

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON APRIL 8, 2021

1. CALL TO ORDER BY CHAIRPERSON: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, April 8, 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 March 25, 2021; the minutes stand approved as presented.

3. CITIZEN COMMENTS: There were no comments.

4. CONSENT AGENDA: The following proposed appointments will be presented for approval at the April 22, 2021 City Commission meeting.

Hays Area Board of Zoning Appeals

Russell Koenigsman – three-year term to expire April 22, 2024 (2nd term)

Jerry Sonntag – three-year term to expire April 22, 2024 (7th term)

Hays Area Planning Commission

Paul Phillips – three-year term to expire April 22, 2024 (6th term)

Hays Public Library Board

Shelley Bryant – four-year term to expire April 22, 2025 (2nd term)

Mary Toepfer – four-year term to expire April 22, 2025 (2nd term)

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

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

NEW BUSINESS

5. AIRPORT LAND ACQUISITION: Toby Dougherty, City Manager, stated a 20.33-acre tract of land located immediately east of the Hays Regional Airport has become available for purchase. The land is owned by JoAnn Koerner, Trustee of the JoAnn Koerner Revocable Trust and has appraised for \$154,505.

Airport Staff consulted with the Federal Aviation Administration (FAA) regarding the potential of Federal funding, and it was determined the land purchase was eligible for the traditional 90% Airport Improvement Program (AIP) funding with a 10% local share required of the City.

As part of the FAA’s AIP requirements, the City hired H.W. Lochner, Inc. to administer land acquisition services for a cost of \$99,850.00. Thorough environmental site assessments, land survey, title search, and an appraisal/review process were completed prior to extending the offer of \$154,505; the determined value of the 20.33-acre tract of land.

Following the review and approval of the FAA, the City extended an offer for the appraised value and this was subsequently accepted by Ms. Koerner via her attorney, Stacy Seibel.

Below are the estimated project costs:

	City Share	FAA Share	Total Cost
Consultant Services	\$ 9,985.00	\$ 89,865.00	\$ 99,850.00
Land Cost	\$ 15,450.50	\$ 139,054.50	\$ 154,505.00
Attorney Fees	\$ 550.00	\$ 4,950.00	\$ 5,500.00
Miscellaneous	\$ 183.70	\$ 1,653.30	\$ 1,837.00
Total	\$ 26,169.20	\$ 235,522.80	\$ 261,692.00

The Airport's Master Plan and Airport Layout Plan (ALP) include acquisition of land to safely accommodate existing and future aviation demand. The ALP is approved by the FAA and is used to assess the most efficient future terminal area and airfield configuration, to determine short and long-term goals, and to evaluate the aviation needs of the Airport.

The specific tract of land available for purchase is identified for future growth on the ALP; therefore, it was determined to be eligible for Federal funding. Expansion into the area consists of future hangar development and will be necessary as demand for hangars continues to rise. There are 43 hangars at the Airport, and all are occupied. At this time, there is also limited space for hangar construction with the current layout.

Mr. Dougherty stated we are somewhat landlocked around the immediate terminal and hanger area, so we would either have to develop a new portion of airport property which would probably include more taxiways and connectors, or grow to the east. He added that this is the logical extension of the airport which provides quite a bit of room for future growth.

Shaun Musil moved, Ron Mellick seconded, to authorize the City Manager to execute the Contract for Deed with JoAnn Koerner Revocable Trust in the amount of \$154,505 with the City's portion to be funded from the Airport Improvement Fund and authorize the City Manager to execute the FAA grant agreement when offered.

Commissioner Mellick thanked Ms. Koerner for working with the City and stated he feels we are lucky to be able to acquire this land directly to the east of the Airport so in the future we don't have to build new taxiways. Mayor Jacobs also thanked Ms. Koerner and feels she is doing this for the good of the City.

Vote: Ayes: Sandy Jacobs

Mason Ruder

Michael Berges

Ron Mellick

Shaun Musil

6. QUITCLAIM DEED – RESOLUTION FOR TRANSFER OF CERTAIN MINERAL RIGHTS TO RICK M. AND BETTY A. WOLF:

Several years ago, the City acquired the right-of-way along East 41st Street to accommodate future widening. When the right-of-way was acquired for the northeast portion of what would be the 260th Avenue and 41st Street intersection, the City also obtained the mineral rights.

Commissioner Mellick stated he would abstain from the vote because he is related to the property owners.

John T. Bird, City Attorney, reported that Rick M. and Betty A. Wolf, the owners of the contiguous tract, are looking to sell the property along with the mineral rights. They have requested that the City of Hays quitclaim to them the oil, gas, and other minerals on and under the property. Given that the one-tenth acre that the City of Hays owns amounts to an annual income of approximately \$1.00; the City of Hays would not be giving up any significant money by signing the Quitclaim Deed and it will allow the descendants of the original owner to unify title to their minerals. Kansas law requires that a city use a Resolution authorizing its Mayor to execute any deeds to land.

Michael Berges moved, Mason Ruder seconded, to approve Resolution No. 2021-007 and authorize the Mayor to execute a deed and all other documents necessary to transfer certain mineral rights to Rick M. and Betty A. Wolf.

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

Abstain: Ron Mellick

7. COMMISSION INQUIRIES AND COMMENTS: Commissioner Musil congratulated Jason Kennedy, Ellis County Health Department, who received the Citizen of the Year Award at the 2021 Chamber Awards Banquet. He also congratulated Mayor Jacobs who received the Hall of Fame Award.

Commissioner Berges recognized the award recipients of the 2021 Chamber Awards Banquet.

- Jason Kennedy – Citizen of the Year Award
- Grow Hays – Helping Hands Award
- Kuhn’s Diamond Jewelers – Small Business Achievement Award
- Sandy Jacobs – Hall of Fame Award
- Kiley Rupp – Body & Soul Day Spa – Businesswomen of the Year Award
- Thomas Graham – Insurance Planning – Rising Star Award

Commissioner Berges also stated he attended the Department of Water Resources Water Poster Contest award ceremony. He stated it was great to see so many kids and adults involved.

Commissioner Ruder stated he attended the event as well. He stated it is a great program and he is glad to see kids and parents excited about water conservation.

Mayor Jacobs stated she was impressed with the parent’s participation in the Water Poster Contest. She added that there were some really nice adult entries as well. She also congratulated Holly Dickman, Water Conservation Specialist, and Stacie Minson, KSU Watershed Specialist, for their efforts in sharing the water conservation messages in schools.

The meeting was adjourned at 6:41 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk