

# Memo

To: City Commission  
From: Toby Dougherty, City Manager  
Date: 8-15-14  
Re: August 21, 2014 Work Session

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As a reminder to the Commission, the August 21<sup>st</sup> Work Session will begin at 7:30 p.m. to allow attendance at the Core2Campus event. Commissioners wishing to participate in the event are to be at the FHSU Quad at 5:45 p.m.

As you will see by the attached agenda, the August 21<sup>st</sup> Work Session contains only one item; however, the item is a lengthy and complicated one. The current City of Hays wastewater treatment facility was built in the '50s and received a few modifications and upgrades since its original construction. The original facility was built to treat wastewater to a specific standard prior to releasing it into Chetolah Creek. As the standards for this wastewater have become more restrictive, it has become harder and harder to meet the requirements given the technological limitations of the wastewater facility.

Several years ago, the City was put on notice by the Kansas Department of Health and Environment that the nitrogen and phosphorous levels in the City's effluent stream would need to be lowered significantly in the future. After working for several years with KDHE, as well as Burns and McDonnell, to make modifications to the process to lower the amounts of nitrates and phosphates in the effluent stream, it has been determined that the facility is not able to reduce these levels any further. During the most recent permitting process, the City was informed by KDHE that the maximum allowable levels for nitrogen and phosphorous for the permit period beginning in 2018 would be significantly below what could be achieved with the current facility. The good news is the City has until July 1, 2018 to meet the new standards. The bad news is that to meet these standards, it will require a significant rebuild of the wastewater treatment facility.

As previously mentioned, City staff has been working in conjunction with Burns and McDonnell to evaluate the current facility, as well as specific options for improving the facility to meet future permit levels. Representatives from Burns and McDonnell will be in attendance at the work session on August 21<sup>st</sup> to give a formal presentation on the matter to the Governing Body. The presentation will cover the limitations of the current wastewater facility, the ever-tightening standards that we are required to achieve as part of our wastewater permitting process, as well as the options and cost estimates to address the matter for the future.

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**CITY OF HAYS**  
**CITY COMMISSION WORK SESSION**  
**THURSDAY, AUGUST 21, 2014 – 7:30 P.M.**  
**AGENDA**

1. **ITEM FOR REVIEW: [August 7, 2014 Work Session Notes \(PAGE 1\)](#)**  
DEPARTMENT HEAD RESPONSIBLE: Kim Rupp, Director of Finance
  
2. **ITEM FOR REVIEW: Wastewater Treatment Plant Upgrade/Replacement**  
PERSONS RESPONSIBLE: Brian Meier, Burns & McDonnell  
Bernie Kitten, Director of Utilities
  
3. **OTHER ITEMS FOR DISCUSSION**
  
4. **EXECUTIVE SESSION (IF REQUIRED)**
  
5. **ADJOURNMENT**

**ANY PERSON WITH A DISABILITY NEEDING SPECIAL ACCOMMODATIONS TO ATTEND THIS MEETING SHOULD CONTACT THE CITY MANAGER'S OFFICE 48 HOURS PRIOR TO THE SCHEDULED MEETING TIME. EVERY ATTEMPT WILL BE MADE TO ACCOMMODATE ANY REQUESTS FOR ASSISTANCE.**



City of Hays  
City Commission  
Work Session Notes  
August 7, 2014 – 6:30 p.m.

Present: Eber Phelps, Shaun Musil, Ron Mellick, Kent Steward, John Bird, Toby Dougherty

Absent: Henry Schwaller IV

**July 17, 2014 Work Session Notes**

There were no corrections or additions to the minutes of the work session held on July 17, 2014; the minutes stand approved as presented.

**2015 Budget – Questions and Discussion of Outside Agency Funding**

Discussion was held regarding outside agency funding in the 2015 Budget. Four of the agencies requested more funding (totaling \$5,247) in 2015 than was received in 2014.

Commissioner Mellick stated he would support keeping the allocations at the 2014 level. He also suggested discussing the \$53,655 designated for Downtown Hays Development Corp. (DHDC) at a future work session with all five Commissioners present.

Commissioner Musil would like to discuss this as well, with information on exactly what DHDC does and what we expect them to do.

Commissioner Steward stated he would like to see the increase of \$2,050 for the Hays Sister Cities Advisory Board's subsidy for a total of \$5,050

Chairperson Phelps agreed stating they have made significant gains and more clearly defined what they are doing.

The consensus was to honor the Sister Cities' request of \$5,050 and ask them to lay out their plans for the year at a future work session, but keep the other requests at 2014 levels.

