

MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON NOVEMBER 12, 1998

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session, Thursday, November 12, 1998, at 7:30 p.m.

Roll Call: Present: Wayne Billinger
Troy Hickman
Howard Rome
Sharon Leikam
Jayne Clarke

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

2. MINUTES: Sharon Leikam moved, Howard Rome seconded, that the minutes of the regular session held on October 22, 1998 and the recessed session held on November 3, 1998, be approved.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Sharon Leikam
Jayne Clarke

3. SERVICE AWARDS: Mayor Billinger presented 10 year service awards to the following: Janelle Bedard, John Bird, Jim Cooper, Jana Jordan, Myron Sander, John Shaver, Bob Shubert, Joe Taylor, Terry Wagner, Wayne Wittman, Dan Younger, and Roger Holle.

Mayor Billinger presented 25-year service awards to Jerry Haynes and Kent Laas; and a 40-year service award to Lawrence Younger, Jr.

4. CITIZEN COMMENTS: There were no comments.

5. COMMISSION INFORMATIONAL MEMORANDUM: City Manager Hannes Zacharias stated the City of Hays has received a Community Improvement Grant through the Kansas Small Cities Community Development Block Grant Program. This grant will be for the installation of a water line on south Vine Street.

City Manager Zacharias informed the Commission that Hays Airport Manager Joe Englert has also secured the Canadian Snowbirds Flying Team to do a air show in Hays on October 6, 1999.

Mr. Zacharias also informed the Commission that the Hays Fire Department has received \$12,000 from the Department of Emergency Management to send four people to Pueblo, Colorado for two weeks of advanced level hazardous materials training.

Commissioner Rome commented on the efforts put forth by staff and the Fly Hays Committee to get an increase in our enplanements.

Commissioner Rome also asked why the City has so much trouble retaining police officers. City Manager Zacharias stated the police officers leaving Hays most recently have received promotions to go to other communities or have accepted jobs with the Kansas Bureau of Investigation. An ambitious person may find it easier to advance more rapidly in another organization.

6. CONSENT ITEMS: There were no consent items.

7. WILD WEST FESTIVAL REPORT: Tom Meiers and Nick Niernberger, representing the Wild West Festival Committee, were present and reported on the 1999 Wild West Festival. The Wild West Festival for 1999 will be held July 2-4th. Mr. Meiers provided a Financial Statement for Commission review. He said without the support from the City of Hays and corporate sponsors, the Wild West Festival would not be solvent.

After a discussion of insurance costs for this event, it was recommended that staff investigate whether a better rate would be possible if the City insurance policy could cover this event.

Commissioner Clarke stated she felt more comfortable allocating City funds to the fireworks portion of the event rather than to the concerts.

Mr. Niernberger stated that some corporations donate money to be used strictly for the fireworks, however, funds are needed to make the whole festival solvent.

Howard Rome moved, Sharon Leikam seconded, that \$9,300 be allocated to the Wild West Festival for 1999.

Vote: Ayes: Wayne Billinger

Troy Hickman

Howard Rome

Leikam

Jayne Clarke

8. REBIDDING OF CERTAIN POOL BIDS: Assistant City Manager Penny Postoak, and Mark Hantla, chairperson of the Pool Task Force, reviewed the procedures followed for the bid letting of the eleven different aspects of the pool construction. Six of the bids, including the pool demolition, which has already been completed, came in under the engineer's estimate. Written agreements have been secured from four of the remaining five vendors to hold their bid prices for at least 60 days. It is recommended that all bids over the engineer's estimate be rebid, and due December 14, 1998. The City Commission will be asked to approve the bids at the December 22, 1998, regular Commission meeting.

Penny Postoak, Assistant City Manager, reviewed the bids that were over the engineer's estimate. She said Jim Sullivan, the engineer, may have underestimated the job and material market in Hays. Higher transportation costs and limited competition may have also contributed to the higher bids. Some of the engineer's estimates have been raised, more clarification has been added to others, and more detail has been added where necessary.

City Manager Zacharias assured the citizens that even though six of the eleven bids were over the engineer's estimate, the pool would be built for the amount voters approved, \$4.2 million. This is a huge project and to get the pool built in time for the 1999 season is probably unrealistic. The City's first priority is finances, second is quality, and third is time. If the City were willing to spend more money, the pool could probably be finished in time for the 1999 season,

however, Mr. Zacharias stated we will keep our spending within the confines of \$4.2 million.

Commissioner Leikam questioned whether the time frame for returning bids the first time was adequate. Ms. Postoak stated three to four weeks was the normal time frame. Some contractors did not bid because of other projects they have that would conflict with this one or due to clarification issues within the bid specifications.

Jayne Clarke moved, Sharon Leikam seconded, that the five bids over the engineer's estimate for the construction of the Municipal Pool be rejected and be rebid.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Sharon Leikam
Jayne Clarke

9. CONSTRUCTION BIDS: Bids were opened on October 29, 1998 for the installation of monitoring wells within the Wellhead Protection Area. The result of the bid opening is as follows:

<u>Bidder</u>	<u>Amount of Bid</u>
Layne Western Wichita, Kansas	\$31,802.00
GeoCore Services, Inc., Salina, Kansas	\$23,017.00
Woofter Pump & Well, Inc. Hoxie, Kansas	\$21,726.75
Karst Water Well Drilling, Inc. Hays, Kansas	\$14,977.90

Paul Montoia, Wellfield Planner, said under the direction of the Ellis County Wellhead Protection Committee, the Well Field Planning Office applied for and received a KDHE-EPA sponsored 319 Grant in 1997. Although the 319

Grant was approved in 1997, KDHE funding of the project was not received until 1998. The Grant is to identify non-point source pollution before it can impact the City's public water supply wells through a series of monitoring wells. Non-point source pollution has been described as any pollution found in groundwater that does not come out of the end of a pipe.

Jayne Clarke moved, Howard Rome seconded, that the bid submitted by Karst Water Well Drilling Inc., totaling \$14,977.90, for the installation of monitoring wells, be accepted.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Sharon Leikam
Jayne Clarke

Bids were opened for the extension of the parking lot at the Hays Municipal Airport. The result of the bid opening is as follows:

Allied, Inc.	\$27,331.71
Hays, Kansas	
Tom Campbell Construction	\$23,895.00
Hoxie, Kansas.	

Sharon Leikam moved, Howard Rome seconded, that the bid submitted from Tom Campbell Construction, totaling \$23,895.00, for construction of additional parking space at the Hays Municipal Airport, be approved.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Sharon Leikam
Jayne Clarke

10. KGS CONTRACT EXTENSION: City Manager Zacharias reported that in 1996, the City entered into a contract with the Kansas Geological Survey to perform a study regarding the safe yield and recharge of the Dakota Aquifer. The total cost of the project was \$81,519. Of that amount, the City of Hays is

committed to providing 30% of these funds or \$24,549. The Dakota study was completed by this time, however, due to health concerns of some of the principal researchers, the KGS is asking for an extension of the existing contract to October 1, 1999.

Howard Rome moved, Troy Hickman seconded, that the City Manager be authorized to sign a second extension with the Kansas Geological Survey on an evaluation of the long term effect of water resource development in the Dakota Aquifer in the vicinity of the Hays wellfield.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Sharon Leikam
Jayne Clarke

11. CONTRACT FOR SERVICES: Assistant Public Works Director Brenda Cary reported that January 26, 1995, was the official deadline for achieving Title II requirements which would be for the City of Hays to have total ADA accessibility on all streets within the city limits. An extension of that deadline to January 26, 2005 has been proposed and is still under review by the U. S. Department of Justice.

A committee comprised of representatives from LINK, Vista and WKACD prepared maps identifying all the intersections in the City that would require curb cuts. The total project included 1,958 curb cut locations. In order to complete the project, the City would have to install 280 curb cuts per year for seven years. Two years of that time span have lapsed (1997 and 1998), and the City has only been able to install about 70 curb cuts per year, or approximately 140 total to date. It was determined that without additional personnel it would be impossible to complete 1,958 curb cuts by the year 2005. Therefore, it was decided to add the ADA Project to the 1999 Capital Improvement Plan. A total of \$352,000 was included in the 1999 Budget for approximately 368 curb cuts.

A contract for engineering services, totaling \$44,400, associated with the installation of Americans with Disabilities Act curb ramps was presented for consideration.

Howard Rome moved, Troy Hickman seconded, that an engineering agreement with Bucher, Willis & Ratliff for engineering services associated with the installation of ADA accessible curb ramps, be approved.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Sharon Leikam
Jayne Clarke

12. ZONING ORDINANCE: City Manager Zaacharias said at the October 8, 1998 City Commission meeting, the issue of modifying the setback regulations for small open porches was discussed and given a favorable recommendation. An ordinance was not approved at that meeting because the County Commission would also have to consider the matter before it could be included in the Zoning Regulations.

On November 9, 1998, the County Commission accepted a Resolution to allow small open porches within the required setback.

