

City of Hays  
City Commission  
Work Session Notes

Thursday, April 20, 2023 – 4:00 p.m.

Present: Mason Ruder, Shaun Musil, Sandy Jacobs, Reese Barrick, Toby Dougherty, Kim Rupp, and Don F. Hoffman

Alaina Cunningham joined the meeting by phone.

**April 6, 2023 Work Session Notes**

There were no corrections or additions to the minutes of the work session held on April 6, 2023; the minutes stand approved as presented.

**ARC Park Phase 3 – Request to Proceed**

Sarah Meitner, Board President for The Arc of Central Plains, requested the Commission's approval to move forward with Phase 3 of the ARC (Accessible Recreation Complex) Park development at Seven Hills Park. The Arc of Central Plains is seeking permission to proceed with the construction of a large picnic shelter, corn hole space, a quantis, more sensory play equipment, and preserved open green space at the ARC Park. The ARC Park playground and splash pad opened in September 2021. Since then, thousands of visitors of all abilities have played at the ARC Park.

Phase 3 was originally intended to be an accessible baseball field. However, after careful consideration, it was determined that this project would be too costly and no longer necessary after turf was installed at the Bickle-Schmidt Complex. Instead, they have identified a new set of amenities that will better serve the needs of the community and enhance the park experience for visitors.

Ms. Meitner stated that the total cost of the Phase 3 project is estimated to be \$1,066,650. The development timeline includes fundraising and equipment order later in 2023, with construction planned for 2024. Approximately \$400,000 has been raised with planned grant applications, the Arc of Central Plains

investment through the proceeds from the thrift store, and continued community investment they are confident they can raise the necessary funds to make this project a reality.

Ms. Meitner stated the ARC Park is an essential resource for individuals with disabilities and their families, providing a safe and accessible space for play, exercise, and social interaction. With the addition of Phase 3 amenities, we can continue to expand and improve this valuable community asset.

Commissioner Jacobs asked if the Parks Director has an annual fiscal note for this project. Jeff Boyle, Parks Director, stated the only downfall for this project is the future costs for upkeep and replacement. He stated he would get that number to the Commissioners as soon as possible. Toby Dougherty, City Manager, clarified that this will be more of an annualized depreciation number rather than an annualized cost. Most of this is relatively low maintenance, and it is more the depreciation of the equipment. Ms. Meitner stated that the Arc of Central Plains is prepared to set up an investment fund that would continue to help with upkeep and replacement of the equipment. Commissioner Jacobs asked if they intended to request contributions from the City. Ms. Meitner said at this time, no.

Vice-Mayor Musil was concerned about beginning this phase before all of the funds are collected. Kathy McAdoo, Executive Director of the Arc of Central Plains, stated that they do have the funds available to pay for it.

At the April 27, 2023 Commission meeting, Commissioners will be asked to approve a request by the Arc of Central Plains to proceed with fundraising and construction of a large shelter house, cornhole courts, additional play equipment, connecting sidewalks, and preserved greenspace at the ARC Park, in concert with the Parks Department.

### **Annexation of Property Located Adjacent to 1100 East 43<sup>rd</sup> Street**

Jesse Rohr, Director of Public Works, reported that High Plains Farm Credit FLCA, who owns the property at 1100 East 43<sup>rd</sup> Street, formerly Doerfler's Harley Davidson, and the two vacant lots east of this address, has submitted a

signed consent to annex the two lots east of 1100 East 43<sup>rd</sup> Street under K.S.A. 12-520(a)(7). The property owner desires to annex the two parcels to allow for future development of the property. The owners intend on relocating their offices to the new location on 43<sup>rd</sup> Street from their current location at 2905 Vine Street. They plan to remodel the former Doerfler's Harley Davidson building, as well as construct a parking lot on the immediately adjacent vacant lot.

Staff recommends annexing this property due to it being contiguous to the City limits and the availability of City services and infrastructure necessary to serve this property.

At the April 27, 2023 Commission meeting, Commissioners will be asked to approve an ordinance annexing the property adjacent to 1100 East 43<sup>rd</sup> Street, as legally described within the adopting ordinance.

