

July 14, 1994

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays met in regular session, Thursday, July 14, 1994, at 7:30 p.m.

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

**2. MINUTES:** Eber Phelps moved, Sharon Leikam seconded, that the minutes of the June 23, 1994, regular session, be approved.

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

**3. CITIZEN COMMENTS:** Florence Valenta, 1806 East 27th, told the Commission that on July 2, 1994, she parked her car on her lawn because she had a large amount of company. She was told by a police officer that parking on lawns was illegal. She said she takes pride in her lawn and should be able to park on it occasionally. Commissioner Glassman told her that the police officer was only enforcing an ordinance passed by the City Commission. The Commission cannot be discriminatory in passing ordinances, and must look at the needs of the entire city. The Commission discussed amending the ordinance to allow for occasional exceptions, such as her particular circumstance.

**4. COMMISSION INFORMATIONAL MEMORANDUM:** Mayor Albers commended Wastewater Plant Superintendent Steve Leiker on an impressive inspection report of the Wastewater Treatment Plant by the Kansas Department of Health and Environment.

Mayor Albers, made reference to a letter from the Department of Commerce requesting support of the Low Income Housing Tax Credit Program for the Hays Plaza Apartments. He asked that

H.D. Woods, Jr, developer of the Project, appear at a future Commission meeting and further explain the project.

**5. VINE STREET VOC CLEANUP:** Tom Winn, representing the Kansas Department of Health and Environment, and a representative from Industrial Compliance Inc., were present and explained a treatment system designed to be employed to cleanup groundwater contamination caused by leaking underground fuel storage tanks in the southern part of Hays.

Mr. Winn said this Project will be totally funded by KDHE, and is designed to intercept the groundwater contamination plume migrating toward City water wells No. 27 and 28. The efforts employed will involve the installation of four separate wells pumping approximately 40 gallons of water per minute, processing all water through a purification device. The decontaminated water would then be passed onto the Water Treatment Plant for use in the City's system. This will amount to approximately 290 acre feet of water per year, which will be in addition to the existing water rights of the City. The State will also pick up all the costs for operation and maintenance of the facility. They are asking, however, that City staff be used to collect samples and provide inspection of the facility. The clean-up process has fail-safe mechanisms to assure that the water is purified by the time it reaches the public water supply.

Daniel Rupp moved, Eber Phelps seconded, that the Commission give full endorsement of the Project.

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

**6. PRATT PARK DEVELOPMENT:** Hays Recreation Commission Director Rick Claiborn and Nick Nierberger, Optimist Club representative, were present and outlined the conversion of Treat Park and Pratt Park into a soccer field. Financing of the plan would involve resources from the Hays Recreation Commission, City of Hays, and the Optimist Club. Mr. Clairborn asked the Commission

to endorse this Project, so that grading and seeding can take place in 1994, and be ready for play in the spring of 1995.

Mr. Niernberger said the Optimist has pledged \$5,000 to this Project, but would be willing to contribute additional funds, if necessary, to assure the Project will be completed by this fall.

Mayor Albers said he was disappointed that so many of the trees were removed. He feels that the City should set an example and replace the trees that have been removed.

Joseph Glassman moved, Daniel Rupp seconded, that the City Commission accept the proposed layout of the Pratt-Optimist Park Soccer Complex, as proposed by City staff, Hays Recreation Commission and the Optimist Club, and that funds set aside in the 1994 Budget be used for that purpose.

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

**7. ISTEA PROJECT:** Business Improvement District Director Wayne Billinger, updated the Commission on the Railroad Corridor Greenspace Project. He said the bid letting is scheduled for early in 1995. He outlined a fund raising plan to support the Project. He mentioned several businesses and individuals who have already donated to the Project.

**8. TAVERN ACTIVITY REPORT:** Police Chief Lawrence Younger presented a report of underage possessions at local bars. The officers making the bar checks are of the opinion that there are almost as many people under 21 years of age in the bars as before; however, they are not seeing this age group drinking. The bar owners and their staff seem to have become more attentive to the officers when they enter the bar over the past four to five months.

**9. COMMITTEE ATTENDANCE:** City Manager Zacharias said the proposed policy addresses attendance of committee member on various City boards and committees. The policy is to be used to remove

individuals from various committees that do not attend committee meetings on a regular basis.

Commissioner Rupp suggested the wording be changed to state that the Mayor would be informed if any committee member missing a total of 25% of the meetings within a year, instead of three meetings a year.

City Manager Zacharias pointed out that some committee appointments are governed by Kansas Statutes. The policy would not apply to those individuals.

