

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON APRIL 25, 1996

1. CALL TO ORDER: The Governing Body of the City of Hays, Kansas, met in regular session, Thursday, April 25, 1996, at 7:30 p.m.

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

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

2. MINUTES: Eber Phelps moved, Jayne Clarke seconded, that the minutes of the April 11, 1996, regular session, be approved.

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

3. FINANCIAL STATEMENT: Commissioner Clarke noted that local sales tax revenue is slightly less than what was collected last year for this same time period. City Manager Zacharias stated that for the three month period ending in March, the total revenue is \$403,500. This is about seven percent behind last year.

Jayne Clarke moved, Eber Phelps seconded, that the Financial Statement for March, 1996, be approved.

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

4. CITIZEN COMMENTS: Nancy Baumrucker, representing the Hays Beautification Committee, presented Mayor Rupp with a flag and a

plaque commemorating Hays being named a "Tree City USA".

5. COMMISSION INFORMATIONAL MEMORANDUM: Commissioner Wuertz thanked Kent Steward, Clare Gustin, and Carroll Waggoner for completing the "All American City" application.

6. CONSENT ITEMS: Eber Phelps moved, Errol Wuertz seconded, that a Cereal Malt Beverage License for Patricia Ann Schlyer at the Frank Stramel Softball Complex, be approved.

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

7. MOWER BIDS: The purchase of a new out-front ten foot commercial mower was deferred from an earlier Commission meeting to allow the City to re-bid this item with broader specifications. The two companies that submitted bids meeting all the specifications are as follows:

Outdoor Equipment	\$26,900.48
Wichita, KS	
Modern Distributing	\$28,377.00
Wichita, KS	

Tim Staab, representing Central Prairie Implement, was present, and told Commissioners that he, and other lawn mower dealers are unhappy with the process the City used to determine specifications for lawn mowers. Mr. Staab stated the specifications are often written so that local dealers cannot even bid. Mr. Staab would like the specifications to be broadened to allow local vendors a chance to bid.

City Manager Zacharias stated that several recent mowers were purchased locally. A mower was purchased from Central Prairie Implement within the last 30 days. However, in this instance a 10 foot mower is what the City needs to purchase, and the only two qualified bids were from out of town vendors.

Commissioner Clarke stated that she prefers to buy locally,

but she also needs to consider the most efficient way to spend the taxpayers' dollars.

Mayor Rupp recommended that in the future, City staff and local dealers get together to come up with recommendations for more efficient utilization of equipment. Mayor Rupp encouraged local firms to bid, but they must realize that firms outside of the community may be able to submit a lower bid.

Errol Wuertz moved, Sharon Leikam seconded, that the bid from Outdoor Equipment, Wichita, KS, in the amount of \$26,900.48, for a out-front commercial mower, be approved.

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

8. KANSAS WATER AUTHORITY UPDATE: Joseph Glassman, a member of the Kansas Water Authority, addressed the Commission about statewide water policy issues. The KWA will be reviewing the allocation process for water this year. Quality and quantity of water will also be addressed by the Water Authority. Mr. Glassman stated there is a plan to raise the lake level of Kanopolis Lake by 4.5 feet. The water stored in Kanopolis is used by the Post Rock Water District. Mr. Glassman suggested the Hays-Russell Public Wholesale Water Supply District might want to consider Kanopolis Lake as a water source.

9. PAY PLAN PRESENTATION: Justin Johnson, Senior Consultant for Ralph Anderson & Associates, presented information concerning the process used for the 1996 Pay Plan Study for City employees. Mr. Johnson has worked closely with a committee of City employees throughout the project. His firm conducted a market pay and benefits survey, reviewed the present pay plan and compensation methodologies, and developed competitive and equitable pay recommendations. Mr. Johnson discussed these recommendations at City employee meetings earlier today. The proposed pay plan pay range is structured to include 14 steps per range at 2.5 percent increments.

Mayor Rupp stated he felt that pay studies should take other elements into consideration, such as quality of the job environment, jobs requiring degrees or experience, and the degree of responsibility for particular tasks.

City Manager Zacharias stated that these proposed salaries are negotiable items with the unions. Mr. Zacharias recommended the City Commission accept the report to recognize that the report was completed. Mr. Zacharias also thanked the Employee Committee members and Susie Billinger, Personnel Director, for their work on this project.

Jayne Clarke moved, Sharon Leikam seconded, that the 1996 Pay Plan Study for the City of Hays employees, be accepted.

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

10. PLANNING COMMISSION REPORT: Kent Laas, Chief Building Inspector, and Larry Gould, chairman of the Planning Commission, presented 13 items concerning proposed changes recommended in the annual review of the Comprehensive Land-use Plan.

Sharon Leikam moved, Eber Phelps seconded, that Ordinance No. 3365, being an ordinance approving and adopting a Comprehensive Plan for the City of Hays, Kansas, be approved.

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

Mr. Gould reported on the alignment of the 12th Street, Elm and Hall Street intersection. Mr. Gould stated that data tended to demonstrate the intersection and the area designated for possible realignment does not require immediate attention from a safety perspective. The Planning Commission's recommendation is to adopt a "phased reconstruction" of the intersection by using the resources in the current Capital Improvement Plan to acquire

and eventually remove the three houses on the island. This will set the stage for meeting several of the considerations in the Bucher, Willis, and Ratliff study regarding sight distance and parking relative to an arterial street, upgrade the attractiveness and appeal of a very important area of the City's inner core. In addition, the necessary modifications to the storm water drainage system in the intersection could also be completed. The CIP should be amended to include projects over the next 3-5 years (\$175,000 per year or less over 5 years) to finish the realignment and reconstruction plan as provided. Mr. Gould stated an easy and quick solution to part of the problem would be to address the parking problems around the island, which he feels hinders the flow of traffic.

