

January 27, 1994

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays met in regular session, Thursday, January 27, 1994, at 7:30 p.m.

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

2. MINUTES: Commissioner Albers made a correction to the minutes. He said that he abstained from voting on the selection of Commerce Bank for handling the City's checking account services.

Sharon Leikam moved, Robert Albers seconded, that the minutes of the January 13, 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 December, 1993, be approved.

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

4. CITIZEN COMMENTS: There were no comments.

5. COMMISSION INFORMATIONAL MEMORANDUM: Discussion took place regarding the flood control problem on Lincoln Draw. Commissioner Albers said he was not satisfied with the response from the Corps of Engineers regarding the City's request for use

of the Corps of Engineers flood control plans for Lincoln Draw. He feels the Corps could provide the City with at least preliminary plans, but thus far has not done so.

6. D.A.R.E. PROGRAM RECOGNITION: Four of the 148 students who recently completed the Drug Abuse Resistance Education Program taught by Hays Police Officer Tim Dreiling, were present, and read essays that were written as part of a class assignment. Those students were: Brandon Klaus, Jefferson School; Victoria Becker, Washington School; Charity Hauptman, O'Loughlin School; and Audie Stewart, Lincoln School.

Mayor Phelps said he had visited with the students who have completed the DARE Program. Their enthusiasm was positive testimony as to the success of the Program.

Police Chief Lawrence Younger noted that in addition to being an instructor for the DARE Program, Officer Dreiling is a full-time police officer. Chief Younger said he has received very favorable comments about the DARE Program.

7. LABOR TRAINING NEEDS STUDY: Joe Aistrup, of the Docking Institute, reviewed a study on the labor training needs in Ellis County. This study was commissioned by the Ellis County Coalition for Economic Development and conducted by the Docking Institute.

Mr. Aistrup said Ellis County has an advantage over other areas in the fact that the labor force has basic skills necessary for more specialized training in a particular area. These basic skills are an essential factor to entice businesses to locate in Hays. These basic skills enable a business to train a laborer in more specialized skills, such as computer literacy, and interpersonal communication skills. The challenge for Ellis County is take the necessary steps to develop those specialized skills to compete in tomorrow's labor market.

8. HOUSING STUDY: Preston Gilson, of the Docking Institute, was present and reviewed a study on the housing needs in Ellis County. This study was commissioned by Ellis County Financial Institutions, through the Ellis County Coalition for Economic Development, and prepared by the Docking Institute.

Mr. Gilson said the housing market has become much tighter in the 1990's, in comparison to the 1980's when the Ellis County economy was suffering. There is a demand for lower priced homes and also housing for senior citizens. New construction in Hays has increased while no additional buildable lots have been added to Hays.

9. CDBG - STROMGREN GRANT - PUBLIC HEARING: The public hearing was postponed to the February 10, 1994, Commission meeting.

10. SEWER AND WATER RATE REVIEW: Assistant City Manager Linton Bartlett said in order to meet projected operating and debt service expenditure requirements in 1994, a five percent water rate increase is being proposed. This proposed increase is based on a projected increase of ten percent in revenue due to increased consumption over 1993 levels. It is assumed that we will have less moisture during the summer of 1994. Many water customers did not use their full allocation during the summer of 1993, due to the large amount of precipitation received.

Mr. Bartlett said City staff is not recommending a sewer rate increase. The Sewer Plant improvements were not completed until late 1993. Therefore, the City will only be required to make one payment on its State Revolving Loan in 1994. This will save \$222,000 in budgeted 1994 expenditures. Assuming revenues and expenditures remain close to the 1994 projected levels, a rate increase of approximately twenty percent will be necessary for 1995 when the City will have to make two payments on the State Revolving Loan.

Commissioner Rupp said he was opposed to an across-the-board increase in water rates. He preferred to leave rates in place for citizens who stay below their winter allocation, but impose a gradual rate increase for water users exceeding their winter allocation. This method would reward those who have conserved.

Commissioner Glassman indicated that he was strongly opposed to a rate increase. He said we have water to sell and there is no reason not to sell it. The well field has been recharged and he does not believe the water will stay here just

because we do not use it. He still wants to keep conservation in place, but since we have water, people should be rewarded for their conservation efforts. Raising the rates would be giving a clear message that people are going to pay more for conserving.

Commissioner Rupp added that a promise was made two years ago that if the water supply was available, we would improve the quality of life.

City Manager Zacharias pointed out that water pumped was less for the last three months of 1993 in comparison to the last three month in 1992. The in-house conservation devices are working. Any additional revenue will have to be gained by outside usage. He added that we would not want to sell more water than the annual allocation.

