

MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF HAYS, KANSAS  
HELD ON JANUARY 28, 2021

**1. CALL TO ORDER BY CHAIRPERSON:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, January 28, 2021 at 6:30 p.m.

Roll Call: Present: Sandy Jacobs

Mason Ruder

Michael Berges

Ron Mellick

Shaun Musil

Mayor Jacobs 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 January 14, 2021; the minutes stand approved as presented.

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

**ADD ON ITEM – MONTHLY FINANCIAL STATEMENT:** Kim Rupp, Finance Director, reviewed the financial summaries of the revenue and expenditure activities of the City of Hays for the month ended December 31, 2020.

Month-to-date general fund sales tax collections were at \$650,052, which was a decrease of \$14,501 or -2.2% as compared to last year. Collections ended the year at \$7,641,323 up \$230,085 or 3.1%. The six month average is at 3.34% which was a decrease of 2.1% when compared to a year ago.

Mr. Rupp also noted, the first full distribution from the Ellis County ¼% sales tax was received in December totaling \$75,223. This will likely take a few months to stabilize as local retailers bring this new tax onboard.

The portfolio of certificates of deposit on December 31, 2020 totaled \$41,550,192.36 with a weighted average interest rate of .61% down 1.65% from a year ago. The total of US Treasuries at par value is \$3,000,000 with a weighted

average yield to maturity of .06%. The total balance of the Money Market account on December 31, 2020 was \$7,750,000 with a current yield of .05%. Total investments are down \$8,976,807.64 when compared to this time last year.

Shaun Musil moved, Ron Mellick seconded, to approve the financial statement for the month of December, 2020 as presented.

Vote: Ayes: Sandy Jacobs  
Mason Ruder  
Michael Berges  
Ron Mellick  
Shaun Musil

**4. CONSENT AGENDA:** The following proposed appointments will be presented for approval at the February 25, 2021 City Commission meeting.

CARE Council

Kimberly Thomason – two-year term to expire February 25, 2023 (4th term)

Hays Convention and Visitors Bureau Advisory Committee

Natashia Cecil (Holiday Inn Express & Suites) – three-year term to expire February 25, 2024 (1st term)

Molly Gauger (At-large Position) – three-year term to expire February 25, 2024 (2nd term)

Stacey Smith (FHSU Tourism & Hospitality) – three-year term to expire February 25, 2024 (5th term)

Angelica Southard (Hampton Inn) – three-year term to expire February 25, 2024 (1st term)

Teegan Zachary (Quality Inn) – three-year term to expire February 25, 2024 (1st term)

Northwest Kansas Community Corrections Board

Curtis Brown – two-year term to expire February 25-2023 (2nd term)

Mason Ruder moved, Michael Berges seconded, to approve the Consent Agenda as presented.

Vote: Ayes: Sandy Jacobs  
Mason Ruder  
Michael Berges  
Ron Mellick  
Shaun Musil

### **NEW BUSINESS**

**5. 27<sup>th</sup> STREET CONSTRUCTION – AWARD OF BID:** Jesse Rohr, Director of Public Works, reported the next major reconstruction project for the City of Hays is West 27th Street from Hall Street to Fort Street. This particular project has been listed in the Capital Improvement Program (CIP) for several years. The intent of the project is to remove and replace all the pavement, curb and gutter, sidewalks, curb ramps, intersections, alley entrances, and driveways necessary to meet ADA requirements. The project also includes new pavement markings; storm sewer improvements at Canal Boulevard and the area adjacent to Van Doren Pond; and waterline improvements to include abandonment of an old 4” water main along Walnut from 23rd Street to 27th Street; and fire hydrants at Hillcrest Drive, Cottonwood Lane, and Willow Street.

Bids were opened on December 22, 2020 from four contractors with the low bid coming from Paul-Wertenberger Construction, Inc. of Hays, Kansas in the amount of \$2,376,131.60.

Mr. Rohr stated the current schedule calls for construction to begin on or about March 15, 2021 and to be completed by November 17, 2021. Inspection of the project will be completed in-house, and there will be an informational meeting for the public prior to the start of construction. At that meeting, the contractor and the engineer will be available to answer questions about schedule, phasing, access, and any other items of interest or concern.

Ron Mellick moved, Mason Ruder seconded, to authorize the City Manager to enter into a contract with Paul-Wertenberger Construction, Inc. in the amount of \$2,376,131.60 for the reconstruction of 27th Street from Hall to Fort to

be funded out of Capital Projects with transfers from Commission Capital Reserves, Stormwater Reserves, Water Capital, and Sewer Capital for respective items of work.

Vote: Ayes: Sandy Jacobs  
Mason Ruder  
Michael Berges  
Ron Mellick  
Shaun Musil

**6. KING'S GATE SECOND ADDITION – FINAL PLAT:** Jesse Rohr, Director of Public Works, reported the owner of the proposed King's Gate Second Addition has submitted a final plat for consideration. The property is adjacent to the previously platted King's Gate First Addition, and is a continuation of a large residential development along 41st Street. This is the final phase for this development and is comprised of 22 lots. Street and utilities will be extended north from 41st Street to the end of the cul-de-sac. Drainage easements are in place to allow for drainage to the north into a draw.

The final plat meets the requirements of the current subdivision regulations in regard to lot size, setbacks, and specific utility requirements. Staff, as well as the Hays Area Planning Commission, recommends approving the final plat as submitted.

Michael Berges moved, Ron Mellick seconded, to approve Resolution No. 2021-002 accepting the final plat of King's Gate Second Addition.

Vote: Ayes: Sandy Jacobs  
Mason Ruder  
Michael Berges  
Ron Mellick  
Shaun Musil

**7. KING'S GATE SECOND ADDITION – RESOLUTION TO ESTABLISH BENEFIT DISTRICT (ROYAL COURT):** Jesse Rohr, Director of Public Works, stated the next two items are on the agenda pending approval of the final plat of King's Gate Second Addition. Covenant Land & Developing, Inc., the owner of

the property, has petitioned the City for street, storm sewer, water, and sanitary sewer improvements to the area containing 22 lots in the King's Gate Second Addition. The engineer's estimate for total construction is \$748,000. There are no over-sizing costs to the City in this project; therefore, no City capital will be expended for the construction of this project. The developer is intending to finance the development project through the creation of a special benefit district. Mr. Rohr noted that 70% of the costs for this project will be allowed to be special assessed with the remaining 30% being paid in full by the developer prior to award of the construction contract.

Mason Ruder moved, Ron Mellick seconded, to approve Resolution No. 2021-003 authorizing the creation of a special benefit district for infrastructure improvements in the estimated amount of \$748,000 for the development of 22 lots within the King's Gate Second Addition.

Vote: Ayes: Sandy Jacobs

Mason Ruder

Michael Berges

Ron Mellick

Shaun Musil

#### **8. KING'S GATE SECOND ADDITION – ENGINEERING SERVICES**

**AGREEMENT (ROYAL COURT):** Jesse Rohr, Director of Public Works, stated Driggs Design Group has prepared a contract for engineering services for King's Gate Second Addition, to include engineering design, contractor solicitation, construction engineering, and warranty inspection of the development infrastructure. The contract is for a not-to-exceed amount of \$36,500. The \$36,500 cost for engineering services is included in the total project cost estimated at \$748,000.

Shaun Musil moved, Michael Berges seconded, to approve the Engineering Services Agreement with Driggs Design Group for an amount not to exceed \$36,500 for the development of King's Gate Second Addition.

Vote: Ayes: Sandy Jacobs  
Mason Ruder  
Michael Berges  
Ron Mellick  
Shaun Musil

**9. PROGRESS REPORT:** Assistant City Manager, Collin Bielser, presented a monthly report of city-related activities, services, and programs.

**10. COMMISSION INQUIRIES AND COMMENTS:** Commissioner Musil thanked First Care Clinic, Ellis County Health Department, and Hays Med for their efforts in trying to get the vaccines out to people as soon as possible.

Mayor Jacobs thanked the Public Works Department for the great job they did clearing the streets after the recent snow storm.

The meeting was adjourned at 7:02 p.m.

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

Brenda Kitchen – City Clerk