### **Prohibition of Open Carry of Firearms within City Buildings**

The Kansas Legislature passed House Bill (HB) 2578 which made it legal for the City to prohibit unconcealed firearms (open carry) within City buildings. HB 2578 states that the City may prohibit the open carry of firearms within a building that is properly marked with signage approved by the Kansas Attorney General. City staff has identified twelve City buildings that are frequented by employees and/or the public. In an effort to better protect the safety and well-being of the occupants of these buildings, City staff recommends that the City Commission approve the resolutions prohibiting unconcealed firearms within City buildings.

At the August 14, 2014 Commission meeting, Commissioners will be requested to approve the resolutions authorizing the City Manager to post the signage as required by the Kansas Attorney General to prohibit unconcealed firearms within City buildings.

### **Portable Shipping Containers as Storage Units**

At the May 15, 2014 Work Session and subsequently the June 5, 2014 Work Session, the Commission discussed options for the possible allowance of shipping containers being used as permanent storage units. City staff put together regulations based on the comments of the Commissioners. The Planning Commission held a discussion regarding shipping containers at the June 16, 2014 Planning Commission meeting. Staff has received a recommendation from the Planning Commission to move forward with the proposed draft ordinance which would allow shipping containers as a permanent use, although the Planning Commission recommendation included prohibiting the stacking of units.

Jesse Rohr, PIE Superintendent, discussed the changes proposed in the ordinance. Below are some high points of the proposed ordinance:

- All signage shall be removed and the structure painted to match surrounding properties
- Materials stored must be relevant to primary use of the property

- No rear setback required – Side yard to match zoning district - No placement of structure between main structure and street
- Units not to be placed within 100' of a residential zoned district
- Stacking prohibited except in Industrial zoned areas
- Renting/sub-leasing of units not allowed
- Not allowed in residential zoned districts
- No utilities allowed except for electricity

At the August 14, 2014 Commission meeting, Commissioners will be requested to adopt the proposed ordinance as drafted except for the stacking provision, of which they recommend no stacking be allowed.

### **Passenger Facilitation Charge**

The Passenger Facilitation Charge (PFC), created and monitored by the Federal Aviation Administration (FAA), is an effective means of gathering funding resources for specific Airport improvement projects.

The PFC Program allows the collection of PFC fees up to \$4.50 for every boarded passenger at commercial airports controlled by public agencies. Airports use these fees to fund FAA approved projects that enhance safety, security, or capacity; reduce noise; or increase air carrier competition.

I. D. Creech, Director of Public Works, will begin the application process for a passenger facilitation charge. The Hays Airport has two projects that are currently eligible for collection; the Terminal Improvement Project and the 4-22 Runway Rehabilitation/ Maintenance Project.

### **Storm Sewer Lining Project – Award of Bid**

I. D. Creech, Director of Public Works, introduced Steve Walters as the new Stormwater Specialist. Mr. Walters presented information regarding the Storm Sewer Lining Project.

City staff is asking the Commissioners to award \$1,123,298 for storm sewer lining in 2014 to Mayer Specialty Services, LLC of Goddard, Kansas. The suggested award includes lining 9,776 feet of corrugated metal storm sewer pipe

in 104 locations, and represents about 6.0% of the total feet of storm sewer pipe in the City of Hays.

The project is an extension of storm sewer lining projects completed in 2011, 2012, and 2013. Construction is expected to start around September 1, 2014 and be completed by July 31, 2015.

At the August 14, 2014 Commission meeting, Commissioners will be requested to direct City staff to enter into a contract with Mayer Specialty Services, LLC for storm sewer lining in the amount of \$1,123,298 to be funded from the Capital Projects line item with debt service coming from the Stormwater Utility line item on an annual basis.

**Storm Sewer Lining Project – Resolution Authorizing the Use of City Idle Funds to Pay Costs of Certain Stormwater Projects and Repayment Thereof**

The City's Capital Improvement Plan includes a metal storm pipe rehabilitation project for 2014. In an effort to minimize interest and issuance costs it is recommended to use City idle funds to pay for this project with a debt service plan coming from the Stormwater Management Budget.

Commissioners will be requested to approve a Resolution authorizing and directing the use of City idle funds out of Capital Projects, not to exceed \$1,200,000, to pay the costs of certain stormwater projects with such idle funds to be repaid from the Stormwater Management Budget.

**Other Items for Discussion**

Commissioner Musil commented that he appreciates all the work the City Manager and City staff has done to prepare for the new SkyWest Airline.

Chairperson Phelps asked if we have any boarding numbers for the new airlines.

I. D. Creech, Director of Public Works, provided information about flight schedules and boarding numbers.

The work session was adjourned at 7:48 p.m.

Submitted by: \_\_\_\_\_

Brenda Kitchen – City Clerk