

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON MARCH 11, 2021

1. CALL TO ORDER BY CHAIRPERSON: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, March 11, 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 February 25, 2021; the minutes stand approved as presented.

3. CITIZEN COMMENTS: There were no comments.

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

Hays Housing Authority Board

Albert Klaus – four-year term to expire March 25, 2025 (3rd term)

Shaun Musil moved, Mason Ruder seconded, to approve the Consent Agenda as presented.

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

NEW BUSINESS

5. BIG CREEK ESTATES SECOND ADDITION REZONING FROM AGRICULTURE “A-L” TO RESIDENTIAL GENERAL DISTRICT “R-G”:

Curtis Deines, Planning, Inspection, and Enforcement Superintendent, stated an application has been submitted by Adam Pray to request a change in zoning from “A-L” Agriculture to “R-G” Residential General District for a tract of land on the east side of Big Creek Estates, for the proposed Big Creek Estates Second Addition. The property is in the south east part of Hays and is not located in the City limits. The Big Creek Estates development was platted in 2004 and is nearly built out. The area being rezoned is directly abutting the east side of Big Creek Estates and will blend in with the original development as if it was part of the original plat. This request to change zoning is logical and consistent with the Comprehensive Plan. Staff as well as the Hays Area Planning Commission recommends approving the rezoning request from “A-L” to “R-G”.

Ron Mellick moved, Michael Berges seconded, to approve Ordinance No. 3995 approving the change in zoning from “A-L” Agriculture to “R-G” Residential General District for a tract of land known as the proposed Big Creek Estates Second Addition.

Commissioner Ruder, Ellis County Environmental Planning Supervisor, stated he will recuse himself from the vote for both agenda items regarding Big Creek Estates Second Addition as he is involved in the administrative process for the plat should it go forward.

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

Abstain: Mason Ruder

6. BIG CREEK ESTATES SECOND ADDITION FINAL PLAT APPROVAL:

Curtis Deines, Planning, Inspection, and Enforcement Superintendent, stated the property known as the proposed Big Creek Estates Second Addition is under

consideration for final plat approval. The plat consists of 14 lots. The Hays Area Planning Commission and the Ellis County Commission have given a favorable recommendation for development with conditions the developer has agreed to. The final plat meets the requirements of the current subdivision regulations in regard to lot size, setbacks, and specific utility requirements. Staff and the Hays Area Planning Commission both recommend approving the final plat as submitted.

The development is located within the Big Creek Sewer District and the developer will have to extend sanitary sewer lines to accommodate the lots. Each property will have their own private water well. Water well professionals have been contacted about this development and feel the water source is good and can support the additional development. The Ellis County Environmental Office has been involved to evaluate the properties for sewer and water utilities.

Mr. Deines noted that there is an oil well located near this proposed development and there are no known issues or past history of contamination.

Mr. Deines also stated the proposed lots are 200 feet deep from the west to east. The 100-year floodplain is located on the eastern side of the development approximately 75 feet into the proposed lots. This leaves approximately 100 feet or more of buildable depth before a structure would be in the floodplain. The developer has incorporated a drainage easement to allow water to flow back to the east toward the floodplain. A drainage study was completed by Drigg's Design Group, who determined that there will be minimal impact from the structures and driveways being constructed.

Michael Berges moved, Shaun Musil seconded, to approve Resolution No. 2021-005 accepting the final plat of Big Creek Estates Second Addition.

Vote: Ayes: Sandy Jacobs

Michael Berges

Ron Mellick

Shaun Musil

Abstain: Mason Ruder

7. STREET MAINTENANCE PROGRAM – AWARD OF BIDS: John Braun, Project Manager, reported that each year staff evaluates the condition of city streets and develops a maintenance program that is brought forward for Commission consideration. Staff utilizes traffic counts, the latest pavement condition assessment, past maintenance treatments, public input, and available budget in developing the program.

The projects bid with this year’s program include seal coat, polypatch, curb & brick repair, concrete patching, mill and overlay, pavement markings and sidewalk construction. The Street Maintenance Program has been funded primarily with Special Highway Funds, which included a transfer of \$500,000 from the General Fund.

Mr. Braun reviewed sources of funding for the 2021 Street Maintenance Program as presented to the Commission in November 2020, as well as City Staff’s recommendation for spending those funds.

2021 Funding

Special Highway

State Gas Tax Refund (KDOT)	\$ 471,150
Connecting Link Maintenance (KDOT)	\$ 74,500
Transfer from General Fund	\$ 500,000
Contingency (keep for unforeseen)	\$ <u>-50,000</u>
Total Available	\$ 995,650

2021 Program

Asphalt Seal Coat	\$ 240,000
Polypatch	\$ 25,000
Curb and Brick Repair	\$ 250,000
Concrete Patch	\$ 129,400
Pavement Markings	\$ 60,000
Major Rehab	\$ 180,000
Sidewalk (rebate + select areas)	\$ 71,250
In-house work (crack seal & pavement repairs)	\$ <u>40,000</u>
TOTAL	\$ 995,650

Bids for the 2021 Street Maintenance Projects were opened on February 9, 2021. Bids were received from nine different contractors and City staff recommends entering contracts with the low bidders for all projects. The total of the low bid contracts being recommended would be \$959,202.45.

- Circle C Paving and Construction, LLC in the amount of \$189,220.70 for seal coat;
- Stripe & Seal in the amount of \$21,980.00 for polypatch;
- J Corp., Inc. in the amount of \$341,568.00 for curb and brick repairs in the East and West 200 Blocks of 16th Street and sidewalk projects along East 22nd, 13th and Golden Belt Drive, and 13th and Agnes Drive;
- Morgan Brothers Construction in the amount of \$177,706.00 for various locations of concrete patching/panel replacement;
- APAC, Inc. in the amount of \$109,826.00 for profile mill and overlay of Fort Street from 33rd to 38th Street;
- Road Safe Traffic Systems, Inc. in the amount of \$118,901.75 for pavement markings on Vine Street from 13th to 29th Street;

All projects to be funded out of Special Highway Budgeted Projects, with the exception of a \$12,417.50 reimbursement for the East 22nd Street sidewalk from the Heart of America Development Corporation.

The projects awarded would be accomplished at various locations at various times throughout this year.

Mason Ruder moved, Ron Mellick seconded, to authorize the City Manager to sign contracts for construction as presented, in the amounts specified, to be paid out of the funds identified by Staff.

Vote: Ayes: Sandy Jacobs

Mason Ruder

Michael Berges

Ron Mellick

Shaun Musil

8. COMMISSION INQUIRIES AND COMMENTS: Commissioner Musil stated as the City's face mask mandate expires, he thanked those throughout the city and

county region for following the mask ordinance and he feels the community is better for it.

Commissioner Mellick encouraged everyone to get vaccinated when the vaccine is available to them.

Vice-Mayor Ruder thanked everyone for their hard work during this pandemic and reminded the community to support the local businesses as they have been hit hard this past year.

Mayor Jacobs echoed those thoughts and noted that the City's face mask ordinance has ended, but the Governor's executive order requiring face masks remains in effect until the end of March.

The meeting was adjourned at 6:54 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk