

March 24, 1994

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

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

Absent: Sharon Leikam

2. MINUTES: Robert Albers moved, Daniel Rupp seconded, that the minutes of the March 10, 1994, regular session, be approved.

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

3. FINANCIAL STATEMENT: Robert Albers moved, Daniel Rupp seconded, that the Financial Statement for February, 1994, be approved.

City Manager Zacharias noted that water consumption for the first two months of 1994 is less than the first two months in 1993. City staff will monitor consumption on a monthly basis.

Commissioner Rupp suggested making biannual budget payments to the various agencies funded through the Economic Development Account, instead of lump sum payments at the beginning of the year. This would enable the City to receive some interest on those funds.

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

4. CITIZEN COMMENTS: Allan Busch, representing the Pride Committee, was present and asked the Commission to give further consideration to the southwest area of the City from the following perspectives:

1. Health and Safety
2. Refuse and Litter
3. Landlord/Tenant Responsibility
4. Community Image

A recent fire, reportedly caused by a carelessly discarded cigarette on stuffed furniture, located on the porch of rental property, prompted the Pride Committee to ask for further enforcement.

5. COMMISSION INFORMATIONAL MEMORANDUM: There were no comments.

6. CANTERBURY PAVING BIDS: Bids were opened on March 17, 1994, for the 1994 Paving and Pedestrian Bridge Project. The results of the bid opening are as follows:

	<u>Pavers, Inc.</u>	<u>Allied, Inc.</u>
Canterbury Drive	\$486,133.27	\$477,185.13
Seventeenth Street	37,121.42	32,640.36
Skyline Drive	31,158.31	29,116.07
Pedestrian Bridge	12,000.00	44,625.00
TOTAL	\$566,413.00	\$583,566.56

Total Engineer's Estimate \$686,115.30

City Manager Zacharias noted that the bridge was included in the project because of a fear that bidding the bridge alone would result in very high bids, or no bids at all. The completion date for the bridge is May 20, 1994.

The Commission questioned why the large difference in the bridge bid. Bucher, Willis and Ratliff Engineer Harvey Ruder said he spoke to Pavers, Inc., in regard to the bridge, and they felt confident they would be able to install the bridge for \$12,000. The engineer's estimate for the bridge was \$14,000.

Commissioner Glassman said safety will be a real factor in the installation of the bridge. Pavers, Inc. does have some blemishes on their safety record.

Commissioners Albers and Glassman said they were somewhat

reluctant to award the bid to Pavers Inc., since Allied was low bidder in all areas, except the bridge.

Commissioner Glassman suggested that for future bids, items that are nonconsistent to the rest of the project, such as the bridge, should be bid as an alternate.

Joseph Glassman moved, Daniel Rupp seconded, that the low bid from Paver's Inc., Salina, Kansas, totaling \$566,413.00, for improvements to Canterbury Drive, 17th Street, Skyline Drive and install a pedestrian bridge in Frontier Park, be approved.

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

7. CANTERBURY TRAFFICWAY ORDINANCE: Daniel Rupp moved, Robert Albers seconded, that Ordinance No. 3308, being an ordinance designating Canterbury Road from Eighth Street north to Twenty-seventh Street in the City of Hays, Kansas, as a Main Trafficway, be approved.

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

8. 1994 STREET IMPROVEMENT RESOLUTIONS: Joseph Glassman moved, Daniel Rupp seconded, that Resolution No. 137, being a resolution initiating proceedings by the Governing Body for improvement of a portion of Canterbury Road in the City of Hays, Kansas, be approved.

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

Joseph Glassman moved, Robert Albers seconded, that Resolution No. 138, being a resolution regarding improvements to Skyline Drive from Thirty-seventh Street to Thirty-eighth Street in the City of Hays, Kansas, be approved.

Vote: Ayes: Eber Phelps

Robert Albers
Daniel Rupp
Joseph Glassman

Joseph Glassman moved, Daniel Rupp seconded, that Resolution No. 139, being a resolution regarding improvements to Seventeenth Street from Harvest Road to Wheatland Drive in the City of Hays, Kansas, be approved.

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

9. SOLID WASTE FEES: Assistant Public Works Director Elden Hammerschmidt gave a report on the effects of increased tipping fees by Ellis County on Hays sanitation customers. Current monthly charges to Hays customers for residential pickup twice per week are \$7.25. The change to \$51.00 per ton for depositing refuse at the Ellis County transfer station requires a minimum charge of \$11.20 per customer. This increase in fees to our refuse customers could be mitigated by adopting two processes. One involves the processing of recycled materials and the second involves the elimination of yard waste from the solid waste stream. Should both of these programs be instituted, the monthly refuse fee could be reduced from \$11.20 to \$9.78.