Commissioner Albers concurred with Commissioners Rupp and Glassman, but believed there is a basic cost for the water system. He proposed a 2.5 percent increase across-the-board.

Commissioner Leikam said she did not want to raise rates for the low end users. She liked the idea of increased rates for those who exceed their winter allocation.

City Manager Zacharias said City staff will prepare various rate schedules, incorporating the suggestions presented tonight for review at the next meeting.

11. WATER RATE ORDINANCE: No action was taken.

12. 1994 CONSERVATION FUND RECOMMENDATIONS: City Manager Zacharias said City staff discussed several ways to spend the \$75,000 budgeted for water conservation in 1994. In order to receive more value for our dollars, City staff recommended the funds be distributed in the following manner:

1. Hiring of "Environmental Education Specialist"	\$35,000
2. Education Materials	9,000
3. Aerator Exchange Program	20,000
4. Showerhead Exchange Program	1,000
5. ULF Toilet Rebate Program	10,000
Total	\$75,000

The Committee felt education was the most important issue that needed to be addressed at this time and would have a more significant impact on conservation.

An "Environmental Education Specialist" would be responsible for environmental issues relating to water, recycling, composting, well-head protection, and contamination. This person would be an educator to be used throughout the community. This person would also do home water audits.

The committee proposed to reduce the toilet rebate to \$75.00 per toilet. Since the ULF has become the industry standard, and the price of an ULF has been decreasing, we feel lowering the rebate to \$75.00 would be sufficient to encourage installation.

Commissioner Rupp said he was opposed to creating a full-time position for this purpose. The County is thinking about hiring someone in that capacity. The City pays 70 percent of the property taxes. That person could serve the City as well. He preferred to use the money for ULF toilet rebates, allowing a rebate for additional toilets per household.

Commissioner Leikam did not want another person on staff. She said the Commission, along with City staff has done a tremendous job of educating the public on conservation.

Commissioner Glassman said he does support education, but thought that could be accomplished by having someone visit the City occasionally to speak on conservation.

Commissioner Albers asked the Commission to not think of just conservation, but to think of resource management. Conservation is sellable only during a crisis. People tend to return to old habits, once the crisis has passed. This person could spend time giving xeriscape demonstrations, home water audits, be involved with cross connection inspections, and recycling. He could be spent studying various methods of retaining water on property to prevent flooding.

Commissioner Albers asked if the Commission would favor using a portion of the \$35,000 for xeriscape and water retention demonstrations. Commissioner Rupp said people already have an

incentive to do that. Many of us have already spent several thousand dollars converting from blue grass to buffalo grass.

Commissioner Glassman recommended banking the \$35,000 for now; at some point we may need the money. Commissioner Albers said if water conservation is crisis management, then we do not need it. But, if water conservation is truly a program, it needs to be built and maintained long-term.

Commissioner Glassman said he will not support this position unless he has a specific detailed job description, and then he is not sure he can support it.

Commissioner Albers said it appears to be a four to one vote against this position. If that is the case, why waste staff's time.

Mayor Phelps said a water conservation specialist could be brought here to give demonstrations occasionally.

The consensus of the Commission was to bank the \$35,000 for the "Environmental Education Specialist" and the \$9,000 for education materials to be used later, if necessary.

Further consensus was to set aside funds for aerators, showerheads, and toilets up to the amount listed by staff under the current policies for showerheads and toilets.

13. REVIEW RECYCLING PROCESSING BID PROPOSALS: Assistant Public Works Director Elden Hammerschmidt outlined a preliminary recycling program. All trash would need to be bagged. The City would provide a set amount of stickers to place on the trash bags. These stickers would identify a paying customer. Additional stickers may be purchased. Recyclables would be placed in blue bags. There would not be an additional charge for the blue bags. The metal cans will still be used to contain the bags, thus keeping the alleys cleaner. This method would require less capital investment, and will allow us to meet the April deadline.

Mr. Hammerschmidt said the details of the sticker program, the cost, bag quality, etc. have yet to be worked out. If this program is to be considered, we would develop scenarios detailing the service and submit a proposal at a future

Commission meeting.

The Commission gave full endorsement to the Recycling Program, and authorized City staff to seek proposals for processing the recyclable materials.

14. PURCHASE/BIDDING POLICY: City Manager Zacharias reviewed the Purchasing/Bidding Policy, attached hereto.

Commissioner Rupp asked if there was a possibility that a vendor would provide premiums or gifts to department heads in exchange for a verbal bid. If that be the case, he would not be comfortable granting that exclusive decision to a department head. City Manager Zacharias said he would not tolerate that, if he were aware of such a practice, it would be grounds for dismissal.

