

MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF HAYS, KANSAS  
HELD ON AUGUST 25, 2016

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, August 25, 2016 at 7:30 p.m. The meeting began at 7:30 p.m. instead of the regular 6:30 p.m. meeting time to allow the Commissioners to attend the Core2Campus event at 6:00 p.m.

Roll Call: Present: Eber Phelps  
Shaun Musil  
James Meier  
Henry Schwaller IV  
Lance Jones

Chairperson Phelps 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 session held on August 11, 2016; the minutes stand approved as presented.

**3. FINANCIAL STATEMENT:** Finance Director, Kim Rupp, reviewed the financial summaries of the revenue and expenditure activities of the City of Hays for the month ended July 31, 2016.

Month-to-date general fund sales tax collections were at \$628,853 which is a decrease of \$7,096 as compared to last year. Nine of the last twelve months experienced a notable decrease in sales tax receipts totaling -\$262,752 or a -3.71%. Year-to-date general fund collections are at \$4,146,434 down -\$190,387 or -3.39% as compared to this same time last year.

The Finance/City Clerk's Office invested \$1,500,000 of maturing or renewing certificates with a weighted average interest rate of .69%. The portfolio of certificates of deposit on July 31, 2016 totaled \$56,000,000 with a weighted

average interest rate of .56% up .30% from a year ago. The total balance of the Money Market account on July 31, 2016 was \$1,000,000 with a current yield of .20%. Total investments are up \$150,000 when compared to this time last year.

Shaun Musil moved, James Meier seconded, that the Financial Statement for the month of July, 2016 be approved.

Vote: Ayes: Eber Phelps  
Shaun Musil  
James Meier  
Henry Schwaller IV  
Lance Jones

**4. CITIZEN COMMENTS:** There were no comments.

**5. CONSENT AGENDA:** The following appointments were recommended at the August 11, 2016 City Commission meeting and are now being presented for approval.

**Building Trades Board**

Robert Meier (Electrical Rep) – four-year term to expire August 27, 2020 (2nd term)

Jacob Proffitt (Plumbing/Mechanical Rep) – four-year term to expire August 27, 2020 (1st term)

**Hays Public Library Board**

Katherine Wolfe – four-year term to expire April 30, 2020 (2nd term)

James Meier moved, Lance Jones seconded, to approve the consent agenda as presented.

Vote: Ayes: Eber Phelps  
Shaun Musil  
James Meier  
Henry Schwaller IV  
Lance Jones

## **NEW BUSINESS**

**6. OAK STREET WATERLINE – AWARD OF BID:** Bids have been received for the replacement of a city water main along Oak Street from 20<sup>th</sup> to 26<sup>th</sup> Street. The low bid was from J Corp of Hays. Bid documents were structured with a base bid for the waterline replacement and pavement repairs necessary for the waterline work. An alternate bid was requested for additional pavement work to replace other areas of failed concrete on Oak Street. J Corp's base bid price is \$363,667.50 with an alternate bid of \$81,110 for a total cost of \$444,777.50.

Johnny O'Connor, Director of Utilities, explained that the existing four inch water main is more than 60 years old, does not provide adequate fire protection, and has a history of leaks. The Oak Street project will install a new eight inch PVC waterline to replace the old four inch line, replace 22 existing services with all new taps, meters, setters and service lines, replace three existing fire hydrants, and add three additional hydrants for a total of six new fire hydrants.

Henry Schwaller IV moved, Lance Jones seconded, to authorize the City Manager to enter a contract with J Corp in the amount of \$444,777.50 for both the base bid and the alternate bid. The base bid amount of \$363,667.50 to be paid out of Water Capital and the alternate bid amount of \$81,110.00 to be funded out of Special Highway.

Vote: Ayes: Eber Phelps

Shaun Musil

James Meier

Henry Schwaller IV

Lance Jones

## **7. ADOPTION OF UNIFIED DEVELOPMENT CODE (UDC) AND REVISED**

**ZONING MAP:** Jesse Rohr, Planning Inspection Enforcement Superintendent, stated the rewrite of the zoning and subdivision regulations, now known as the Unified Development Code (UDC), has been ongoing since June of 2014. The proposed UDC better reflects the needs of the City today than do the current zoning and subdivision regulations. This project benefited greatly from input from staff,

developers, realtors, contractors, engineers, the consultant, and other various community interest groups. With the changes made since receiving the original draft from Kendig Keast Collaborative, the UDC is truly a Hays document.

As part of the development of the UDC, staff and Kendig Keast Collaborative have also been working on revisions to the official adopted zoning map which is supplemental to the UDC. Since many of the zoning districts will change in the UDC, the proposed zoning map reflects the districts as they appear in the UDC. Other minor changes are proposed as well to ensure the official map parallels the UDC. The official zoning map and the UDC are codependent on one another and they will work in conjunction with each other once adopted. Staff, as well as the Planning Commission, recommends adopting the UDC and the revised zoning map as submitted.

Bret Keast, AICP, with Kendig Keast Collaborative, provided an overview of the proposed UDC and Jesse Rohr reviewed the revised zoning map.

Commissioners asked questions about specific parts of the UDC, but ultimately agreed the zoning and subdivision regulations are intended to be flexible and can be amended if necessary.

Shaun Musil moved, James Meier seconded, to approve Ordinance Number 3919 adopting the UDC and the revised zoning map as presented and as recommended by City staff and the Planning Commission.

Doug Williams, a local realtor, and representing the Hays Board of Realtors, stated the board initially opposed this proposal. They were concerned that there would be a loss of property rights, increased cost of development and thus cost of construction. Since then, the document has undergone many changes and the organization feels more comfortable with it. They still have concerns, but at this point he thinks it needs to be passed so that the rest can be vetted out. He also stated the UDC puts a lot of authority on the zoning administrator.

Commissioner Meier noted there is an appeals process if a resident or developer believes they were treated unfairly. That process would include taking the issue before the Hays Area Planning Commission.

Vote: Ayes: Eber Phelps  
Shaun Musil  
James Meier  
Henry Schwaller IV  
Lance Jones

**8. PROGRESS REPORT:** Assistant City Manager, Jacob Wood, presented a monthly report of city-related activities, services, and programs.

**9. REPORT OF THE CITY MANAGER:** The City Manager had nothing to report.

**10. COMMISSION INQUIRIES AND COMMENTS:** Commissioner Jones commented that the Core2Campus event is a fun event for college students and appreciated the invitation that allowed him to be a part of it. He also congratulated Coach Frank Leo and the Hays Larks for being national runners up in the NBC World Series.

Commissioner Schwaller commented it was nice to see the large crowd at Core2Campus event. He also mentioned that tomorrow evening is the Fall Gallery Art Walk and also cruise night at Westlake Ace Hardware.

Due to his upcoming duties as Mayor, Vice-Chairperson Musil asked Commissioner Meier to replace him on the Ellis County Coalition for Economic Development Board representing the City Commission.

As his mayoral position ends, Chairperson Phelps asked that the incoming Mayor assume his duties on the Hays Public Library Board.

The meeting was adjourned at 9:05 p.m.

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

Brenda Kitchen – City Clerk