

May 26, 1994

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays met in regular session, Thursday, May 26, 1994, at 7:30 p.m.

Roll Call: Present: Robert Alberts
Sharon Leila
Daniel Rupp
Joseph Glassman
Eber Phelps

2. MINUTES: Eber Phelps moved, Joseph Glassman seconded, that the minutes of the May 12, 1994 regular session, be approved.

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

3. FINANCIAL STATEMENT: Sharon Leikam moved, Eber Phelps seconded, that the Financial Statement for April, 1994, be approved.

Dan Rupp noted that water revenue was down relative to the budget amount, but expenditures are down dramatically. He also pointed out that the General Fund expenditures are up by 5%, but revenue is up 14% respectively. City Manager Zacharias also pointed out that the City is doing very well in sales tax collection.

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

4. CITIZEN COMMENTS: There were no comments.

5. COMMISSION INFORMATIONAL MEMORANDUM: Joseph Glassman requested that City staff review the current ordinance relating to the licensing of contractors. According to present policy,

persons working for hourly wages do not have to be licensed. Mr. Glassman questioned whether this is being done to avoid insurance and bond costs or the fact of not passing the testing phase of licensing. Building Inspector Kent Laas felt that it was probably both. He also commented that the wording allowing this has been in existence as long as he can remember. City Manager Zacharias stated staff will look into the matter and report back to the Commission.

Commissioner Glassman commented on the low bids received for the Commerce Parkway Interchange. He inquired whether the City would be able to reduce our match to the State. City Manager Zacharias said yes, the City will also share in the savings. The Commission discussed the payment schedule for this project and various aspects that would affect the amounts that will be paid in the coming years.

6. DEVELOPMENT POLICY: The Commission discussed at length the merits of concrete streets versus asphalt streets and the various ways for the streets to be assessed, either to the property owner or to the City-at-large.

Mayor Albers favors concrete streets because they last longer and require less maintenance. He feel the City could absorb the overage in cost.

Joseph Glassman had some concerns regarding the cost of concrete streets and how it would affect young families purchasing homes, if the City did not pick up the overage.

Dan Rupp stated he felt property owners should pay for their streets, and the City-at-large should not be subsidizing the costs of concrete streets.

Sharon Leikam felt that concrete streets should be installed at the expense of the developer because the streets last longer. She did not think property owners would want to be assessed for repair of asphalt streets in later years.

Bob Swift, representing Midwest Energy, stated the Development Policy as written, especially Item #10 regarding underground utilities, would create a potential burden on Midwest Energy. Installing underground utilities in

residential areas would not adversely affect Midwest Energy, because at the present time, the costs for underground utilities are paid by the developer, and part of these costs are recouped at the time the lots are sold. Higher voltage, feeder, and transmission lines routinely installed in commercial installations would be quite costly if they were required to be put underground. If this would be mandatory, the associated costs would probably have to be passed on to the rate payer. Mr. Swift said Midwest Energy would be willing to work with the City of Hays to further study and develop this Policy.

Daniel Rupp said he would like to have further information on the cost estimate of a thirty year mortgage, if concrete streets were installed for an individual home owner. Also, he would like an estimate for costs associated with replacing or overlaying all asphalt streets at taxpayers expense.

Joseph Glassman also requested that Mr. Zacharias check on how many other cities in Kansas have concrete streets, and what other cities are doing about rehabilitating older streets.

7. ISTEА CONSENT LETTER: Wayne Billinger and Cindy Bechard, representing the Business Improvement District, appeared before the City Commission presenting facts relating to the history of the ISTEА project. They also presented information as to the costs per capita and the return per capita, based on the awarding of \$161,000 in KDOT/ISTEA funds. They requested the City contribute an additional \$10,000 to pay for engineering costs associated with the project.

Commissioners Rupp and Glassman questioned Mr. Billinger as to why the BID members could not contribute the additional \$10,000 from among themselves. Mr. Billinger stated that he felt the BID members, by being assessed yearly dues, were contributing as much as they could afford.

Mrs. Bechard stated that the BID does have some options to raise this money.

After a lengthy discussion, it was moved by Joseph Glassman, and seconded by Eber Phelps, to authorize the City Manager to sign a consent letter with the Kansas Department of

Transportation authorizing the project with local matching dollars, and if the BID could not raise the \$10,000, the City would pay that amount to insure the awarding of this grant.

Vote: Ayes: Robert Albers
Sharon Leikam

Daniel Rupp
Joseph Glassman
Eber Phelps

8. STRATEGIC PLAN REPORT: Dan Schippers and Bob Bowerman of the Strategic Planning Committee, presented the final document to the City Commission after more than one year of developing and writing the Strategic Plan. They recommended that the City appoint a Strategic Plan Funding Task Force to further study the county wide sales tax issue.

Individually, each Commissioner expressed his thanks to every member of the Strategic Planning Committee. Many long hours were involved and the Commission sincerely appreciated the efforts involved.

Joseph Glassman moved, Sharon Leikam seconded, that the Strategic Plan be adopted, as presented to the Commission.