10. YARD WASTE REVIEW: City Manager Zacharias said between 15 percent and 30 percent of all solid waste is yard waste. It appears unwarranted to collect yard waste and pay \$51.00 per ton for its disposal in a landfill near Topeka. City staff is recommending that the City Commission seriously consider adding yard waste to the list of items not to be picked up by City refuse collectors. Also, City staff is recommending that the Commission consider the following:

1. Modify existing ordinances to allow for backyard composting of yard waste materials.
2. Instruct City staff to work with County and State officials in establishing a local composting area.
3. Draft an ordinance making it illegal to burn yard

waste and other refuse within the City unless following strict burning procedures.

Commissioner Rupp said he thought the City should move ahead with alternate methods of yard waste disposal. There is no reason to pay \$51.00 a ton for yard waste.

Commissioner Glassman said he favored banning yard waste pickup, but not without giving residents an alternate method of disposal.

Commissioner Albers said a decision should be made regarding yard waste disposal, and then allow time to educate the public.

City Manager Zacharias pointed out that an alternate method of disposing of yard waste will still have costs associated with it. If the City chooses to take yard waste to a composting site, an additional pickup will be necessary.

The Commission instructed City staff to research various alternatives for yard waste disposal and come up with a recommendation at the next meeting.

11. RECYCLING BIDS: Bids for recyclable processing were received as follows:

	<u>Option A</u>	<u>Option B</u>
L & R Recycling Hays, Kansas	\$72/Ton	\$60/Ton
Reclaimed Resources Imperial, Nebraska	\$15/Ton	No Bid

City Manager Zacharias said City staff visited the plant operations of General Fiber in Denver, Colorado, and found it to be a well run operation, and one that could provide a long-term market for recycled materials from the Hays area. Many of the questions relating to disposal of recycled materials were addressed in detail by the representatives of General Fiber.

Robert Albers moved, Daniel Rupp seconded, that the bid from Reclaimed Resources/General Fiber, totaling \$15.00 per ton,

be accepted, and City staff enter into negotiations for a contract with both General Fiber and Reclaimed Resources that is acceptable to the City Attorney.

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

12. KANSAS LEAGUE BUILDING: Assistant City Manager Linton Bartlett presented additional information regarding the purchase of the Victory Building to house the offices of the League of Kansas Municipalities.

Mr. Bartlett said the City currently pays \$4,560 per year in membership dues. The League dues would increase between 27 percent (1,230) and 37 percent (1,690) for the next 15 years to pay for these new offices. An official ballot regarding the purchase of the Victory Building must be voted on and submitted to the League offices no later than April 6, 1994.

Discussion took place regarding the funding ratio for cities. Commissioner Rupp said the funding ratio places a larger burden on smaller cities.

Robert Albers moved, Daniel Rupp seconded, that the ballot be submitted with a no vote, and note that the City is opposed to the funding ratio, which puts more of a burden on smaller cities.

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

13. AIR COMPRESSOR BIDS: City Manager Zacharias said the current air compressor unit is 16 years old and has recently ceased operations. Overhauling the existing unit would cost a minimum of \$6,000, and would only be guaranteed for parts for three to five years.

Based on the critical need to have good quality breathing air for fire fighters, bids were solicited to purchase a new unit. Bids received were as follows:

Danko Emergency Equipment Company	\$12,728.50
Hays Fire Equipment	\$11,630.37
Mid-Continent Fire and Safety Incorporated	\$17,039.00

Joseph Glassman moved, Daniel Rupp seconded, that the bid from Hays Fire Equipment, totaling \$11,630.37, for a breathing air compressor for the Fire Department, be approved.

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

14. AIRPORT COMMERCIAL PERMIT: Joseph Glassman moved, Daniel Rupp seconded, that an application from Mac Air Corporation for commercial charter and/or freight business at the Hays Municipal Airport, be approved.

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

15. CABLE TV REPORT: City Attorney John Bird advised the Commission of new federal regulations giving the City of Hays the right to regulate certain cable television rates. The City would only have limited authority to regulate basic tier rates, not premium channel service, and equipment rates for basic tier service. City Attorney Bird recommended that the City opt to not regulate Cable TV rates at this time. Regulating rates would require additional staff time and legal fees. This could also cause unrealistic expectations among the public that the City is going to be in control of Cable TV rates. However, he suggested making it known to the Cable Company that this is an option and continues to be an option.

16. ADD-ON ITEMS: Commissioner Rupp said he would like to see stricter enforcement of motor vehicle registrations. There are many Hays residents who continue to register their car in another

er state because it is cheaper. This is clearly a violation of the law. City Manager Zacharias said he will investigate what measures can be taken to avoid this situation.

Thereupon, the Governing Body adjourned.

Clerk of the Board