

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON JUNE 8, 1995

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays met in regular session, at City Hall, Thursday, June 8, 1995, at 7:30 p.m.

Roll Call: Present: Sharon Leikam
Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz

Mayor Leikam declared that a quorum was present, and called the meeting to order.

2. MINUTES: Eber Phelps moved, Errol Wuertz seconded, that the minutes of the May 25, 1995, meeting, be approved.

Vote: Ayes: Sharon Leikam
Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz

3. CITIZEN COMMENTS: There were no comments.

4. COMMISSION INFORMATIONAL MEMORANDUM: Commissioner Phelps inquired about the storm sewers by the Railroad Corridor Greenspace Project. He noted the letter from Bucher, Willis, and Ratliff indicated the storm sewers would be repaired with asphalt.

City Manager Hannes Zacharias stated this was a temporary condition. They would be replaced with brick along with the approaches on Fort Street at a later date.

5. CONSENT ITEMS: There were no consent items.

6. 1996 BUDGET REQUESTS: D. G. Bickle, Chairman, and Lavern Squier, Executive Director of the Ellis County Coalition for Economic Development, were present and requested that \$60,000 be included in the 1996 City of Hays budget to be used for community issues, industrial recruitment, existing business

retention/expansion, and administration.

Jerome Waltner, Director, and Kurt David, representing the Ellis County Historical Society, appeared before the Commission requesting \$1200 be included in the 1996 City Budget. The Historical Society's budget for 1996 includes a 4.25% increase. Most of this increase is due to inflation and also expanded hours of operation that are being planned in 1996.

Mary Ann Thompson and Judy Roscoe, representing the Humane Society of the High Plains, appeared before the Commission requesting \$58,700 in funding for 1996. The increase in funding requested, amounting to \$2,700, is due to increased operational expenses that will be incurred when the Humane Society moves into their new facilities later this year.

Edward Hammond, President, and Lynette Schmeidler, Student Body President of Fort Hays State University, appeared before the Commission. The University is requesting \$100,000 for the renewal of the Fort Hays State University/City of Hays Scholarship Program of Scholastic Achievement. Mr. Hammond explained the economic impact FHSU has on Hays and Ellis County and the benefits associated with student recruitment and retention.

7. CDBG APPLICATION: Mayor Leikam opened a public hearing to hear comments on a proposed Community Development Grant application for architectural barriers and improvements to City park and swimming facilities. The proposed improvements are required by the Americans with Disabilities Act. The \$200,000 Grant would be matched by City funds.

Parks Director John Shaver reviewed the improvements to City facilities that would be included in this project.

There being no further comments, Errol Wuertz moved, Daniel Rupp seconded, that the public hearing be closed.

Vote: Ayes: Sharon Leikam
Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz

Eber Phelps moved, Daniel Rupp seconded, that Resolution No. 173, being a resolution authorizing the Mayor to submit the CDBG Application, in the amount of \$200,000 to the Kansas Department of Commerce, and to act as the City's authorized representative in all matters pertaining to a grant award, be approved.

Vote: Ayes: Sharon Leikam
Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz

Daniel Rupp moved, Jayne Clarke seconded, that Resolution No. 174, being a resolution of Residential Antidisplacement and Relocation Assistance Plan Under Section 104(D) of the Housing and Community Development Act of 1974, as amended, be approved.

Vote: Ayes: Sharon Leikam
Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz

8. WATER TOWER PAINTING: Sherwin Williams representative Bruce Toews, who is a NACE Level 1 Certified Inspector, addressed the Commission regarding the painting of the one million gallon water tower. Mr. Toews recommends that the project be in two phases. The first phase would be to do an evaluation of the tank to determine whether to do only a top coating of the water tower versus a total removal and replacement. If the City were to remove the existing coating, Mr. Toews recommends the hiring of an engineering firm that is capable of writing specifications and do inspections throughout the course of the project. If the

City were to overcoat the water tower, Sherwin Williams would be able to provide some services, which are offered to all of their industrial customers. They would like to do their own evaluation and would then assess the life expectancy of the new recoating. Sherwin Williams would then provide the paint specifications, the actual surface preparation, and the application specifications. Mr. Toews stated his firm would not provide engineering services, but would work along side with the engineering firms. The coatings industries, due to EPA regulations, is rapidly changing and Sherwin Williams has the ability to access those changes very quickly. If Sherwin Williams was chosen to do this project, and a competitor was chosen to do the painting, an independent inspector would be hired for the project to avoid a conflict of interest. If the City were to remove the existing lead coating, Mr. Toews recommends that an engineering firm be hired.

City Manager Zacharias stated that the evaluation of the water tower that was done by Johnsen Corrosion Engineering, Inc. did not give a number of years of useful life if the tower were topcoated. Their recommendation was to remove the lead base paint and recoat the water tower. The City is seeking a second opinion to give us a definite answer regarding how many years of useful life we could expect from top coating. If the City could top coat the tower that would suffice for seven to ten years, the City would save a considerable amount of money. Lead paint removal, as dictated by the EPA, could change in the future.

Mr. Toews stated that lead abatement projects are relatively new. He expects to see major changes in the technology of lead removal in next five to ten years and costs may hopefully come down. In addition, Environmental Protection Administration requirements regarding lead removal could change in the next few years.

Bucher, Willis, & Ratliff engineer John Youll reviewed the scope of services drafted for their engineering services for the water tower painting project. The engineering costs for the investigation and design phase would be \$8200, with an alternate

cost of either \$5700 for topcoating, or \$9500 if the tower is repainted.