**Annexation of BBJ, LLC Properties Located Near 230<sup>th</sup> Avenue and 55<sup>th</sup> Street**

Jesse Rohr, Director of Public Works, stated BBJ, LLC, the owner of the properties located near 230<sup>th</sup> Avenue and 55<sup>th</sup> Street, and the City of Hays agreed to and signed a Pre-Annexation Agreement in 2022 to allow for the extension of water and sewer infrastructure to serve the BBJ, LLC properties. The project extending those utilities has now started, which has triggered annexation by the City of Hays per the 2022 Agreement. This request is for tracts 1, 2, and 4 at this time. Per the Pre-Annexation Agreement, the Doonan business, located on Tract 3, which is not part of this annexation request, is subject to annexation at a future date upon development of Tract 1. Platting of the properties is also currently underway and will be brought forward for approval at a later date.

Staff recommends annexation of the properties due to their contiguous position with the city limits and the availability of city services.

At the April 27, 2023 Commission meeting, Commissioners will be asked to approve an ordinance annexing the three tracts of BBJ, LLC property, located

near 230<sup>th</sup> Avenue and 55<sup>th</sup> Street, as legally described within the adopting ordinance.

### **Wheatland Commons Housing Tax Credits – Resolution of Support**

Collin Bielser, Deputy City Manager, stated Old Town Development, Inc, a multi-family real estate developer from Kansas City, has recently acquired a purchase option on an 8-acre parcel near 22<sup>nd</sup> and Wheatland Avenue. The developers intend to construct a 40-unit, income restricted, apartment complex. Financing for this project, requires the allocation of Low-Income Housing Tax Credits, awarded by the Kansas Housing Resource Corporation (KHRC) through a competitive process. The competitive process is points based and additional points are awarded if a Resolution of Support from the governing body accompanies the application. KHRC plans to announce the tax credit awards in late-June or early-July. If awarded, construction of Wheatland Commons is expected to be complete by the end of 2024 and the apartments would remain in the affordable housing program for 15+ years. The property is already zoned appropriately and platted.

In the past, the City Commission has authorized Resolutions of Support for similar projects, most notably for Stonepost Apartments - Phases 1, 2, and 3 in 2006, 2010, and 2012. The City Commission authorized a Resolution of Support for a failed attempt at a project on East 22<sup>nd</sup> Street, just south of the HaysMed entrance in 2014. The Commission also authorized a Resolution of Support in 2017 for an attempt to redevelop the former Fort Hays Trailer Park.

Vice-Mayor Musil stated he has been contacted by a resident that lives in the area who was concerned about the low-income housing development. He added that with our housing needs it would be hard to say no to a housing development. Toby Dougherty, City Manager, stated the last housing study that was completed showed that this is one of our most needed housing types with a shortfall of almost 1,000 low-income units.

Tim Schulte, Vice-President at Old Town Development, Inc., stated out of the 44 projects in the running for the Low-Income Housing Tax Credits only 7 or 8 will be approved and the Resolution of Support will be helpful.

At the April 27, 2023 Commission meeting, Commissioners will be asked to approve the Resolution of Support for the Wheatland Commons Development.

**2022 Sanitary Sewer Point Repair Project**

John Braun, Project Manager, stated that in March 2022, the city entered a contract with RNG 10 Capital, LLC dba Utility Solutions (RNG) to accomplish Sanitary Sewer Point Repairs at various locations throughout the city. Prior to beginning any work, RNG went out of business and was unable to perform the contract. RNG's bonding company, American Southern Insurance Company, has provided a different company, CC Steel, LLC, to complete the contract. Staff recommends the City Commission authorize the City Manager to enter a contract with CC Steel, LLC in the amount of \$372,800 for the completion of sanitary sewer point repairs to be funded from Water Reclamation Reserves, and to execute a Tender and Release Agreement with American Southern Insurance Company; whereas, American Southern will pay to the city \$172,395.40 towards the cost of the sanitary sewer point repair project.

Water Resources Director, Jeff Crispin, checked references on CC Steel and received positive reviews. Also, the superintendent and much of the proposed crew have done work for the City of Hays under a previous project with Pipe Detectives.

Mr. Braun stated they could not find a contractor that would do the work for the price that the original contractor had bid so the bonding company will pay the balance of \$172,395.40.

