

September 22, 1994

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays met in regular session, Thursday, September 22, 1994, at 7:30 p.m.

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

2. MINUTES: Eber Phelps moved, Joseph Glassman seconded, that the minutes of the September 8, 1994, regular session, be approved.

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

3. FINANCIAL STATEMENT: Sharon Leikam moved, Daniel Rupp seconded, that the Financial Statement for August, 1994, be approved.

Commissioner Phelps questioned the shortfall in revenue over expenses for the golf course operations. City Manager Zacharias said ideally, we would like revenue to cover golf course expenditures, but for that to happen would require a significant increase in user fees. This may reduce usership. Traditionally, we try to have user fees cover 80% of costs to operate the golf course.

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

4. CITIZEN COMMENTS: There were no comments.

5. COMMISSION INFORMATIONAL MEMORANDUM: Commissioner Glassman asked that the minutes of various City boards contain more spe-

cific information. Statements such as "general discussion took place," or "a report was given" is not sufficient.

Mayor Albers questioned the progress of the Canterbury Street Project. Project engineer John Youll said Pavers Inc. is still behind schedule, and will be asking for additional days to complete the Project.

Commissioner Glassman said he definitely wanted the Project completed this fall. He was concerned about the approaching cold weather. Mr. Youll said a hard freeze would prevent the pouring of concrete. KDOT specifications allow for the pouring of concrete in 25 degree weather as long as the concrete is covered.

City Manager Zacharias said we would not encourage the contractor to take out areas that cannot be replaced in this season. We still have left open the idea of liquidated damages, if the contract is not met.

Commissioner Glassman asked when the Vine Street Slurry Seal Project would begin. City Manager Zacharias said we have just received the required review of plans back from the Kansas Department of Transportation. The Project may have to be postponed until spring due to the lateness in the season.

6. RECYCLING AGREEMENT: The Commission reviewed an agreement between the City of Hays and L & R Recycling to provide sorting and processing services for the City's proposed recycling program. Assistant Public Works Director Elden Hammerschmidt said Leroy Rohr, of L & R Recycling, has verbally accepted the contract, but is not in a position to sign the contract at this time. Further environmental studies of his land are required. He anticipates that he will be able to sign the contract about the middle of October.

Commissioner Rupp asked who would be paying for the recycling bags. City Manager Zacharias said the individual customers would pay for the bags. Commissioner Rupp said that may create a problem. It would be cheaper to not participate in the recycling program. We need to provide an incentive to encourage participation in the program. An alternative may be once a week

pickup for regular trash, and once a week pickup for recyclable materials, or an additional charge for those who do not participate. City Manager Zacharias said once we get into the program, we may want to modify the program to create more incentive to recycle.

Action on the agreement was tabled, and the City Attorney will make some minor modifications to the agreement.

7. RAILROAD CORRIDOR GREEN SPACE ENGINEERING: Business Improvement District Administrator Wayne Billinger was present to answer questions regarding the selection of an engineer for the Railroad Corridor Green Space Project. Mr. Billinger said the Kansas Department of Transportation is ready to accept plans for the Railroad Corridor Project. Construction of the Project is scheduled to begin in the spring of 1995.

The total cost for engineering services was estimated to be approximately \$19,000. The expenses for plans and specifications will be borne solely by the City. Engineering services for inspection activities will be shared with the State through the ISTEA Grant funds.

City Manager Zacharias said the City may select an engineering firm, or develop a Request for Proposals and submit to a variety of engineering firms.

The Commission instructed the City Manager to form a committee and develop a Request for Proposals for selecting an engineering firm for the Railroad Green Space Project.

Mr. Billinger mentioned that as of September 22, 1994, the BID has received \$7,200 in pledged donations to the Railroad Corridor Greenspace Project.

Discussion took place concerning the littering in the Downtown area, particularly in the 100 and 200 block along the railroad tracks. Commissioner Leikam encouraged the downtown merchants to help in keeping the litter picked up. She asked Police Chief Younger if something could be done to curtail littering. Chief Younger said if someone is caught littering, a citation is issued.

