

City of Hays
City Commission
Work Session Notes

Thursday, August 4, 2016 – 6:30 p.m.

Present: Eber Phelps, Shaun Musil, James Meier, Lance Jones, Todd Powell, Toby Dougherty, and Kim Rupp

Absent: Henry Schwaller IV

July 21, 2016 Work Session Notes

There were no corrections or additions to the minutes of the work session held on July 21, 2016; the minutes stand approved as presented.

Discussion of Location for Westbound I-70 Monument Sign

The City awarded a contract for the construction of “Welcome to Hays” signs at the March 10, 2016 City Commission meeting. The original plan called for construction of the westbound sign within the I-70 right of way, just east of the Commerce Parkway exit. In addition, the plan also included an eastbound sign near Arnhold Park on the south side of the interstate. Subsequently, the westbound sign was not approved by the Kansas Department of Transportation and Federal Highway Administration. Two alternative locations are being considered for the westbound sign.

Rich Rekoske, Convention and Visitors Bureau Director, discussed the two locations being considered. City staff recommends a location along the north side of I-70 on private property just east of the original location. The private property on the north side of I-70 would require the acquisition of a permanent signage easement at a one-time cost of \$1,645 and the cost to construct a fence around the sign.

City Manager, Toby Dougherty, stated no action is required by the Commission, but asked for their input.

It was the consensus of the Commission to move forward with the construction of the westbound “Welcome to Hays” sign at the north side of I-70 location.

2016 Street Maintenance – Supplemental Diamond Grinding Contract

John Braun, Assistant Director of Public Works, stated in March, the City Commission approved bids for 2016 Street Maintenance Projects. Diamond grinding sections of Canterbury and 27th Streets was included. The contractor hired to grind the bumps from the concrete streets, APAC of Hays, has been unable to achieve the level of improvement expected by the City.

City staff has contacted the next low bidder, West Fork, LLC in regards to accomplishing the work that APAC's grinding subcontractor, Interstate Grinding of Garden City, was not able to complete. West Fork has much larger equipment than Interstate Grinding, and they successfully accomplished this same work on Commerce Parkway in 2013. West Fork has agreed to honor their bid price of \$168,080.12, and could accomplish the work in October.

The areas ground by the current contractor would have to be redone to achieve the desired improvement. Therefore, it will take the full amount of West Fork's original bid to complete the job. This project also includes a significant amount of pavement markings, which includes the entire intersections of 27th & Vine and 13th & Canterbury.

Staff is working with the City Attorney on terminating the contract with APAC, and determining due compensation.

At the August 11, 2016 Commission meeting, Commissioners will be asked to authorize the City Manager to enter a contract with West Fork LLC in the amount of \$168,080.12 for diamond grinding Canterbury from 12th to 13th Street and 27th Street from Vine to Sherman, to be funded out of Special Highway.

Possible Changes to the Extraterritorial Jurisdiction

The Ellis County Commission directed the County Administrator to initiate discussion with the City of Hays on possible modifications to the extraterritorial zoning jurisdiction (ETJ), sometimes referred to as the three-mile boundary. The City Manager and County Administrator met and developed a revised ETJ boundary that was presented to the Hays Area Planning Commission for

comment at its July 18, 2016 regular meeting. The Planning Commission was generally supportive of the proposed modifications.

City Manager, Toby Dougherty, presented the proposed changes to the Commissioners and asked for their input. The proposed changes call for reducing the jurisdiction by approximately 19 square miles, mostly to the south and west of town, where significant growth is not likely due to state owned property or floodplain issues. He stated from the City standpoint he feels this protects our growth areas for a long time to come. He also stated this is not an immutable boundary; it can be changed should we experience a growth spurt.

The Commissioners were supportive of the proposed changes to the ETJ, which will now be shared with the Ellis County Commission for their consideration.

Lots 19 & 20, Hays Airport Industrial Park, Hays Medical Center – Surface Nondisturbance Agreement and Declaration

Commissioner Meier recused himself from this discussion because he is an employee of Hays Medical Center.

Hays Medical Center is purchasing the surface rights in Lots 19 and 20 at Hays Airport Industrial Park from Heart of America Development Corporation. The City of Hays owns the minerals under these lots. Hays Medical Center has requested a Surface Nondisturbance Agreement and Declaration from the City of Hays to ensure that there will be no drilling for minerals on the property.

Todd Powell, on behalf of City Attorney, John Bird, stated due to the proximity to the airport there are aviation easements which would prevent development. He stated the City Attorney has reviewed the agreement and recommends that the Surface Nondisturbance Agreement and Declaration be approved.

At the August 11, 2016 Commission meeting, Commissioners will be asked to approve the Surface Nondisturbance Agreement and Declaration.

Other Items for Discussion

There were no other items for discussion.

The work session was adjourned at 7:10 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk