

MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON JANUARY 14, 1999

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays met in regular session, Thursday, January 14, 1999, 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: Jayne Clarke moved, Troy Hickman seconded, that the minutes of the December 22, 1998, regular session, be approved.

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

3. CITIZENS COMMENTS: Melanie Miller, Director of the Hays Public Library, told the Commission that the Hays Public Library was recently recognized for ranking 4th in the nation as America's Best Public Libraries in cities of population of 10,000 to 99,000. One of the 15 factors used to evaluate the libraries was per capita support of local government. She thanked the Commission for the City's financial support. Library services are only possible through financial support of the City and the community.

4. JOE ENGLERT'S RETIREMENT RECOGNITION: Joe Englert was recognized for 20 years of service to the City as building inspector and more

recently Airport manager. Joe will retire on January 15, 1999. He was presented a plaque in appreciation of his service.

The City Manager introduced Terry Urban who will replace Mr. Englert as Airport Manager. Mr. Urban comes to Hays from Liberal, Kansas where he served in a dual role as Assistant City Manager and Airport Manager since 1995.

5. COMMISSION INFORMATIONAL MEMORANDUM: City Manager Zacharias mentioned that Marvin Thomas made a generous contribution of \$4,400 to rebuild No. 3 green at the Fort Hays Municipal Golf Course.

The City Manager announced that Mayor Billinger has been appointed to the League of Kansas Municipalities Finance and Taxation Committee, and Commissioner Hickman has been appointed to the State Legislative Policy Committee.

6. CONSENT ITEMS: Jayne Clarke moved, Howard Rome seconded, that the following Mayor's recommended committee appointments, be approved.

Library Board

Cathy Drabkin - - unexpired term ending April 30, 2000

Traffic Advisory Committee

Melvin Wedermyer - - 2 year term expiring January 1, 2001

7. AMHERST DRIVE VACATION HEARING: Mayor Billinger opened a public hearing regarding the vacation of a portion of Amherst Drive located east of Canterbury between 13th and 12th Streets.

The City Manager asked that the public hearing be adjourned to the next meeting. The parties involved are still waiting for information from the surveyors.

Sharon Leikam moved, Howard Rome seconded, that the public hearing be adjourned to the January 28, 1998 meeting.

Vote: Ayes: Wayne Billinger

Troy Hickman

Howard Rome

Sharon Leikam

Jayne Clarke

8. PCE CONSENT AGREEMENT: During a nationwide program of testing public water supplies in 1984, the City's public water supply Well No. C-20 was identified as being contaminated with PCE, a solvent commonly found in the dry cleaning industry. The contaminated plume affected a large portion of Vine Street. At that time, finding dry cleaning solvents in public water supplies and not being unable to locate principle responsible parties meant being placed on the EPA's National Properties List, also known as the "Superfund ". Typically, property values and the associated property taxes within the boundaries of Superfund site decline substantially. To avoid the Superfund designation, the City has elected to fulfill the roll of the principle responsible party and started negotiations with the Kansas Department of Health and Environment. By working with KDHE, the City has been able to access two trust funds that will provide funding for the remediation of the hydrocarbons and dry-cleaning solvents.

Paul Montoia gave a presentation that defined the contaminated area, and explained the clean-up process. Leo Henning and Gary Blackburn, representing the Kansas Department of Health and Environment were also present to answer questions.

The process for removing the contaminants is to take the water through an air stripping system. It is estimated the air stripper will be in place for 20 plus years. The air stripper is capable of handling 1000-acre feet of water. Should more contamination be discovered, the capacity to handle more water is there.

The benefits of entering into a Consent Agreement with the KDHE to clean up the contamination include:

1. The PCE impacted area will more than likely not be designated as a "Superfund" site.
2. The City will have a partner with expertise in construction of the plant and facilities.
3. The City will get an additional water right of up to 600 acre feet per year, bringing the City's safe yield up to 3,230 acre ft./yr.
4. KDHE is contributing the nearly \$1.3 million in facility costs.

The funding sources will come from the Underground Storage Tank Trust Fund (\$639,000) and the Drycleaner Trust Fund (\$639,000). Presently, there are insufficient funds in the Drycleaning Trust Fund to fund construction of the facility. Under the terms of the Consent Agreement with KDHE, the City will loan the Dry Cleaning Trust Fund approximately \$319,500, and will be repaid over time.

The City of Hays will be required to provide the annual operations and maintenance costs over the life of the stripper. These costs are estimated to be between \$80,000 and \$100,000 annually, and will not be reimbursed by KDHE.

Jayne Clark moved, Howard Rome seconded, that the Mayor be authorized to sign a Consent Agreement with the Kansas Department of Health and Environment to clean up groundwater contamination.

Vote: Ayes: Wayne Billinger

Troy Hickman

Howard Rome

Sharon Leikam

Jayne Clarke

9. STORMWATER MASTER PLAN CONTRACT: Public Works Director Elden Hammerschmidt said the City solicited qualifications and costs from several firms to do a complete Stormwater Master Plan Study. An extensive storm water study has never been done in the history of Hays. Burns and McDonald have been recommended to perform the study for a total contract cost of \$193,766. Matt Koch representing Burns and McDonald gave a presentation outlining the scoop of the project.

The Study will address:

- < The continued growth in the City
- < Control of runoff from new development
- < Reduction in existing flooding
- < Repairs/Upgrades to Existing Systems
- < Operation and Maintenance Issues
- < Financing Issues

The Master Plan will be divided into two phases. Phase One consists of public participation, project meetings, system information review, system mapping, field surveys and investigations, review of existing system development, preliminary system costs and a final Capital Improvement and Implementation Plan. Also, evaluation of storm water financing options, finalization of drainage policies and drainage criteria, and finalization of Phase I Master Plan Report.

Phase II will be Sewer Utility Implementation consisting of a public relations campaign, development of rate structure options, refinement of rate structure per Capital Improvement Plan, sewer funding organizational structure, and finally, a financial plan implementation.

Howard Rome moved, Troy Hickman seconded, that the Mayor be authorized to sign a contract, totaling \$193,766, with Burns and McDonald to conduct a Storm Water Master Plan, Phase I.

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

10. PAYROLL STUDY CONTRACT: Personnel Director Susie Billinger said the City received six proposals to do a pay plan study for the City of Hays. An Employee Pay Plan Advisory Committee consisting of nine employees reviewed the proposals and narrowed the number of proposals to three. Reference checks were done on the three firms, and the Advisory Committee interviewed two of the three firms. The Committee unanimously recommended the firm Lee & Burgess Associates of Colorado to conduct a pay plan study for the City of Hays based on the following:

1. Tom Haller, the firm's manager will provide guidance, and perform 70 percent of the work himself.
2. The firm has advanced technology to provide data to the City.
3. The City received positive references.

4. The firm has had extensive experience.

Howard Rome moved, Troy Hickman seconded, that the City accept a proposal totaling \$11,900 from Lee and Burgess Associates of Colorado to conduct a pay plan study.

Vote: Ayes: Wayne Billinger

Troy Hickman

Howard Rome

Sharon Leikam

Jayne Clarke

11. FLEXIBLE BENEFIT PLAN AMENDMENTS: Personnel Director Billinger presented a Resolution adopting amendments to the Employee Flexible Benefit Plan. She said federal law requires the City to adopt these amendments.

Commissioner Hickman said he was familiar with the amendments. He suggested mandated items such as this be approved by the City Manager instead of bringing the items before the Commission for approval.

The City Manager said if that is the wish of the Commission, future items such as this can be approved by management.

Troy Hickman moved, Jayne Clarke seconded, that a Resolution adopting amendments to the City's Flexible Benefit Plan, be approved and further mandated amendments be approved by the City Manager.

Vote: Ayes: Wayne Billinger

Troy Hickman

Howard Rome

Sharon Leikam

Jayne Clarke

12. MOUNT ALLEN CEMETERY FENCE: Assistant Public Works Director Brenda Cary reminded the Commission that the rod iron for the new cemetery fence was approved at the December 22, 1998 meeting, and will be funded in the 1998 Budget. The limestone pillars will be funded in 1999 Budget.

Ms. Cary said in August of 1998, five invitations were sent to various masonry people to attend a meeting and give input regarding the masonry work.

Of the five, Mike Gnad was the only one who attended the meeting. In October of 1998, letters were sent to the same five people to request their expertise in acquiring the limestone and the potential to submit bids. Once again, Mike Gnad was the only person who responded. Because of Mr. Gnad's willingness to assist in this endeavor, and the fact that he was the only mason who showed interest in the project, he was asked to submit a quote. Mr. Gnad's quote for materials (excluding stone) and labor to construct 17 pillars was \$9,945.00

After determining the size of limestone needed, Ms. Cary solicited quotes from two reputable stone companies in Kansas. The quotes for 17 pillars were as follows:

Post Rock Limestone	\$11,900
Russell, Kansas	
Bayer Stone, Inc.	\$ 9,163
St. Marys, Kansas	

Ms. Cary noted that the Post Rock Limestone is a softer stone with a yellow color while the Bayer Stone is a harder stone that is lighter in color.

Jayne Clarke moved, Sharon Leikam seconded, that the purchase of limestone from Bayer Stone Inc. and masonry services from Gnad Masonry Construction, totaling \$19,108, for replacement of the fence around Mount Allen Cemetery, be approved.

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

13. HALL STREET GRANT AWARD: Public Works Director Hammerschmidt announced that the City of Hays has been awarded a Surface Transportation (STP) grant from the Kansas Department of Transportation to make street improvements on Hall Street. The amount of the grant is \$2,208,000 (80% of construction costs plus construction engineering).

Hall Street will become a 2002 project on the Capital Improvement Plan (initially this project was scheduled in the CIP for 2004). The proposed project on Hall Street is from 27th Street south to 8th Street. Hall Street is classified as a major arterial in the City. The initial plan is to remove the asphalt and replace with concrete, widen the roadway to allow for four-lanes, and install storm sewer infrastructure. Further discussions will need to take place to define the exact scope of the project.

Mr. Hammerschmidt said the action required tonight would be to accept the grant by signing a DOT Form 1302 for the Hall Street improvement Project. By signing the Form 1302, it commits the City to 20% of the construction costs (estimated \$480,000) plus 100% of design engineering (estimated \$152,000)

Jayne Clarke moved, Troy Hickman, seconded that the Mayor be authorized to sign a DOT Form 1302 accepting a grant from the Kansas Department of Transportation to repave Hall Street from approximately 27th Street to 8th Street.

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

14. CHANGE ORDER 41ST STREET STORM SEWER: Change Order No. 2 to the 41st Plaza Second Addition, totaling \$600, is for re-mobilization. The contractor was not able to complete the storm sewer construction at the time the rest of the project was completed. Once the easements were acquired, the contractor agreed to complete the project for the bid unit prices if allowed \$600.

Sharon Leikam moved, Troy Hickman seconded, that Change Order No. 2-Final totaling \$600 to the 41st Street Plaza Second Addition, be approved.

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

Jayne Clarke

15. ANNEXATION AGREEMENT, 1711 WEST 27TH: This agreement will allow Mr. Paul MacDonald to connect a proposed residential dwelling to an existing City sanitary sewer main. Under this agreement, the current and subsequent owners are obligated by the agreement to participate in any future special assessments and agree to become annexed into the City at such time as all City services are available. Additionally, all improvements placed on the property must comply with applicable building/fire codes.

Howard Rome moved, Troy Hickman seconded, that an Annexation Agreement between the City of Hays and Paul MacDonald, concerning connection of a sewer line to a house to be located at 1711 West 27th Street.

Vote: Ayes: Wayne Billinger

Troy Hickman

Howard Rome

Sharon Leikam

Jayne Clarke

16. POLICE VEHICLE BIDS: Bids were received for replacement of three patrol cars. Companies invited to bid were James Motor Company, Hays Ford, Clay Chevrolet, Lewis Chrysler, and Kobler Jeep/Eagle. The only bid received was Hays Ford.

The bids were two fold; bid No. one allowing for the trade in of three 1996 Ford Crown Victoria's and bid No. two allowing for the trade of two 1996 Ford Crown Victoria's and one 1984 Blazer.

Bid breakdowns are:

	Bid #1	Bid #2
Gross Bid	\$63,825.75	\$63,825.75
Trade	<u>\$13,800.00</u>	<u>\$ 9,950.00</u>
Net Bid	\$50,025.75	\$53,875.75

The recommendation from staff would be to accept bid No. 2. This would allow the Public Works Department to utilize one of the 1996 Ford Crown

Victoria's from the Police Department rather than purchasing a new or used vehicle.

Sharon Leikam moved, Jayne Clarke seconded, that Bid No. 2, totaling \$53,875.75, for three Police vehicles, be approved.

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

17. ADD-ON ITEMS: Commissioner Clarke said she received a suggestion in regard to the repair of 8th Street that she would like the Commission to consider. It was suggested that instead of overlaying all of 8th Street, overlay from Main to Vine, and brick from Main to the University since that is the older part of the City. Brick would nostalgically fit that area.

Commissioner Hickman said he would be willing to consider that idea.

Commissioner Rome said he cannot see any benefit, at the last Commission meeting, the money was designated to be spent on slurry seal.

Mayor Billinger said would still like to see the street bricked, and would like to apply for federal funding.

Commissioner Leikam said she is not in favor of overlaying 8th Street.

Thereupon the Governing Body adjourned.

Submitted By: _____

Clerk of the Board