City Manager Zacharias said additional lighting has been

added to the areas where most of the vandalism and littering occurs. The Police Department will begin a Bicycle Patrol Program, which should help to prevent vandalism and littering.

Police Chief Younger said ten officers have volunteered to participate in the Bicycle Patrol Program. Initially two officers will have training to do bicycle patrol. Two bicycles will be rented. If the Program proves to be successful, the City will purchase bicycles with the proceeds from the sale of the Cushman motorcycle. Other cities who have this Program speak very highly of it. The officers will be patrolling the downtown area and the University area.

8. PUBLIC HEARING: Mayor Albers opened a public hearing to receive comments concerning a CDBG Grant Application for Hays International Mailing Services, Inc.

Doug Bergeman, representing Northwest Kansas Planning and Development Commission and Pioneer Country Development, said Hays International Mailing Service has expressed an interest in applying for an economic development grant to finance \$300,000 in equipment.

Mr. Bergeman said this public hearing is a general informational hearing. More specific information regarding the applicant will take place at the next public hearing, which is tentatively scheduled for October 13, 1994.

There being no further comments, Mayor Albers closed the public hearing.

9. FHSU HOUSING: Dr. Edward Hammond, President of Fort Hays State University, was present and reported on a proposed student housing project on the campus of Fort Hays State University. City Manager Zacharias said the Commission may wish to authorize a "Letter of Support" for the Project.

Dr. Hammond said the University has experienced a housing shortage for over two years. He made a commitment to wait two years before acting, in order to give the private sector the chance to respond to the shortage.

Dr. Hammond presented a preliminary draft of a plan to address the following issues:

1. The housing shortage in Hays.
2. Recreational facilities.
3. Greek housing complex
4. Flood control relief.

Dr. Hammond said the plan will be developed in phases. When fully developed, the plan will provide 420 additional bedrooms, including the Greek complex.

The entire project is estimated to cost approximately \$15,000,000. The project will be financed through a private joint investment venture. No State dollars or Federal loans will be used to finance the Project.

Commissioner Phelps said the two concerns he has heard from citizens is the loss of potential renters to existing landlords, and that this project will not increase the tax base.

Dr. Hammond said he does not believe this project will hurt the private sector that is presently providing reasonable standard housing. However, the substandard housing landlords will be forced to upgrade their housing, in order to be competitive.

Dr. Hammond said the University's attorney has indicated the housing complex will not be subject to property tax.

Joseph Glassman moved, Robert Albers seconded, that a "Letter of Support", be written concerning the proposed housing complex at FHSU, provided that the project meets all City codes, which may be more stringent than State codes, and City utilities are used for the project.

President Hammond said the University would be willing to go beyond code and consult with City Staff on every aspect of the project. They would not want to do anything in regard to infrastructure that is not functional.

Commissioner Rupp said the University has the right to proceed with this project. He personally feels that as a City Commissioner, he would not want to vote against the interests of the realtors and landlords. People who currently have housing in Hays have voiced a great amount of concern about this project.

Commissioner Glassman said he has put a lot of thought into this matter. Dr. Hammond did give private sector the opportunity to respond, and he said the number of units would be reduced, if someone in the private sector would build additional housing. Commissioner Glassman said he feels the University is important to the City's economic growth and deserves the City's support. However, he stated he would be very disappointed if this housing complex is built without any consideration for private investors.

Commissioner Phelps said the City has boasted of growth and the University has also experienced growth. Any amount of economic development will add to the housing shortage. He does not feel the housing complex will hurt the responsible landlords in the City.

Commissioner Leikam said she understands there is a housing shortage, but will not favor a "Letter of Support" from the Commission. Her decision is based on the number of calls she has received from landlords who oppose the project.

Mayor Albers said he can appreciate the concern of people who have rental property, but would support the project because of the demand for additional housing which must be met.