Troy Hickman moved, Sharon Leikam seconded, that Ordinance No. 3457, being an ordinance amending the zoning regulations of the City of Hays, Kansas, as adopted by reference by Ordinance No. 2458 of the Code of Ordinances of the City of Hays, Kansas, on October 25, 1973, and as published on November 1, 1973, and as thereafter amended, by amending Article IV. Supplementary District Regulations, Section 1. Qualifications and Supplementations to Districts, be approved.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Sharon Leikam
Jayne Clarke

13. MUTUAL AID AGREEMENT: City Manager Zacharias presented a Memorandum of Understanding drafted by Ellis County regarding County/City mutual aid. The agreement provides that the County should provide rural fire assistance and ambulance services to the City upon request at no charge. Similarly, the City will provide police and fire services to the County upon request also at no additional charge. This agreement has the support of both Fire Chief Wayne Schwartz and Police Chief Lawrence Younger. This agreement is similar to other agreements that the City has with other local governments for mutual aid.

Howard Rome moved, Jayne Clarke seconded, that the City Manager be authorized to sign a Memorandum of Understanding with Ellis County to provide police and fire mutual aid upon request.

Vote: Ayes: Wayne Billinger

Troy Hickman

Howard Rome

Sharon Leikam

Jayne Clarke

14. TREE LIMB PICKUP: At the request of Commissioner Rome, City Staff conducted a survey to determine the amount of tree limbs and brush located in the alleys, and a cost estimate for the City to remove such brush and tree limbs from the alleys every six months (April and October).

Assistant Public Works Director Cary reported that at the time of the survey, it was determined that 221 households out of the 5,700 households that receive City refuse service had some amount of yard debris located in their alley. The 221 households reflected four percent of the total City refuse customers.

It is estimated that if the City initiated a tree limb pick up program approximately 1,000 tons of wood debris would be picked up annually at an estimated cost of \$308,000. The 5,700 refuse customers could expect an increase in their monthly bill ranging for a little over \$2.00 per month to about \$4.50 per month. In addition, new personnel would have to be hired to manage the Program.

Ms. Cary said it is pertinent to note that while all alleys in Hays are not debris free, less than four percent of our customers had some form of wood product in the alley. If a six month pickup program were implemented, there could be potentially tons of wood debris stacked in the alleys for the other six months of the year waiting to be picked up.

Commissioner Rome said he was opposed to having a substantial rate increase to accommodate the Program. He suggested City staff investigate the possibility of allowing citizens to deposit their wood products at the compost site. A wood chipper could be purchased to grind the wood products into mulch and made available in the same manner as compost. City Manager Zacharias said the idea could be investigated.

The consensus of the Commission was tree limbs and brush were not really a big problem with only 4 percent of the households having some sort of wood debris in the alley. To initiate a special pick up may create a bigger problem. No action was taken.

15. LEGISLATIVE POLICY STATEMENT: City Manager Zacharias asked the Commission to review the Legislative Policy Statement and give comments to him about changes or additions. Plans are to adopt the Policy Statement at a near future meeting.

16. NUISANCE VIOLATION: No action necessary.

17. EXECUTIVE SESSION: Sharon Leikam moved, Howard Rome seconded, that the City Commission recess to executive session for twenty minutes for the purpose of discussing the purchase of real property. The executive session will include the City Commissioners, the City Attorney, the City Manager, the Assistant City Manager and the Park Director.

Vote: Ayes: Wayne Billinger

Troy Hickman

Howard Rome

Sharon Leikam

Jayne Clarke

Mayor Billinger called the meeting back to order within 20 minutes.

Jayne Clarke moved, Sharon Leikam seconded, that the City Manager be authorized to sign a contract for the purchase of property located at 107 and 1071/2 East 4th Street, in the amount of \$29,360.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Sharon Leikam
Jayne Clarke

City Manager Zacharias noted that the property will be used for additional parking for the new municipal pool.

Howard Rome moved, Troy Hickman seconded, that the City Manager be authorized to purchase property on South Vine for the purpose of placing an air stripper, in the amount of \$8,000.

The City Manager mentioned that this property consists of one acre and is located directly south of the air stripper. The Kansas Department of Health and Environment will reimburse the \$8,000 to the City.

Vote: Ayes: Wayne Billinger
Troy Hickman
Howard Rome
Sharon Leikam
Jayne Clarke

18. ADD-ON ITEMS: Commissioner Leikam questioned why the Ellis County Coalition meeting minutes have not been included in the Commission agenda packets. The Mayor said the minutes not being included is probably an oversight; he will make sure the Commissioners gets the minutes.

Commissioner Leikam commented on absenteeism on various City boards and committees. City Manger Zacharias said a policy is in place to address that issue, and he will research the issue, and make a recommendation to the Mayor.

Commissioner Rome suggested the Commission prepare a "State of the City Address" in January to reflect over the prior year and the goals of the new year. The City Manager said he would look into the idea.

Commissioner Hickman mentioned concern over the rash of robberies recently. He encouraged citizens to participate in the "Light Up Hays Program". Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board