Vote: Ayes: Robert Albers

Sharon Leikam
Daniel Rupp
Joseph Glassman
Eber Phelps

9. LINCOLN DRAW FLOOD STUDY: Don Hammond of the U.S. Army Corps of Engineers reviewed information regarding the Lincoln Draw Flood Mitigation Study done in 1985 through 1991. He summarized the high points of the plan and answered questions from the Commission on the plan characteristics, water depths at selected locations in the City of Hays, and plan costs. The study was terminated in 1991, because the Plan presented in 1986 does not conform to Corps of Engineers criteria for dam safety. Redesign of the system to conform to Corps requirements increases costs and reduces benefits to the point that the project can no longer be economically justified. Mr. Hammond

suggested the City study the feasibility of implementing a Flood Plan in incremental stages to minimize flooding.

Mr. Hammond said the proposed plan does not provide any protection from flooding south of 27th Street. Even with a retention dam at 27th Street, there is enough run off from 20th Street to create flooding within the City. The project did not include a spillway below 27th Street. It would be necessary to raise 27th Street in order to build a spillway underneath the street. This would be quite costly.

10. CARE COUNCIL RECOMMENDATIONS: Howard Rome, the City of Hays representative to The CARE Council, and Barbara Wasinger, representing the Human Resources Committee, appeared before the Commission recommending the distribution of Alcohol Tax funds. Mr. Rome explained the criteria in determining the funding recommendation and also areas of concern to be addressed by the treatment coop within the next year.

Joseph Glassman questioned the method in determining the funding among the four groups in The Alcohol Treatment Coop, which is comprised of Dream, Inc., Key, Inc., St. Joseph's Chemical Dependency, and the Smoky Hill Foundation for Chemical Dependency. Mr. Glassman asked how this would affect another group next year, if that group wanted to join the Coop. Mr. Rome stated they would have to meet certain criteria to apply for funding.

Joseph Glassman moved, Dan Rupp seconded, that the Commission accept the recommendation for funding as presented by Mr. Rome. The CARE Council recommends that the DARE program be allocated \$15,300 and the DAWN program be allocated \$9,200. The recommendation is to distribute \$30,800 to The Alcohol Treatment Coop. Within that group, the individual amounts are:

Dream, Inc. - \$12,000
Key, Inc. - \$ 1,600
St. Joseph's- \$ 7,200
Smoky Hill - \$10,000

Mayor Albers felt that he did not have enough time to study the issue as well as he would have liked. Sharon Leikam stated

that she concurred with the Mayor.

Vote: Ayes: Joseph Glassman

Daniel Rupp

Eber Phelps

No: Robert Albers

Sharon Leikam

11. LARKS PARK FUNDING: Tom Spicer, Director of Athletics, Fort Hays State University, reviewed the renovation of Larks Park over the last few years and detailed future remodeling plans. Due to the cooperation of various entities and volunteer help, Mr. Spicer stated they were able to hold in line all expenses, with the exception of the liability insurance premiums for the Park. Mr. Spicer is requesting \$25,400 for the 1994-95 operational budget. No action was taken.

12. ARTS COUNCIL FUNDING: Brenda Meder, Executive Director, and Leon Staab, President of the Hays Arts Council, appeared before the Commission requesting \$2,000 funding for fiscal year 1994-95. This funding will be used to expand and maintain youth programming. They explained that the 1994-95 budget is very close to the 1993-94 budget and final figures would not be available until June 30, 1994. No action was taken.

13. RECREATION COMMISSION AGREEMENT: Rick Claiborn, of the Hays Recreation Commission, briefly updated the Commission regarding the agreement between the City of Hays and the Recreation Commission. This agreement combines several separate agreements, with there being no major changes from any previous agreement. The Hays Recreation Commission has approved this agreement.

Joseph Glassman moved, Daniel Rupp seconded, that the Service Agreement between the City of Hays and the Hays Recreation Commission, be approved.

Vote: Ayes: Robert Albers

Sharon Leikam

Daniel Rupp

Joseph Glassman

Eber Phelps

14. REPLAT APPROVAL: Glenn Braun, representing G & D Investments, appeared before the Commission requesting replat approval for Block 6 of Country Club Estates 5th Addition.

Joseph Glassman moved, Eber Phelps seconded, that the application for the replat of Block 6, Country Club Estates 5th Addition, be approved.

Vote: Ayes: Robert Albers

Sharon Leikam

Joseph Glassman

Eber Phelps

No: Daniel Rupp

15. CDBG GRANT HEARING: Mayor Albers opened a Public Hearing to hear comments from the public regarding possible uses of \$300,000 in grant funds and a City match of \$300,000.

Bill Strait, representing Bucher, Willis, and Ratliff Engineering, briefly explained the improvements to water lines, including the replacement of small water mains with larger lines to accommodate water pressure and fire flow requirements.

There being no further comment, the Mayor closed the hearing.

