

City of Hays  
City Commission  
Work Session Notes  
May 6, 2010

Present: Christopher Channell, Barbara Wasinger, Troy Hickman, Henry Schwaller IV, Ron Mellick, John Bird, Toby Dougherty

**Approval of Agreement with Louis Wetta and Delphine Wetta for Smoky Hill Waterline Project**

As part of the Smoky Project, the City purchased several tracts of land on which it was making lease payments. The Agreement with Louis Wetta and Delphine Wetta is for the purchase of land occupied by the City's Smoky Hill Booster Station, which is connected to the City's water transmission lines and SCADA radio tower. The purchase price is \$28,620.

The Commissioners will be requested to approve the Agreement at the May 13, 2010 Commission meeting.

**Consideration of Video Services Agreement with Nex-Tech**

Nex-Tech obtained a statewide video service authorization from the Kansas Corporation Commission under the 2006 Video Competition Act and plans to begin construction of their video services infrastructure. The City cannot require Nex-Tech to obtain a franchise to provide video service, but the law requires Nex-Tech to enter into a video services agreement with the City instead. Some of the provisions of this agreement are governed by law. The remainder of the provisions are intended to mirror the non-exclusive Eagle Cable franchise.

The Commissioners will be requested to approve a video services agreement with Nex-Tech at the May 13, 2010 Commission meeting.

### **Convention Facilities Proposals**

Discussion was held at the April 15, 2010 work session regarding the lack of adequate convention facilities within the City of Hays and the economic impact it has on the community. Since that time, City staff has been in contact with more than one developer who is interested in working with the City to construct new convention facilities.

May 27, 2010 was set as the deadline date to receive formal proposals. The proposals will be reviewed at the June 3, 2010 work session.

### **Current Site Triangle Regulations**

The City of Hays current ordinance regarding site triangles is nothing more than a one-sentence definition found in the zoning regulations. Staff currently addresses site issues at intersections on a complaint basis. Staff has done some research regarding site triangles which would allow for a possible amendment to the ordinance and therefore, a clearer interpretation for handling site triangle/intersection corner site obstruction issues.

Staff will do additional research and make recommendations for amending the ordinance at a future work session.

### **Replat of King's Gate First Addition**

At the March 11, 2010 Commission meeting, the final plat of King's Gate First Addition was approved. The developer has requested a replat in order to combine lots in three different areas for an increased lot size. The replat will contain three fewer lots than the original plat. Due to a miscalculation by the developer, some of the lots along the radiuses were smaller than they intended, and consequently, they cannot build homes on those lots because of their smaller size. The Planning Commission recommended approving the replat.

The Commissioners will be requested to approve the replat at the May 13, 2010 Commission meeting.

## **Replat of King's Gate First Addition Phase I Resolution to Establish Benefit District**

Due to the change in the number of lots in the Replat of King's Gate First Addition Phase I, it will be necessary for the Commissioners to approve another resolution to establish the benefit district. The Commissioners will consider approval of the resolution at the May 13, 2010 Commission meeting.

## **KDOT 5-Year Plan Update**

KDOT has asked the City to update the 5-year plan by submitting a project to be funded under the Federal Highway Administration Surface Transportation Program. Projects selected are funded 80% toward the cost of construction. City staff proposed two options for consideration. First is the reconstruction of Allen Street from 13<sup>th</sup> to Vine at a cost of \$3.3 million. Second is the reconstruction of 8<sup>th</sup> Street from Milner to Vine Street at a cost of \$1.5 million. If authorized by KDOT, construction for this project would not occur until 2015 or later.

The Commissioners will consider authorizing the Mayor to sign the required KDOT forms at the May 13, 2010 Commission meeting.

## **Award of Bid for Sports Complex Waterline Extension**

Two bids were received for the construction of a water main extension to serve the Hays Sports Complex. The low bid was submitted by APAC, Kansas, Inc. in the amount of \$264,765.65. Adding in the cost of engineering and Union Pacific Railroad permitting, the total cost of this project is \$289,565.65. This portion of the water main extension, positioned for future development of other portions of the City, is to be funded by the Water Fund, while the remaining portion of the project is to be split between the Sports Complex Sales Tax and Fort Hays State University at a ratio of 80/20.

The new water main would connect to the existing city water main at 29<sup>th</sup> & Columbine, then head south to 27<sup>th</sup> Street, west to the US-183 By-pass, south

under Big Creek and the railroad, and enter the Sports Complex location from the north.

The Commissioners will be requested to approve the bid submitted by APAC at the May 13, 2010 Commission meeting.

### **Stormwater Utility Study – Phase I Report**

In November, the City entered an agreement with Camp Dresser McKee (CDM) for the first phase of a stormwater utility study, which cost \$74,800. Over the last several months, CDM has been working with staff, making presentations to the City Commission, and holding workshops to educate the public on the City's stormwater system and stormwater management program, how to meet the City's stormwater needs, cost of maintaining a Stormwater Program, possible revenue sources, and various scenarios comparing estimated costs for typical Hays properties.

CDM has prepared a report summarizing the results of Phase I of the Study. The Commissioners will be requested to formally accept the Phase I report at the May 13, 2010 Commission meeting.

### **Stormwater Utility Study – Phase II Agreement**

Phase I of the stormwater utility feasibility study has been completed by Camp Dresser McKee (CDM). The next step in the process toward establishing a Stormwater Utility would be to enter an agreement with CDM for Phase II of the study. This phase would cost approximately \$200,000 and would provide data collection, analysis, technical support and expertise necessary to produce a stormwater utility ordinance for final consideration, along with the development of a program and procedures for administering the utility.

The Commissioners will be requested to approve Phase II of the study at the May 13, 2010 Commission meeting.

## **41<sup>st</sup> Street from Hall to US-183 Bypass – Design RFQ**

41<sup>st</sup> Street from Hall Street to the US-183 Bypass is a narrow, two-lane asphalt road with no shoulder and steep ditches. Considerable residential development has occurred in this area over the last 20 years with no improvement to 41<sup>st</sup> Street other than necessary maintenance of the pavement surface. In October 2008, the City submitted an application to KDOT for the reconstruction of this street to be funded under the Federal Highway Administration Surface Transportation Program. Several months ago, the City was notified that the project has been programmed and that the City is authorized to hire a design engineer. The federal funding available under this program pays for 80% of construction and inspection costs up to a \$3,000,000 federal share. Design engineering, right-of-way acquisition, and other incidental costs are not eligible and are to be funded locally.

Staff requested approval from the Commissioners to select a design consultant utilizing qualification-based criteria. The Commissioners will take action on this request at the May 13, 2010 Commission meeting.

## **Other Items for Discussion**

Commissioner Schwaller requested that Commissioners consider, at a future work session, the possibility of setting up a fund through a local non-profit that would assist people who have had sewage back-up in their basement.

City Manager Dougherty stated this will be put on the June 3, 2010 work session agenda for further discussion.

## **Executive Session**

Henry Schwaller IV moved, Ron Mellick seconded, that the Governing Body recess to executive session at 7:35 p.m. for five minutes to discuss personnel issues and contract negotiations. The executive session included the City Commissioners, the City Manager, the Assistant City Manager, and the City Attorney. K.S.A. 25-4319 authorizes the use of executive session to discuss the issues stated in the motion.

Vote: Ayes: Christopher Channell  
Barbara Wasinger  
Troy Hickman  
Henry Schwaller IV  
Ron Mellick

Chairperson Channell called the work session back to order at 7:40 p.m.  
He stated no action was taken during executive session.

The work session was adjourned.

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

City Clerk