Joseph Glassman moved, Daniel Rupp seconded, that the Committee Attendance Policy, be approved, with the change in language as suggested by Commissioner Rupp.

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

**10. PHONE BIDS:** City Manager Zacharias said the Plexar II System would allow phone calls to be transferred between facilities as well as offer other improvements to the City's phone system. In researching the advantages of Plexar II, it appeared that to fully utilize its features, the City should look at replacing its 10-year old telephone equipment.

Proposals were received from the following:

Southwestern Bell	\$24,033.88 - 36 months
	\$25,199.56 - 48 months
	\$26,456.80 - 60 months
AT&T	\$36,206.20 - 36 months
	\$38,334.76 - 48 months
	\$40,609.00 - 60 months
Rural Telephone	\$41,751.35 - 60 months

City Manager Zacharias said City staff is recommending that the City contract with Southwestern Bell to install the Plexar II System at all City facilities and that the City enter into a three-year lease purchase agreement at the same time. With this

recommendation, the City could improve its telephone capabilities at a cost virtually identical to what the City is currently paying for telephone service.

Joseph Glassman moved, Sharon Leikam seconded, that the bid from Southwestern Bell to install the Plexar II System for a total cost of \$24,033.88 for 36 months, be approved.

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

**11. BUDGET DRAFT:** City Manager Zacharias presented the first draft of the 1995 Budget to the Commission, and reviewed the time frame of the Budget Work Session.

**12. WATER TOWER WORDING:** Joseph Glassman moved, Eber Phelps seconded, that "Home of Fort Hays State University" be placed on the one million gallon tower, with the lettering facing I-70, and the costs of the lettering paid by the City of Hays.

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

Sharon Leikam moved, Joseph Glassman seconded, that the decision of whether to place Home of Fort Hays State University on one side or both sides of the one million gallon tower be made by University officials, and the expense paid by the University, and that the lettering "Hays City" be dominate over "Home of Fort Hays University".

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

Joseph Glassman moved, Sharon Leikam seconded, to clarify the previous motion that "Home of Fort Hays University" be

placed on the tower, secondary to "Hays" or "Hays City", and it is contingent upon the decision as to whether or not the water tower will be painted.

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

**13. COMMERCE PARKWAY AGREEMENT:** City Manager Zacharias said the proposed Intergovernmental Agreement is between the City of Hays and Ellis County for construction of Commerce Parkway from I-70 south 1.7 miles to Highway 40. The costs will be shared as follows:

Total Project Cost:	\$2,240,000
Local Match Required	\$560,000 (25%)

Hays Cash Share:	\$410,000
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Ellis County Cash Match	\$150,000
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Cost share percentages:

State of Kansas	75%
City of Hays	18%
Ellis County	7%
Total	100%

The Commission felt the County's share of the Project costs was considerable less than the City's cost and the County stands to benefit more. However, they did not want to jeopardize the Project.

Eber Phelps moved, Daniel Rupp seconded, that an Intergovernmental Agreement between the City of Hays and Ellis County for the construction of Commerce Parkway, from I-70 south to Highway 40, be approved.

**14. ADD-ON ITEMS:** Joseph Glassman moved, Sharon Leikam seconded, that a Cereal Malt Beverage License for Kris Munsch dba Sip & Spin, 207 West 10th Street, be approved.

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

Commissioner Phelps said the Strategic Plan brought up activities for our young people. The U.S. Army has a mobile classroom on tour throughout Kansas. The tour is based out of the National Science Center, Fort Morgan, Georgia, and will be in Hays on July 19 and 20th. This sounds like an excellent educational opportunity.

Commissioner Glassman said he has recently attended two days of meeting with the Kansas Water Authority. Some of the critical issues coming out of this meeting are proposed legislation to revise the Safe Drinking Water Act to reduce the drinking water standards. The present standards have always created a hardship on smaller cities.

Commissioner Glassman said there is a possibility that grants may be available to fund wellhead protection personnel.

Another area discussed by the Kansas Water Authority was stricter standards in regard to ammonia levels in wastewater.

Joseph Glassman moved, Daniel Rupp seconded, that a committee should be formed to look into a High School and/or College Commission Internship Program.

Mayor Albers said he favored the Internship Program, but pointed out that the intern should actually spend the time with the Commission and not City staff.

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

Commissioner Rupp pointed out that some spalling has occurred on the newly constructed street located at 20th and Main.

Commissioner Rupp noted that June water usage is up by 18%, while revenue is only up 15%. This is an indication that rates

need to be increased to gain more revenue from the high water users.

Thereupon, the Governing Body adjourned.

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