Eber Phelps moved, Joseph Glassman seconded, that Resolution No. 143, being a Resolution of Residential Antidisplacement and Relocation Assistance Plan Under Section 104(D) of the Housing and Community Development Act of 1974 and Resolution No. 144, being a Resolution to submit an application to the Kansas Department of Commerce for Community Development Block Grant funds to assist the City of Hays with financing, be approved.

Vote: Ayes: Robert Albers

Sharon Leikam

Daniel Rupp

Joseph Glassman

Eber Phelps

16. CHANGE ORDER: Joseph Glassman moved, Daniel Rupp seconded, that Change Order No. 2 (final) of the 1993 Improvement Program, 27th Street Overlay, in the amount of \$1,925, be approved.

Vote: Ayes: Robert Albers
Sharon Leikam

Daniel Rupp
Joseph Glassman
Eber Phelps

17. RECYCLING UPDATE: Elden Hammerschmidt, Assistant Public Works Director, recommended that the City Commission reject all bids to process recyclable materials for the City of Hays.

Daniel Rupp moved, Sharon Leikam seconded, that all bids for the Recycling Program, be rejected, and authorized the staff to develop alternative proposals for Commission consideration.

Vote: Ayes: Robert Albers

Sharon Leikam
Daniel Rupp
Joseph Glassman
Eber Phelps

18. TEMPORARY NOTES: Bids for the issuance of \$700,000 in Temporary Notes to finance the Canterbury, Skyline, and 17th Street Improvements were received from the following:

Emprise Bank	3.95%
Hays, Kansas	
Bank IV	4.10%
Wichita, Kansas	
Commerce Bank	4.23%
Kansas City, Missouri	
United Missouri Bank	4.22%
Kansas City, Missouri	
Sunflower Bank	4.25%
Hays, Kansas	

Eber Phelps moved, Joseph Glassman seconded, that the low bid from Emprise Bank of 3.95% to finance the Canterbury, Skyline, and 17th Street Improvements, be accepted.

Vote: Ayes: Robert Albers

Sharon Leikam
Daniel Rupp
Joseph Glassman

Eber Phelps

Joseph Glassman moved, Eber Phelps seconded, that Resolution No.145, being a Resolution authorizing the issuance of Temporary Notes in an aggregate principal amount of \$700,000 for the Canterbury, Skyline, and 17th Street Improvements, be accepted.

Vote: Ayes: Robert Albers

Sharon Leikam

Daniel Rupp

Joseph Glassman

Eber Phelps

19. GIS STUDY: Sharon Leikam moved, Joseph Glassman seconded, that the City of Hays spend \$10,000 in budgeted funds for a GIS feasibility study to be done by Planagraphics/Black and Veatch regarding the implementation of a GIS system in Hays.

Vote: Ayes: Robert Albers

Sharon Leikam

Daniel Rupp

Joseph Glassman

Eber Phelps

20. GAS FRANCHISE FEES: City Manager Zacharias recommended that the City of Hays increase the gas franchise fee from 1.5% to 3%. Currently, approximately \$55,000 per year is derived from the gas franchise fee. This money is placed in the General Fund to defray basic City services. Raising the fee 1.5% would generate an additional \$55,000. Due to the property tax lid and the need to find additional revenue, Mr. Zacharias suggested that the City Commission authorize an ordinance increasing the fee. This would affect a residential customer by approximately \$.55 per month.

Dan Rupp stated that he would like to see the residential category be exempted from the cost of service user charge of \$3.80.

Charles Reese, representing Midwest Energy, stated they would have to get approval from Kansas Corporation Commission before they could do that.

Joseph Glassman moved, Sharon Leikam seconded, that City staff be authorized to draft an ordinance raising the gas franchise fee from 1.5% to 3%.

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

No: Daniel Rupp

21. 1995 BUDGET IDEAS: Eber Phelps and Mayor Albers discussed the conference "Reinventing Government" recently held in Topeka, which addressed different ways of running government to make it more cost effective. Mayor Albers felt it would be worthwhile to pursue having a similar conference in Hays to be attended by various local governments.

22. APPOINTMENTS: Joseph Glassman moved, Eber Phelps seconded, that Eileen Deges Curl be appointed to the Board of Zoning Appeals for a three year term expiring May 1, 1997.

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

23. ADD-ON ITEMS: Daniel Rupp stated he felt the City should ask for legislative approval to change the special assessment process.

City Manager Zacharias mentioned the article in the Kansas League of Municipalities regarding the City of Hays Department Heads trip to Kearney, Nebraska. This trip was also mentioned in the ICMA newsletter.

Mr. Zacharias also stated the Convention and Visitors Bureau has installed a 24 hour information hotline to find out what is happening in Hays. That number is 628-3240. The City of Hays has also been written up in several publications regarding the Twilight Tours and tourism in Hays.

Eber Phelps wished the City Manager a Happy Birthday and informed the Commission that he would miss the next meeting due

to being out of town. He also commented on the nice job done by the contractor on the newly installed bridge at Frontier Park.

Daniel Rupp inquired about the ripples on the asphalt overlay of 27th Street. Leo Wellbrock stated he was working with Allied to rectify the problem.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board