City Manager Zacharias recommended the City proceed with his earlier recommendation in hiring the services of Bucher, Willis, & Ratliff. He feels it is better to deal with only one vendor, rather than two or three for liability purposes. Mr. Zacharias estimates that a savings of \$4000-\$6000 would be saved by using Sherwin Williams for the design phase, however some of these savings would be offset by services they would not provide.

Commissioner Rupp stated it was a difficult decision, there are no guarantees given by anyone, but the City could save some money by choosing Sherwin Williams. He feels the company is reputable.

Errol Wuertz moved, Daniel Rupp seconded, that the proposal from Sherwin Williams be accepted.

Vote: Ayes: Sharon Leikam
Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz

9. GREENBRIER LANE TRANSFER: Jayne Clarke stated she would be abstaining from all discussion and any procedures relating to the transfer of Greenbrier Lane from Smoky Hill Country Club to the City of Hays. Her husband is on the Board of Directors of Smoky Hill Country Club.

City Manager Zacharias and Jeff Lewis, General Manager of the Country Club reviewed the history of Greenbrier Lane. Installed around 1976, the road was put in to connect the new development tract on Thunderbird from 33rd Street to 41st Street with the city limits at the time of annexation. An easement was purchased from private property owners and the road was installed by the developer according to City specifications. The Country Club has maintained Greenbrier Lane ever since then. Due to the development of other tracts in the area, the street soon became a primary residential traffic route. The street is

now in need of approximately \$25,000 repair work to extend the life of the street another five to seven years.

Mr. Lewis stated the Country Club does not have funds for the repairs. Their only option is give Greenbrier Lane to the City at no cost or to close the street at some time in the future when it is no longer safe. If they gave the street to the City, they are asking that the Country Club not be held liable for any assessments for improving or maintaining the streets. Further, they are requesting that golf carts and heavy equipment be allowed to cross Greenbrier at two existing points.

Commissioner Rupp stated he was hesitant to accept a private road, maintain it, and not assess the property owners for any improvements. He feels the City would be setting a precedent.

City Attorney John Bird pointed out that because Greenbrier Lane has been used as a public roadway, the City may have already incurred some responsibility for maintenance of the road. If improvements were made by the City, the normal method of financing the improvements would be to assess the area property owners, including the Country Club.

Commissioner Phelps asked City Manager Zacharias what effect the closing of Greenbrier Lane would have on the area.

City Manager Zacharias stated that the only benefit to keeping the street open is to the residents who live on the west side of the Country Club. The police and fire departments access the area by either 27th Street or 41st Street.

In the absence of a motion or recommendation, the request to accept Greenbrier Lane was denied by the Commission.

10. SCADA SYSTEM INSTALLATION: City Manager Zacharias reviewed information regarding the installation of the SCADA System at the pump vault on 41st Street in conjunction with the new water tower.

Daniel Rupp moved, Errol Wuertz seconded, that the City of Hays purchase SCADA equipment from AUTOCON Industries, and authorize AUTOCON to secure radio frequencies for a cost not to exceed \$25,950, and further, that Change Order No. 3 with Allied

Inc., in the amount of \$14,460, for the installation of the SCADA System, be approved.

Vote: Ayes: Sharon Leikam
Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz

11. LAW ENFORCEMENT CENTER CONTRACT: City Manager Zacharias reviewed the lease agreement between Ellis County and the City of Hays, pointing out a change which would allow the City to negotiate fees for services with the cities of Victoria and Ellis.

Commissioner Rupp urged the City and Ellis County to continue to consolidate their efforts to provide citizen services. Mr. Rupp feels this would be helpful in cutting the cost of government. We need to be aggressive pursuing such options. City Manager Zacharias replied that consolidation efforts are discussed during the joint meetings of the City of Hays and Ellis County. Consolidation is proceeding in the street department area and meetings are being set up to further pursue consolidation.

Errol Wuertz moved, Eber Phelps seconded, that the Law Enforcement Center Lease Agreement between the City of Hays and Ellis County for 1996, be approved.

Vote: Ayes: Sharon Leikam
Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz

12. VINE STREET CONTAMINATION: City Manager Zacharias reviewed a draft letter written by Dave Tripp, the City's attorney on the Vine Street PCE contamination. This letter is to be sent to the Kansas Department of Health and Environment in response to the demands for an agreement in principle to take responsibility for environmental cleanup at Public Water Supply Well No. 20.

Eber Phelps moved, Jayne Clarke seconded, that the City

Manager be authorized to sign a letter of intent to enter into a consent agreement with KDHE, and pursue the development of a consent agreement with KDHE attorneys concerning the PCE contamination of Vine Street.

Vote: Ayes: Sharon Leikam
Daniel Rupp
Eber Phelps
Jayne Clarke
Errol Wuertz

13. ADD-ON ITEMS: Commissioner Wuertz stated that it has recently come to his attention that there is not a sidewalk along Vine Street between 23rd Street and 24th Street. He feels this is a dangerous situation and wondered why there never has been a sidewalk installed. Public Works Director Leo Wellbrock replied that there is not an existing right of way for sidewalks in that area. The State of Kansas controlled the requirements when Vine Street was improved.

Commissioner Wuertz suggested that the police vehicles use a different tone on their sirens when warning residents about approaching storms and to also use their public address system at the same time. He feels the siren tone used for accidents should be different than the tone used when alerting people of approaching storms.

Commissioner Phelps reviewed the Hays Residential Recycling Program and reiterated that there are many options to dispose of grass clippings that are free.

Thereupon the Governing Body adjourned.

Submitted

by: _____

Clerk of the Board