

August 25, 1994

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays met in regular session, Thursday, August 25, 1994, at 7:30 p.m.

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

Eber Phelps

**2. MINUTES:** Joseph Glassman moved, Sharon Leikam seconded, that the minutes of the August 11, 1994, regular session, be approved.

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

**3. FINANCIAL STATEMENT:** Joseph Glassman moved, Daniel Rupp seconded, that the Financial Statement for July, 1994, be approved.

City Manager Zacharias pointed out that even though there has been a 10 percent increase in water consumption this year to date, compared to last year, only \$5,000 additional revenue has been received. The revenue received thus far is lower than anticipated. City staff will be monitoring water consumption and revenue as we move further into the year.

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

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

**5. COMMISSION INFORMATIONAL MEMORANDUM:** City Manager Zacharias said the City of Manhattan is currently under a federal court order to provide handicap ramps throughout the City by January

30, 1995, at a estimated cost of \$750,000. Should the City of Hays be faced with the same situation, the cost to provide handicap ramps throughout the City of Hays would cost approximately \$1,350,000. City staff is communicating with LINK in regard to this issue. Plans are to include curb cuts in with the various slurry seal projects.

**6. RESIDENCY POLICY:** Mayor Albers said the City auditor has sent a letter of clarification in regard to police officers being picked up at their residence at shift change. The auditor's research revealed that qualified non-personal use vehicles such as police and fire vehicles are exempt from business use substantiation, and therefore are excluded from the employee's wages and not subject to income tax withholding.

Daniel Rupp moved, Sharon Leikam seconded, that a policy dealing with residency requirements for City employees, be approved.

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

**7. VINE STREET ISTE A APPLICATION:** Wayne Billinger, Business Improvement District Administrator; John Shaver, Park Director; and Virgil Howe, Chairman of the Beautification Committee, reviewed the Vine Street Median Beautification Project and the application to the Kansas Department of Transportation for Fiscal Year 1997 ISTE A Funding for the Beautification Project.

City Manager Zacharias said the amount of ISTE A funding for the Project is \$325,920 prior to the required inflation factor. The City's financial commitment to this Project totals \$186,480. These costs are broken down as follows:

|                         |               |
|-------------------------|---------------|
| Preliminary Engineering | \$30,000      |
| 20% Local Match         | 81,480        |
| Concrete Curbing        | <u>75,000</u> |
| Total                   | \$186,480     |

Commissioner Glassman suggested flag poles be included in the Project. This would be a good time to develop a new City logo and a City flag to be flown along with the State flag at the entrance to the City.

Mayor Albers said he preferred brick pavers as opposed to concrete. The cost will be greater, but pavers are more aesthetically attractive and will last longer than concrete.

Daniel Rupp moved, Joseph Glassman seconded, that an application to the Kansas Department of Transportation for Fiscal Year 1997 ISTE A Funding for the Vine Street Median Beautification Project, be approved.

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

**8. VINE STREET RESURFACING APPLICATION:** City Manager Zacharias said resurfacing of Vine Street from 27th Street to Interstate 70 is not on the Five Year Capital Improvement Plan. However, it may be appropriate to coordinate resurfacing of this area along with the installation of greenery along this same section of Vine Street. It may be necessary to delay another project in order to provide funding for the Vine Street Project. We have recently been made aware that some funding assistance may be available through "geometric improvement" grant funds from the Kansas Department of Transportation. The deadline for applying for these funds is September 1, 1994 for projects to occur during Fiscal Year 1998. The maximum amount that can be obtained through these grants is \$660,000 or 90 percent of the total project costs, whichever is less.

Bucher, Willis and Ratliff have provided estimated cost in 1994 dollars as follows:

|                 |             |
|-----------------|-------------|
| Concrete        | \$1,400,000 |
| Asphalt         | 1,300,000   |
| Asphalt Overlay | 520,000     |

Since it would not be possible to fund this Project in one

year, City staff recommends that the Project be divided into two years to maximize the State dollars.

Daniel Rupp moved, Sharon Leikam seconded, that the recommendation of the City Manager in regard to the resurfacing of Vine Street from 27th Street to Interstate 70, be approved, and authorized the City Manager to submit an application for geometric improvement funding,

Mayor Albers and Commissioner Rupp said they felt the street surface should be concrete, even though it is more expensive, it will have a longer life span. Commissioner Rupp said we have a policy in place requiring arterial streets to be concrete and the policy should be enforced.

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

**9. COURT COST/WARRANT FEE ORDINANCE:** City Manager Zacharias said the proposed ordinance increases warrant fees from \$5.00 per warrant to \$35.00 per warrant. Court costs would go from \$10.00 per case which results in a trial to \$35.00, and from \$5.00 per case in all other cases to \$30.00 per case. This increase should generate approximately \$24,000 in additional revenue in 1994. A portion of this increased revenue will be used to offset the increases in the amounts being budgeted in 1995 for Fort Hays State University, the Ellis County Coalition, and the Ellis County Historical Society, by increasing the cash carry-over.

Joseph Glassman moved, Sharon Leikam seconded, that Ordinance No. 3320, being an ordinance amending Sec. 9-8, Article I, of the Code of Ordinances of the City of Hays, Kansas, as adopted on May 27, 1982, and as published on June 4, 1982, and pursuant to the authority granted by Charter Ordinance No. 9 of the City of Hays, Kansas, adopted on January 14, 1982, and January 25, 1982, respectively, by adopting a schedule of court costs and fees to be charged and collected by and in the

Municipal Court of the City of Hays, Kansas, be approved.

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

**10. BID ACCEPTANCE:** Bids for rehabilitation and investigation of the Smoky Wells were opened on August 15, 1994. The results of the bid opening are as follows:

|  |             |
|--|-------------|
| Clark Well and Equipment<br>Great Bend, Kansas | \$24,149.00 |
| Layne, Inc.<br>Wichita, Kansas                 | \$42,300.00 |
| Engineer's Estimate                            | \$30,472.00 |

Joseph Glassman moved, Daniel Rupp seconded, that the bid from Clark Well & Equipment, totaling \$24,149 for rehabilitation of the Smoky Wellfield, be approved.

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

**11. CHANGE ORDER:** Joseph Glassman moved, Eber Phelps seconded, that Change Order No. 2, in the amount of \$\$21,065.71 for the 1993 Street Improvement Project, be approved.

City Manager Zacharias said the bid on this Project was lower than anticipated, thus leaving funds for this Change Order.

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

**12. STANDARD TRAFFIC ORDINANCE:** Joseph Glassman moved, Daniel

Rupp seconded, that Ordinance No. 3319, being an ordinance regulating traffic within the corporate limits of the City of Hays, Kansas, incorporating by reference the "Standard Traffic Ordinance for Kansas Cities," Edition of 1994, with certain omissions, changes and additions; prescribing additional regulations; providing certain penalties and repealing Ordinance No. 3293 of the Code of Ordinances of the City of Hays, Kansas, as passed on July 22, 1993, and as published on July 27, 1993, be approved.

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

**13. STANDARD PUBLIC OFFENSE CODE:** Daniel Rupp moved, Sharon Leikam seconded, that Ordinance No. 3318, being an ordinance regulating public offenses within the corporate limits of the City of Hays, Kansas, incorporating by reference the "Uniform Public Offense Code for Kansas Cities," Edition of 1994, and repealing Ordinance No. 3294 of the Code of Ordinances of the City of Hays, Kansas, as passed on July 22, 1993, and as published on July 27, 1993, be approved.

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

**14. TAXI ORDINANCE:** City Manager Zacharias said representatives from Economy Cab Company are present with a request to waive the CDL License required under the current City ordinance. After researching the CDL License requirement, City staff does not feel a CDL License is necessary for taxi drivers. He recommended the ordinance be reviewed and updated, as the present taxi ordinance has been in effect since the 1950's.

Eber Phelps moved, Daniel Rupp seconded, that a Taxi License, be issued to the Economy Cab Company, with the CDL

Licenses requirement waived, and directed the City Attorney to review and update the present Taxi Ordinance for approval at a future meeting.

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

**15. BEER LICENSE:** Sharon Leikam moved, Daniel Rupp seconded, that a Cereal Malt Beverage License for PizzArena Pizza, 3310 Vine Street, be approved.

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

**16. APPOINTMENTS:** Joseph Glassman moved, Sharon Leikam seconded, that the Mayor's appointment of Jo Ann Fleharty to a three year term on the Beautification Committee, be approved.

**17. ADD-ON ITEMS:** Commissioner Phelps commended the City Manager for an excellent informational presentation regarding the purchase of the Circle K Ranch.

Commissioner Phelps said he wanted to clear up a misconception that the Dakota Well Project was a waste of time and money. At the time the Dakota wells were drilled, the City had a severe water crisis. The Dakota wells bought time and still remain a very viable water source. The Dakota wells will be instrumental as an intermediate step between now and the year 2000, when hopefully we will have a long-term solution to our water problem.

Commissioner Glassman said he received a call from a member of the Sigma Phi Epsilon Fraternity offering to clean up one of the City parks twice a year. He hoped that other fraternities would also become involved in the cleanup. Commissioner Glassman suggested that the group clean up Frontier Park after the Oktoberfest , and again in the spring. He asked City Staff

to contact the fraternity to coordinate the clean-up activities.

Commissioner Rupp asked City staff to contact Union Pacific Railroad concerning the needed improvements to the Elm Street Crossing. It has been more than a year since we requested that improvements be made.

Commissioner Rupp said the concrete on Fort Street replaced by Southwestern Bell Telephone Company is really deteriorating. He would like a letter written to the Telephone Company concerning this matter. Another issue worth addressing is the microwave tower. It is very unsightly and they probably do not even use it.

Mayor Albers congratulated the people responsible for the Familyfest last weekend. It is a very worthwhile activity, which hopefully will continue to grow.

Thereupon the Governing Body adjourned.

Submitted by \_\_\_\_\_  
Clerk of the Board