

November 10, 1994

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays met in regular session, Thursday, November 10, 1994, at 7:30 p.m.

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

2. MINUTES: Joseph Glassman moved, Eber Phelps seconded, that the minutes of the October 27, 1994, regular session, be approved.

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

3. CITIZEN COMMENTS: There were no comments.

4. COMMISSION INFORMATIONAL MEMORANDUM: Commissioner Phelps asked the why cathodic protection was not included in the Water tower specifications. Bucher, Willis & Ratliff Engineer John Youll said cathodic protection protects against corrosion which is normally not a problem in a new tower.

Commissioner Glassman said he thought it would be wise to include cathodic protection; the additional cost may be a wise investment in terms of preventive maintenance. He would hate to see a rust problem occur ten years from now, and be told the problem could have been prevented had the tower been treated with cathodic protection. Engineer Youll said he would research the issue and obtain some cost estimates.

Commissioner Glassman said he was concerned about a recent article in the "Kinsley Mercury" which contained some comments made by Senator Jerry Moran during a recent visit to Kinsley. Senator Moran was quoted as saying the Hays water issue is not a battle for the legislature. Commissioner Glassman disagreed

with that comment, stating that the Legislature passed the Water Transfer Act in the first place. The legislators do play a viable part in this water issue, and the City of Hays needs their support.

Commissioner Leikam said she too felt this would become a legislative issue, and has visited with Senator Moran regarding her concerns.

Commissioner Phelps pointed out that initially, this will be an administrative process involving the various State water offices. Eventually, it could become a legislative issue.

Commissioner Glassman said the legislators should be invited to a Commission Meeting so that they may become educated on the water issue on their behalf as well as the City's behalf. We need to know where they stand on the water issue.

Commissioner Phelps said he felt that education was very important to dispel the various rumors and misinformation that is being circulated throughout the State concerning the water issue.

City Manager Zacharias said he would extend an invitation to the legislators to attend a Commission meeting.

Mayors Albers said he understands the intent, but questions the practicality of the request. It may be to our best interest to keep a low profile at this time, and not ask the legislators to make public comments in regard to this issue. Initially, this will be a regulatory process, and he feels it may be a little premature to ask the legislators to take a stance at this point of the process. Commissioner Glassman said we need to know if they are supportive of the regulatory process. We, as Commissioners, have had to take a stance, and the legislators should also have to take a stance.

Commissioner Leikam said she wanted to publicly thank Becky Graver for her recent letter regarding the youth who destroyed her pumpkins. Commissioner Leikam also questioned why the person was not forced to clean up the mess.

Commissioner Leikam thanked Verlin and Elaine Pfannenstiel for their generous donation to the DARE Program.

5. ENGINEERING PROPOSAL: City Manager Zacharias said the proposed agreement between the City of Hays and Bucher, Willis and Ratliff is to perform engineering services to place water and sewer lines, and roadways within 41st Plaza Addition. The total not to exceed amount for all phases of the project is \$57,100. The total amount will be assessed back to the special assessment district (already created) once the project is completed. Bucher, Willis and Ratliff have performed the preliminary engineering services for Western Plains Development Corporation. In order to expedite the process, it would be appropriate to have Bucher, Willis and Ratliff continue with the engineering for this project.

Joseph Glassman moved, Sharon Leikam seconded, that an Agreement with Bucher, Willis and Ratliff to provide engineering services for the development of infrastructure in 41st Street Plaza First Addition, be approved.

Acting City Attorney Glenn Braun suggested that Section D, on page nine of the contract regarding consequential damages be removed from the contract, and Section E be changed to \$5,000,000.

Commissioner Glassman amended the motion to reflect the deletion of Section D, page nine of the contract, and the amendment of Section E. Commissioner Leikam accepted the amendment motion.

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

6. CHANGE ORDER: City Manager Zacharias said the proposed change order, totaling \$2,345, provides for larger lettering and stenciling of "HAYS" on the new 500,000 gallon water tower. This will make the wording more visible from the Interstate.

Joseph Glassman moved, Daniel Rupp seconded, that Change Order No. 2 to the Water Tower Project, be approved.