Mayor Rupp stated he was in favor of improving the storm water drainage system and resurface the streets at this time. If at some time in the future the houses in the island were available for sale, the City could pursue the option of acquiring them.

11. MASTER PLAN SERVICES EXTENSION: Eber Phelps moved, Jayne Clarke seconded, that the request from the Strategic Planning Committee to extend the completion date for the Master Plan for the Community Center Complex be extended to July 31, 1996, be approved.

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

12. COMMUNITY POLICING: Police Chief Lawrence Younger presented information regarding a new program being instituted by the Police Department called Community Policing. This program is designed to keep our community safe, and provide an environment where gangs cannot get a foothold in the community. This program involves training citizens to be aware of potentially dangerous situations, and how to respond to such situations. Community Policing also involves several things the

Police Department is already doing, e.g., the Neighborhood Watch Program, the DARE Program, bicycle patrol, and the Citizen's Academy. Volunteers from the community will be solicited for this program.

13. PARK CURFEW ORDINANCE: City Manager Zacharias said the City periodically gets requests from groups to stay overnight in the City public parks. Current City ordinances do not allow anyone to stay overnight in any of our parks. To allow such activities, individuals must petition the City Commission to be exempted from existing ordinances. The proposed ordinance would allow the City Manager to grant such overnight stays when appropriate. This ordinance will preclude the City Commission from periodically exempting individual groups from City ordinances and allow legitimate organizations to still occupy City parks.

Jayne Clarke moved, Errol Wuertz seconded, that Ordinance No. 3366, being an Ordinance amending Section 21-10 of Chapter 21 of the Code of Ordinances of the City of Hays, Kansas, as passed on October 27, 1982, and as published on November 4, 1982, making certain provisions for the use of public parks within the City of Hays, Kansas, be approved.

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

14. SLURRY SEAL BIDS: The total amount of funds projected for slurry seal improvements in the Capital Improvement Budget is \$355,000. This is an accumulation of 1994, 1995, and 1996 budget allocations. Based on the engineer's preliminary estimates, the bids were structured with alternates allowing the City to pick and choose streets beyond those included in the base bid, which would best meet the funds available in the project. Bids received for the base bid and all six alternates are as follows:

Allied Construction \$349,087.38
Hays, Kansas

Wes-Kan Construction \$323,093.82
Hays, Kansas

The total low bid received for the base bid and the six alternates is \$323,093.82 or \$31,906.18 less the budget amount. The engineer's contract for the project is \$32,400.00 leaving a deficit of \$493.82. There are sufficient funds available in the Special Highway Fund to absorb the \$493.82 deficit. Start date for the Project is scheduled for July 1, 1996 and completion by September 1, 1996. The construction period for this project is projected to begin on approximately July 1, 1996, with completion on approximately September 1, 1996. City Manager Zacharias recommended the Commission accept the low bid from Wes-Kan Construction.

Sharon Leikam moved, Eber Phelps seconded, that the bid from Wes-Kan Construction, Hays, Kansas, in the amount of \$323,093.82, for slurry seal improvements in the City of Hays, be approved.

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

15. WATER TOWER PAINTING: Dana Cunningham, Facilities Planning Architect at Fort Hays State University, and Brenda Cary, Assistant Director of Public Works, presented a draft agreement and proposed design and graphics layout for the Sternberg Museum lettering and logo on the Water Tower Painting Project. Staff recommends approval so that specifications can be finalized and the bid date set for the project. The Museum specifications will be bid as an alternate on the City's project, but must be incorporated into bid documents.

Eber Phelps moved, and Jayne Clarke seconded, that the

agreement between the City of Hays and Fort Hays State University, and the design specifications for graphics, be approved.

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

16. ADD-ON ITEMS: City Attorney John Bird updated the Commission on recent developments regarding the Circle K Ranch in Edwards County. On April 15th, the Edwards County Commission agreed to move ahead with litigation in the Kansas Supreme Court challenging the constitutionality of the State's Water Transfer Act. The next day, the Edwards County Commission convened again at a special meeting at which a zoning study was authorized. The Edwards County Commission passed a resolution effectively freezing the uses of the Circle K Ranch until the end of this year. Mr. Bird does not think Edwards County gave City officials sufficient advance notice as required under the Kansas Open Meetings Act. Mr. Bird advised the City Manager to have someone attend the Edwards County Commission meetings to keep tabs on the Governing Body's actions.

Mr. Bird stated it is his opinion that counties have no role in water regulations. Water is a preempted area that cannot be handled locally, and the Edwards County Commission has no business dealing with water issues. The City of Hays plans to seek the Attorney General's opinion on the role of county government in water regulation.

City Manager Zacharias reviewed several possible dates with the Commission for an upcoming joint City-County meeting. Mr. Zacharias also reminded the Commission of the citizen's survey to be conducted during the last week of April.

Commissioner Wuertz commented on the employee appreciation lunch hosted by the Downtown Business Improvement District. Mr. Wuertz complimented them on their good turn-out.

Commissioner Leikam stated the City of Hays was mentioned

in a recent study by the National League of Cities, which dealt with children and family issues.

Commissioner Clarke asked if water usage was steadily increasing and wondering if this wouldn't be a good time to remind citizens that it is illegal to waste water. The City Manager replied that even though water usage is slightly up from last year, there is not a real cause for concern.

Commissioner Clarke asked if there were any ordinances regulating roller blading on City streets and sidewalks. Mr. Zacharias stated that whatever regulations applied to roller skating would also apply to roller blading, but staff would research the issue.

Commissioner Phelps commended the Park Department, the Hays Recreation Commission, and the Hays Optimist Club on the new Pratt-Optimist Soccer Complex, stating it is a fine addition to our park system.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board