New Contract Price from CC Steel	\$372,800.00
<u>Original bid from Utility Solutions</u>	<u>\$200,404.60</u>
Balance	\$172,395.40
Payment from Bonding Company	\$172,395.40

At the April 27, 2023 Commission meeting, Commissioners will be asked to authorize the City Manager to enter a contract with CC Steel, LLC in the amount of \$372,800 for the completion of sanitary sewer point repairs. They will also be asked to authorize the City Manager to execute a Tender and Release Agreement with American Southern Insurance Company; whereas, American Southern will pay to the city \$172,395.40 towards the cost of the sanitary sewer point repair project.

### **27<sup>th</sup> and Canterbury Discussion**

John Braun, Project Manager, stated Commissioner Musil requested the topic of a roundabout at 27<sup>th</sup> Street and Canterbury Drive be discussed at an upcoming work session, due to the increased traffic that will come from the new high school and middle school construction and the additional housing in that area. Staff also discussed the topic of a lane diet on Canterbury between 13th and 27th Street as staff feels the two improvements combined would improve traffic flow and efficiency throughout the corridor.

The intersection of 27<sup>th</sup> and Canterbury is a four-way stop controlled intersection that functions well most of the time. However, during peak volumes, traffic can overwhelm the ability of the existing four-way intersection to function efficiently, which can cause delays and backups.

Engineers for USD 489 have conducted a traffic impact study related to the proposed changes in the Hays High School area. The most significant impact on traffic in the area will be due to moving the Hays Middle School into the current Hays High School after a new High School is built. According to the study, that change will increase traffic at the 27<sup>th</sup> and Canterbury Drive intersection by 10% and increase wait times/queue lengths by 25%. The recommendation section of the study states that a roundabout at 27<sup>th</sup> and Canterbury Drive would improve the level of service by reducing delays at the intersection.

On April 11, 2023, staff set up a demonstration of how a roundabout would function. Temporary cones and signage were set up in the proposed

configuration. Pictures and video that were taken by a drone were shared with the Commissioners. The test was successful, and staff feels that a roundabout would be beneficial at this location.

Mr. Braun stated that the cost to install a roundabout at this intersection is approximately \$50,000 plus labor and equipment costs. That is based on doing all the concrete work and signage in-house with Service Division crews and hiring a contractor to install permanent epoxy type pavement markings. The estimated cost for labor and equipment would be \$40,000.

Mr. Braun also presented information regarding a lane reduction, or road diet that would reduce the number of lanes on Canterbury from four lanes to three lanes, between 13<sup>th</sup> and 27<sup>th</sup> Street. This would be like what was done to 13<sup>th</sup> Street in 2013 and Hall Street in 2016.

Mayor Ruder left the meeting at 5:20 p.m.

Mr. Braun reviewed the pros and cons of a lane reduction.

#### Pros

- Reduces speeding
- Protected lane for left turns
- Fewer conflict points
- Reduces crashes (FHWA – 19% to 47% reduction)
- Better/safer for pedestrians
- Better lane alignment and sight at intersections

#### Cons

- Only one through lane rather than two
- Speed limited by lead car
- Can create longer stacking at signal lights
- Can reduce gaps for entering traffic
- Reduces capacity slightly

Mr. Braun stated the cost to restripe Canterbury Drive from 13<sup>th</sup> Street to 27<sup>th</sup> Street from a four lane to a three lane configuration is estimated to cost \$70,000. He added that a funding source would need to be identified.

Toby Dougherty, City Manager, noted that the projects are independent of each other. The roundabout and lane reduction can be done one without the other. He added that there are adequate funds in Commission Capital Reserves should the Commission wish to proceed.

At the April 27, 2023 Commission meeting, Commissioners will be asked to provide direction to City staff regarding a roundabout at 27<sup>th</sup> and Canterbury Drive and the restriping of Canterbury Drive from four lanes to three lanes.

**Other Items for Discussion**

Commissioner Jacobs stated on Friday May 5, 2023, The Bricks in Downtown Hays will host the First Friday Pop-Up Event at the Pavilion - Cinco de Mayo.

Vice-Mayor Musil and Commissioner Barrick commented that they attended the Western Kansas Congressional Staff Briefing and Reception in Washington DC. A group including City staff and Commissioners provided information to our Senators and Representatives regarding housing, the R9 water project, and Essential Air Service.. They feel they made positive progress with our leadership in Washington.

The work session was adjourned at 5:53 p.m.

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

Brenda Kitchen – City Clerk