Commissioner Glassman thought that the provision requiring Commission approval for any purchase over \$5,000 was rather low. He suggested the limit be raised to \$10,000. He asked that the Commission be notified of any emergency purchase over \$10,000.

Commissioner Rupp said there should be an understanding that there be no communication regarding a bid amount between the department head and the vendor while accepting a verbal quote.

Joseph Glassman moved, Daniel Rupp seconded, that the Purchasing/Bidding Policy for the City of Hays be approved, with the limit for Commission approval raised from \$5,000 to \$10,000.

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

15. CHANGE ORDER NO. 4 - WASTEWATER TREATMENT PLANT: Joseph Glassman moved, Sharon Leikam seconded, that Change Order No. 4, in the amount of \$5,225, to the Wastewater Treatment Plant Contract, be approved.

Commissioner Rupp questioned Item No. One which stated due to an error, rerouting of water piping is necessary, and the effluent box is now needed. If it was an engineering error, he

does not think the City should pay for it. Commissioner Glassman said the effluent box was there. The City is repairing what they own. The engineering did not cause the error.

Vote: Ayes: Eber Phelps
Robert Albers
Joseph Glassman
No: Daniel Rupp
Sharon Leikam

16. CHANGE ORDER NO. 4 - WATER TREATMENT PLANT AND CITY SERVICE

BUILDING: Joseph Glassman moved, Daniel Rupp seconded, that Change Order No. 4, totaling \$81.86, to the Water Treatment Plant and City Service Building Contract, be approved.

Vote: Ayes: Eber Phelps
Sharon Leikam
Joseph Glassman
Daniel Rupp
No: Robert Albers

17. AMEND ENGINEERING AGREEMENT: Public Works Director Leo Wellbrock said the City took bids for repairs to the digester cover at the Wastewater Treatment Plant. The bids were above the budget amount, and exceeded the engineer's estimate. The project is scheduled to be rebid. The digester cover roof will be removed and a decision will be made as how to repair it. This procedure will require additional inspection services. When the project was originally bid, Black and Veatch had an on-site engineer available.

Commissioner Rupp suggested having Bucher & Willis do the inspection, since they are local. City Manager Zacharias said there may be a question of liability.

The Commission directed the City Manager to negotiate with Black and Veatch regarding the additional inspection fees.

18. AMEND FLOOD PLAIN ZONING ORDINANCE: Daniel Rupp moved, Sharon Leikam seconded, that Ordinance No. 3305, being an ordinance amending sections 13 1/2-5, 13 1/2-23 (3), 13 1/2-44, (E) (2), 13 1/2-44 (F) of Chapter 13 1/2, of the Code of

Ordinances of the City of Hays, Kansas, as amended by Ordinance No. 3143, as passed on March 26, 1987, and as published on April 2, 1987, by amending and adding provisions concerning definitions and administration of standards for floodway fringe overlay district, be approved.

Commissioner Glassman questioned the provision stating that structures could not exceed 700 square feet. Elinda Bauer, Inspection Department Secretary, said this applies to a detached garage and applies only to building in the flood plain. Most detached garages will not exceed 700 square feet. This requirement was recommended by FEMA.

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

No: Joseph Glassman

19. NON-COLLECTIBLE WATER ACCOUNTS: Sharon Leikam moved, Robert Albers seconded, that water accounts, attached hereto, in the amount of \$755.89, be designated as non-collectible.

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

20. NON-COLLECTIBLE FINES AND COURT COSTS: Joseph Glassman moved, Daniel Rupp seconded, that the municipal court fines, totaling \$2,886.50 attached hereto, be designated as non-collectible.

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

21. LOCAL AGENCY FUNDING COMMITTEE REPORT: Sue George, Human Resource Advisory Committee Chairman, presented criteria for human resource funding and Special Alcohol Tax funding.

The Commission decided funding recommendations could be based on the dollar amount budgeted. However, if at budget time the dollar amount is reduced by a certain percent, the amount allocated for each agency would be reduced by that same percentage.

The Commission approved the criteria for funding as listed in the Human Resource Committee minutes.

22. ADD-ON ITEMS: Commissioner Albers asked City staff to report on the history of the residential streets, as to when the street was put in, and what type of maintenance the street has had.

Commissioner Albers said he thinks he made a mistake by not continuing the brick on Main Street from 13th to 20th Street. Instead of looking at the immediate cost, one needs to consider the long-term cost. The old brick streets have held up well and appear to require less maintenance.

Thereupon the Governing Body adjourned.

Submitted by _____
Clerk of the Board