Lynn Hamm, local landlord, 2910 Barclay, said he has seen both sides of the supply and demand for housing since he has lived in Hays. Over projection of the housing demand can have a very devastating effect on investors. He encouraged Dr. Hammond to build the units in increments. He stated that the private sector cannot compete with the State. The State has land available to use for building and receives various tax abatements.

Dr. Hammond said the purpose of his being at this meeting was to review the plans for the project, and not necessarily to obtain a "Letter of Support." He realizes this is a very political issue.

Commission Rupp said he saw no reason to go overboard and issue a "Letter of Support." This could jeopardize the citizens of Hays who are voters and taxpayers.

Commissioner Leikam said she made it clear to the people

who spoke to her in opposition of the housing project, that even if the Commission did not give a "Letter of Support", that did not mean the project would not be built.

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

10. CEMETERY FEE ORDINANCE: Joseph Glassman moved, Sharon Leikam seconded, that Ordinance No. 3322, being an ordinance amending Sec. 7-43 of Article III, Chapter 7, of the Code of Ordinances of the City of Hays, Kansas, as passed on October 22, 1981, by increasing the cost of cemetery lots to be sold by the City and providing for infant spaces and crematory burial spaces, and Ordinance No. 3323, being an ordinance amending Sec. 7-51 (C) of Article III, Chapter 7, of the Code of Ordinances of the City of Hays, Kansas, as amended by Ordinance No. 2874, as passed on October 22, 1981, by increasing the cost of grave openings, be approved.

City Manager Zacharias said the increases will be more in line with the fees charged by St. Joseph's Cemetery.

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

11. EXECUTIVE SESSION: Eber Phelps moved, Sharon Leikam seconded, that the Commission recess to executive session for the purpose of discussing personnel matters for 20 minutes, returning at 10:15 p.m.

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

Mayor Albers called the meeting back to order at 10:15 p.m.

Sharon Leikam moved, Eber Phelps seconded, that City Manager Zacharias be given a five percent salary increase effective October 1, 1994.

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

12. ADD-ON ITEMS: Joseph Glassman moved, Sharon Leikam seconded, that Resolution No. 153, being a resolution authorizing the offer for sale of approximately \$975,000 of General Obligation Internal Improvement Bonds, Series 1994-A and approximately \$350,000 of General Obligation Airport Improvement Bonds, Series 1994-B of the City of Hays, be approved.

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

Eber Phelps moved, Joseph Glassman seconded, that a public hearing be held on October 13, 1994, regarding the proposed issuance of General Obligation Airport Improvement Bonds.

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

Joseph Glassman moved, Eber Phelps seconded, the Mayor be authorized to select voting delegates for the Kansas League of Kansas Municipalities Annual Conference to be held on October 9 and 10, 11, 1994,

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

Commissioner Phelps credited Joe Englert, Airport Manager, for the success of the Air Show held recently at the Hays Municipal Airport.

Commissioner Phelps mentioned that there is an interesting article in "National Cities Weekly" about a community in Oregon who turned their downtown area into a recreational facility which includes a large lake.

Commissioner Rupp mentioned that the Elm Street Crossing still needs repairs. Public Works Director Leo Wellbrock said he has been in contact with Union Pacific in regard to that issue.

Commissioner Rupp mentioned that there are a lot of dead trees throughout the City. The dead trees could cause damage and injury to people, in the event of a wind storm. He asked City staff to address the issue.

Commissioner Rupp asked if the spalling problem on the Main Street Improvement Project has been resolved. Public Works Director Wellbrock said the problem was corrected and the contractor's punch list has been completed. The warranty period has expired. Any further problems would be the City's responsibility.

Mayor Albers said he received a letter from the Mayor of Victoria stating that the Governing Body of Victoria supports the City of Hays' recent effort to obtain an ample water supply.

Thereupon the Governing Body adjourned.

Submitted by _____

Clerk of the Board