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

7. ENGINEERING AMENDMENT: City Manager Zacharias said the design for a SCADA System for the new 500,000 gallon water tower has been delayed until the existing SCADA System passed the field test, and was accepted by the City. This has occurred, and the City is ready to accept the project as fully completed. The original SCADA System was designed by Black and Veatch Engineers. City staff is recommending that the next phase of the SCADA Project be designed by Bucher, Willis and Ratliff for a total cost of \$6,300.00. Black and Veatch's cost to design the new SCADA System Project was \$23,000.

Commissioner Glassman asked if Bucher, Willis and Ratliff will be held responsible for any liability that may be incurred by interrupting the current SCADA System, which was engineered by another firm. Engineer Youll said he would consult with his firm's legal department in regard to that issue.

Joseph Glassman moved, Daniel Rupp seconded, that the I-70 water line design contract with Bucher, Willis and Ratliff be amended to include a SCADA System, and a low pressure alarm, contingent upon the City Attorney's acceptance of the liability and insurance requirements.

City Manager Zacharias noted that the engineering costs for the SCADA System will be paid from remaining funds dedicated to the Water Tower Project. However, another funding source will be used for construction costs.

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

8. CHANGE ORDER: City Manager Zacharias presented an amended engineering agreement with Bucher, Willis and Ratliff for the

required redesign services and Change Order No. 3, to the Allen Street Railroad Crossing Project. The change was necessary due to Union Pacific Railroad raising the tracks and removing the far north track after the plans were approved and the bid was awarded.

Eber Phelps moved, Joseph Glassman seconded, that an amendment to the engineering contract with Bucher, Willis, and Ratliff, and Change Order No. 3, totaling \$2,148, to the Allen Street Railroad Project, be approved.

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

9. CHANGE ORDER: Joseph Glassman moved, Eber Phelps seconded, that Change Order No. 1, totaling \$2,160, to the I-70 water line project for voltage changes from 230 volts (3 phase) to 480 volts (3 phase), be approved.

Commissioner Glassman said he agreed that 480 volts is necessary, but he has a problem with the fact that it was not designed that way in the first place.

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

10. HAZARDOUS MATERIALS TRUCK ROUTE: Eber Phelps moved, Daniel Rupp seconded, that the City Commission support the Local Emergency Planning Committee's efforts to restrict hazardous material trucks to Commerce Parkway (once improved) and making the appropriate signage request to the Kansas Department of Transportation.

Commissioner Glassman said this may be a good time to make a request to KDOT for appropriate signage for the City's Industrial Park and the Municipal Airport.

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

11. SATURN PLANT TOUR: City Manager Zacharias said a group of citizens from Ellis County will be traveling to Tennessee to tour the Saturn Car Plant, used as a model for Cessna Aircraft. You may want to consider sending a City representative with the group.

Joseph Glassman moved, Sharon Leikam seconded, that one City Commissioner or a member of City staff, be authorized to visit the Saturn Car Plant in Tennessee.

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

12. GOLF COURSE ADVISORY COMMITTEE: City Manager Zacharias said it was discovered that the Lease Agreement with the State Historical Society for the Golf Course property requires us to have a Golf Course Advisory Committee, and a representative from the Historical Society, and the Park Department be permanent members of the Advisory Committee.

Eber Phelps moved, Sharon Leikam seconded, that a representative from the Historical Society and the Park Department be added as a permanent member of the Golf Course Advisory Committee.

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

13. ADD-ON ITEMS: City Manager Zacharias expressed appreciation to the Commissioners for their individual efforts in regard to the Cessna issue. He is very pleased the outcome of the one-

half cent sales tax election.

City Manager Zacharias mentioned that over the past few months a great amount of City staff's time has been devoted to the Edwards County water search and the Cessna presentation. Unfortunately, other City issues have been delayed due to lack of staff time.

The Commissioners said they were very pleased and gratified over the three to one margin outcome of the Sales Tax Election. They felt this was an indication that the citizens of Hays are wanting the community to move forward in a progressive direction.

Mayor Albers commented on the result of the election on the national scene, stating that he has a concern that as a Nation, we want a change in Congress. He questioned what impact that change will have on municipalities. We may find that cities will be funding more things without the resources. The hard decisions will be, do we want to cut services, or pay more.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board