

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON OCTOBER 10, 2019

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, October 10, 2019 at 6:30 p.m.

Roll Call: Present: Henry Schwaller, IV

Shaun Musil

Sandy Jacobs

Ron Mellick

Eber Phelps

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

2. MINUTES: There were no corrections or additions to the minutes of the regular meeting held on September 26, 2019; the minutes stand approved as presented.

3. CITIZEN COMMENTS: There were no comments.

4. EMPLOYEE PROMOTIONS AND NEW HIRES: Don Scheibler, Police Chief, announced the promotion of Evan Cronn to the position of Police Corporal.

Jesse Rohr, Director of Public Works, introduced Travis Cassity who was recently hired as a Maintenance Worker for the Service Division.

5. CONSENT AGENDA: There were no items on the Consent Agenda for consideration.

NEW BUSINESS

6. CHETOLAH CREEK WATER RECLAMATION AND REUSE FACILITY – COMPLETION: Jeff Crispin, Director of Water Resources, reported that in May of 2017 the Waste Water Treatment Plant began a project to perform significant upgrades to meet future plant effluent requirements. On Thursday, October 10,

2019, representatives of HDR Engineers, Burns and McDonnell, CAS Constructors, and City staff were on hand to present the completion of the project and had provided tours to the City Commissioners and City Department Heads.

Mr. Crispin introduced Jason Riegel, Water Reclamation and Reuse Superintendent, Stan Christopher and Eric Farrow with HDR Engineers, the City's Owner Representative, Jeff Keller with Burns and McDonnell, and Travis Stryker with CAS Constructors.

Stan Christopher, Senior Vice President of HDR Engineers, stated HDR joined the team in April of 2015 as the City's Owner Representative for the project. They assisted with facility planning, worked with Finance Director, Kim Rupp, on the SRF Loan, supported the rate study, and helped with the procurement of the design builders. Burns and McDonnell and CAS Constructors came on board in the spring of 2017 with a Notice to Proceed issued on May 31, 2017. The project was officially completed on September 15, 2019 with no change orders.

Mr. Christopher presented a brief virtual tour of the facility. He noted that there is a one-year warranty on the treatment plant from the date of substantial completion which was June 3, 2019.

Mr. Christopher introduced Eric Farrow who was the onsite engineer for the project. Mr. Farrow moved to Hays in the spring of 2017 and he was the eyes and ears for HDR and really an extension of City staff. Mr. Farrow stated it was a collaborative effort and it was a pleasure working with all parties involved. He presented slides that showed a quick time lapse of the progress on all of the structures. He noted a new entrance to the plant off of General Custer Road, automatic gates, lab space, administrative and control rooms, SCADA controls that provide on-site and remote operations for the plant, a chemical free ultraviolet disinfection system, and increased reclaimed water storage for irrigation at the golf course.

Mr. Christopher reviewed the treatment performance and noted tests of average nutrient discharge levels conducted since April are much improved compared to the old plant. KDHE approved the new permit effective as of

September 1, 2019. They anticipate in the future there will be much tighter nutrient limits. He added that the plant has the capability to manage and operate it efficiently at the current limits and it has the ability to meet future limits as well. He added that the City can be proud that they will have a sustainable facility for many years to come. The total cost was \$30,272,200 which is right at the SRF loan amount.

Jeff Keller, Burns and McDonnell, and Travis Stryker, CAS Constructors, representing the design build joint venture spoke about the green solutions aspect of this project. Mr. Keller stated they reused some of the onsite demolition materials, removed the chlorine disinfection process to improve the safety of the employees and community, and they are seeing lower energy consumption and lower operating costs at this plant than they were seeing at the original plant.

Mr. Keller also noted that the facility was renamed Chetolah Creek Water Reclamation and Reuse Facility. He added that the name alone is a nice statement as it recognizes that you are recovering the water, you are not just putting it back to the environment cleaner than it started, but you are making it available for all sorts of beneficial uses. It makes this whole project a green solution.

Mr. Keller also stated safety is always a priority and reported there were no recordable injuries and no lost time due to incidents over the two-year period of activity on the site. There were numerous shutdowns and tie-ins without interruption to existing plant operations. The substantial completion was achieved two months ahead of schedule with over 68" of rain during the project. He added this is a testament to City staff and everyone that was involved in this very successful project.

Commissioner Phelps stated it is impressive to not have any change orders on this size of project and commended everyone involved. He added that the name of the facility the Chetolah Creek Water Reclamation and Reuse Facility ties in to the mission that we have had in this community for 20 some years now, as far as our water conservation efforts.

Commissioner Mellick asked how long the KDHE permit that was issued in September 2019 is valid for. Mr. Christopher stated that is in effect for two years and the permit is renewable provided you meet the required limits. City Manager, Toby Dougherty, added that KDHE has assured the City that they will not change the requirements in excess of what the plant could perform during the life of the State Revolving Loan which is a 20-year loan. Commissioner Mellick stated we have fought to meet those regulations and now we don't have to be concerned about meeting those requirements.

Commissioner Jacobs stated that having no change orders on a project this size is very impressive. She added that the collaborative effort between City staff and everyone involved in this project is something to be proud of.

Vice-Mayor Musil stated it is impressive the passion he has seen from City staff. He added to see this project done on time and to save money is our City in a nutshell.

Mayor Schwaller stated this is a facility that was relocated in the 1950's because of flooding and had one major update in the 1990's. Completing this project is an immense occasion. The project was finished early, under budget and it exceeds performance expectations and that happens with good leadership. He thanked City Manager, Toby Dougherty, for hiring the right leadership team and selecting the design/build process. By observing how projects have gone awry in the past he realized this was the best way to do it and that is why it went so smoothly. He thanked everyone involved in this project, but specifically City Manager, Toby Dougherty, for his leadership.

7. ELLIS COUNTY FLOODPLAIN REMAPPING PROJECT: Jesse Rohr, Director of Public Works, reported that in February of 2018, the Division of Water Resources (DWR) and Federal Emergency Management Agency (FEMA) began the Floodplain Remapping Project for all of Ellis County which will provide an update to the most current but outdated 1986 maps. The new Flood Insurance Rate Maps (FIRMs) are expected to be at least 10 times more accurate and will provide modern digital tools to use when evaluating properties for flooding risk.

The draft maps are now available for public feedback and Mr. Rohr suggested visiting the Project Website at <http://gis2.kda.ks.gov/gis/ellis/>. Property owners that are impacted by the floodplain map will be notified. An open house is scheduled for November 6, 2019 from 2:00 p.m. to 7:00 p.m. at Sternberg Museum and everyone is invited and encouraged to attend. FEMA and DWR representatives will be present as well as engineers, insurance experts, and City and County staff. Final maps will be approved and become effective sometime in 2021.

Commissioner Phelps stated in the past, property owners could appeal a floodplain designation and he asked if that can still be done. Mr. Rohr stated there will still be a process to appeal.

Commissioner Jacobs asked how this impacts existing mortgages on residential properties that may now be added in or taken out of the floodplain. Mr. Rohr stated if they have a federally backed mortgage their lender will require them to get flood insurance and for those coming out of the floodplain they may choose to cancel their flood insurance. He added that insurance experts will be at the open house to answer any questions.

Vice-Mayor Musil asked who makes the final decision. Mr. Rohr said FEMA will make the final determination.

Commissioner Phelps asked if this data will be used to pursue future flood control. Mr. Rohr stated the US Army Corp of Engineers 205 Study currently underway is doing that exact thing. They are looking at ways to reduce the rate that water comes through town. The data collected by all parties is being shared and cross checked.

8. COMMISSION INQUIRIES AND COMMENTS: City Manager, Toby Dougherty, stated he appreciates Mayor Schwaller's comments regarding his part in the success of the Chetolah Creek Water Reclamation Project, but stated the reality is, an easy way to get ahead is to hire good people and get out of the way. He added that having HDR on board was critical to the success of this project. When we were trying to decide what type of facility we wanted to build they helped us evaluate the options. The Burns and McDonnell/CAS

Constructors team came on at the right moment and they took the ball and ran with it. He added that Jeff Crispin, Jason Riegel, and Eric Farrow were there every day and they are the ones that did all the heavy lifting.

Mayor Schwaller stated he hopes to see everyone at the Octoberfest and the Fort Hays State University Homecoming Parade this weekend.

Commissioner Jacobs stated the two items on the agenda this evening are the biggest things she has seen or been a part of since she came on the Commission. She added that she couldn't be more proud to serve with this group of people and to have the staff that we do.

9. EXECUTIVE SESSION: Ron Mellick moved, Sandy Jacobs seconded, that the Governing Body recess to executive session at 7:35 p.m. for a period not to exceed 45 minutes to discuss attorney-client privilege information and potential property acquisition. The executive session included the City Commission, the City Manager, both City Attorneys, the Director of Grow Hays, and the City Project Manager. K.S.A. 75-4319 authorizes the use of executive session to discuss the topics stated in the motion.

Vote: Ayes: Henry Schwaller, IV
Shaun Musil
Sandy Jacobs
Ron Mellick
Eber Phelps

No action was taken during the executive session.

The meeting was adjourned at 8:20 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk