

February 24, 1994

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays met in regular session, Thursday, February 24, 1994, at 7:30 p.m.

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

2. MINUTES: Commissioner Rupp said the Engineering Agreement for the digester cover repairs is with Black and Veatch, not Bucher, Willis and Ratliff, as recorded in the minutes.

Joseph Glassman moved, Robert Albers seconded, that the minutes of the February 10, 1994, regular session, be approved, as corrected.

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

3. FINANCIAL STATEMENT: Robert Albers moved, Sharon Leikam seconded, that the Financial Statement for January, 1994, be approved.

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

4. CITIZEN COMMENTS: John Ratzlaff, 212 Northridge Drive, informed the Commission of a potential traffic hazard from privately owned snow blowers. After the last snow, he was traveling west on 13th Street, and a resident using a snow blower sprayed his windshield with snow, obstructing his vision. City Manager Zacharias said City staff would review the ordinances and traffic code to see if there are provisions to

prohibit such acts.

5. COMMISSION INFORMATIONAL MEMORANDUM: City Manager Zacharias said he and all City department heads recently traveled to Kearney, Nebraska to tour the city, and visit with City officials. The purpose of the trip was to change the traditional mode of thinking with new ideas. He said Kearney is very similar to Hays. The two cities are about equal in population and both have a university of similar size.

City Manager Zacharias said three main differences between the two cities are: Kearney has an abundance of water. Winter water consumption is approximately 200 gallons per person. Kearney has an electric utility, and \$1,800,000 is transferred from the utility to their General Fund. Also, Nebraska has local option gambling. The City receives approximately \$500,000 in revenue from Keno gambling. This money is spent on community projects.

City Manager Zacharias said the trip proved to be very educational. Kearney city officials have indicated they would like to visit Hays in the near future.

6. DSNWK CONTRACT: City Manager Zacharias said the proposed revised agreement deals with the van purchased by Developmental Services of Northwest Kansas through State and City funds. The proposed revised agreement is substantially identical to the current agreement, with the following exceptions:

1. The requirement that a \$1.00 fare be collected from all riders unless purchasing multiple ride tickets. Individuals who are unable to pay would be allowed free transportation according to DSNWK current policies.

2. Ownership of the van would be in the name of DSNWK as required by Kansas Department of Transportation grant guidelines.

Joseph Glassman moved, Daniel Rupp seconded, that a revised Agreement between the City of Hays and Developmental Services of Northwest Kansas, be approved.

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

7. MUNICIPAL AND WILSON POOL EVALUATION: David Schwartz, of Larkin and Associates, was present and summarized an evaluation of the Hays Municipal Swimming Pool and Wilson Pool.

Mr. Schwartz said the water treatment system only at Wilson Pool was evaluated. Mr. Schwartz said the water treatment system is inadequate. With the present system, it is difficult to keep the water clean. Clean water is essential for any pool. He recommends complete replacement of the circulation system, filter system, pumping facilities, and chemical treatment system. The estimated cost of these improvements is \$156,300.

Mr. Schwartz said the Municipal Pool is quite old and the overall structure is not in good enough condition to renovate. Cost of renovation would be approximately \$1,200,000 and a new pool is estimated to cost \$1,800,000. He stressed that the cost estimates are a beginning point. Features may be added or deleted.

Mr. Schwartz said the pool does lose water. The water loss is not significant from a cost standpoint, but since Hays has a water problem, the water loss becomes significant.

Mr. Schwartz said the pool gutter is in poor condition. The pool walls and floor are in fair condition. The construction joints are in poor condition. The pool filter is too small for eight hour turnover. The backwash goes into the storm sewer; it should go into the sanitary sewer. The deck area is too small in comparison to the pool size. The bath house is in fair condition.

Mr. Schwartz said the waterslide is showing signs of corrosion. This is not a significant hazard at this time, but it should be repaired.

Mr. Schwartz presented a drawing of a new pool, similar to the pool being proposed for Hays.

The Commission did not take any action. They wanted to wait for a recommendation from the Strategic Planning Committee.

City Manager Zacharias said there are funds in the budget for the immediate improvements (estimated to cost \$28,000) to the Municipal Pool, and he will proceed with those improvements, unless directed otherwise.

8. EXOTIC ANIMAL ORDINANCE: City Manager Zacharias said at the request of the City Commission, staff has reviewed the Exotic Animal Ordinance. Sample ordinances have been obtained from other cities. This action was prompted by the permitting of a cougar within the City limits.

West Wikoff, of the Kansas Wildlife and Parks; and Nikki Phillips, of the Humane Society, were present, and reported on the dangers of allowing such animals in the City limits.

Mr. Wikoff said most people do not realized that even though a cougar has been declawed and defanged, it still has teeth and the instinct of a wild animal. Many times the owner of such an animal will grow tired of caring for the animal. The animal would not survive, if it were released from captivity.

Ms. Phillips said there is a misconception that if the animal is acquired at a young age, it will not attack anyone. The animal still has the basic wild animal instinct. Young children seem to be the target of attack for such animals.

Mr. Wikoff said there is also a misconception about wolf hybrids. The State believes that any animal that is part wolf, is all wolf. Also, rabies vaccinations do not work on wolves.

The Commission directed City staff to prepare an ordinance prohibiting such animals within the City limits.

9. WATER YIELD FOR 1994: City Manager Zacharias said City staff along with Black & Veatch, have recommended that 2,700 acre feet be a safe yield for 1994. This amount is viewed as being the amount that can be yielded safely for a five year period, should precipitation levels be those experience during a five year drought.

Mr. Zacharias said if everyone used their full allocation under the current allocation system, water usage would exceed

3,000 acre feet per year. Thus is it recommended that the current allocation system be retained without any increase in 1994. Maintaining the current allocation system should not be a problem for water customers due to the fact that less than three percent of the water customers exceeded their allocation in 1994.

10. WATER SURCHARGE PROPOSAL: City Manager Zacharias said at the request of the City Commission, City staff has reviewed the option of establishing a water surcharge program for water customers. City staff recommends that the current allocation system for both winter and summer time allocations be maintained. The current penalty provision for exceeding the household allocation be eliminated, and replaced with a 25 percent surcharge for water users who exceed their monthly allocation. It is recommended that this surcharge not be refunded.

A very lengthy debate took place regarding the surcharge provision. Commissioner Glassman favored raising the water allocation per household and eliminate penalties. He said we have water to sell, and citizens should be rewarded for their conservation efforts.

Commissioner Rupp strongly felt the allocation system should be left in place, and a surcharge imposed on water users who exceed their monthly allocation. He did not want the low water users to be affected by the increase.

Commissioner Leikam did not favor reducing the summer allocation.

Mayor Phelps brought up the original staff recommendation for an across-the-board increase of five percent. This would be a very minimal increase, and yet guarantee the additional revenue necessary to meet expenses.

Commissioners Rupp and Albers presented tiered water surcharge schedules to hit the high water users.

City Manager Zacharias pointed out that a multilevel surcharge scale may be difficult for customers to understand. Some citizens are still confused over the summer/winter

allocation system, and the graduated rate scale.

Robert Albers moved, Joseph Glassman seconded, that the monthly allocation system be kept in place, and a 25 percent surcharge be imposed on water customers who exceed their monthly allocation.

The motion was then amended and accepted by Commissioners Albers and Glassman as follows:

- * A 25 percent surcharge would be imposed for the first 1,000 cubic feet used above the monthly household allocation.
- * A 50 percent surcharge would be imposed for the next 1,000 cubic feet.
- * A 100 percent surcharge for the next thousand cubic feet and beyond would be imposed.
- * Business and Commercial water accounts will be assessed a 10 percent surcharge for all water used in excess of their monthly allocation.
- * These surcharges would be nonrefundable.

Commissioners indicated that they did not feel very comfortable with the amended motion, but in the interest of making a decision, they accepted the motion.

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

11. CEREAL MALT BEVERAGE LICENSE: Joseph Glassman moved, Sharon Leikam seconded, that a Cereal Malt Beverage License for Hays Baseball Association, be approved.

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

12. APPOINTMENTS: Joseph Glassman moved, Sharon Leikam seconded, that Mayor's appointments be approved, as follows:

Convention and Visitor's Bureau

Lloyd Riedel -- to fill the unexpired term expiring
12-1-95 of Bernice Lundy who has resigned.

Hays Housing Authority

Al Riedel -- term expiring 2-14-98
Rex Cornwell -- term expiring 2-14-98

13. ADD-ON ITEMS: City Manager Zacharias noted that Commissioners have received copies of the Tree Rebate Policy for review and comments. This year's Tree Rebate Program will include rebates for tree removal, as well as tree planting.

City Manager Zacharias asked the Commission to review the mission statement for the various Task Forces of the Strategic Planning Committee, and give their comments to the Strategic Planning Committee.

Commissioner Rupp would like to have a comprehensive review of the City's Street Program. Many streets are in dire need of repair. It may be possible to make some basic repairs and save long-term costs.

Commissioner Leikam asked City staff to consider an ordinance limiting the number of dogs and cats allowed per household.

Mayor Phelps said he is very impressed with the newly completed City facilities, and he wanted to compliment the staff for their efforts.

Thereupon the Governing Body adjourned.

Submitted By _____

Clerk of the Board