suggestion to consider the process for becoming an All-American City.

Commissioner Leikam said there is a loose sign located at the corner of Lawrence and Donald Drives.

Commissioner Leikam said she mentioned at the last meeting that there are two old refrigerators stored at Hays Janitorial with the doors still attached. This is a very dangerous

situation and she would like to have the doors removed.

Commissioner Leikam said there are no pedestrian crossings signs at High Plains Baptist Church at 27th and Canterbury.

At this time, Mayor Albers returned to the meeting.

Daniel Rupp moved, Joseph Glassman seconded, that the Mayor's appointments to the Airport Advisory Committee, be approved.

**Airport Advisory Committee**

Jack Nevergall  
Cliff Edwards  
Lyle Noordhoek  
Dean Rohleder

**Library Board**

Mary Glassman  
Carolyn Bird

Vote: Ayes: Robert Albers  
Sharon Leikam  
Daniel Rupp  
Joseph Glassman  
Eber Phelps

Thereupon the Governing Body adjourned.

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

Clerk of the Board