

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON APRIL 27, 2023

1. CALL TO ORDER BY CHAIRPERSON: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, April 27, 2023 at 4:00 p.m.

Roll Call: Present: Mason Ruder

Shaun Musil

Sandy Jacobs

Reese Barrick

Alaina Cunningham

Mayor Ruder 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 April 13, 2023; the minutes stand approved as presented.

3. FINANCIAL STATEMENT: Kim Rupp, Director of Finance, reviewed the financial summaries of the revenue and expenditure activities of the City of Hays for the month ended March 31, 2023.

Month-to-date (MTD) general fund sales tax collections were at \$744,162, which was an increase of \$48,261 or 7% as compared to last year. Year-to-date (YTD) general fund sales tax is at \$2,430,456 up \$153,547 or 6.7% from a year ago. The six-month average is at 1.4%, which was a drop of 13.3% when compared to a year ago. MTD county sales tax collections were at \$88,719. YTD county sales tax is at \$292,966.

The total par value of the US Treasuries is \$62,100,000 with a weighted average yield to maturity of 3.22% up 2.8% from a year ago. The total of the portfolio of certificates of deposit on March 31, 2023 was \$7,900,000 with a weighted average rate to maturity of 4.5% up 4.45% from a year ago. The total balance of the Money Market account on March 31, 2023 was \$4,000,000 with a current yield of 2.45%. Total investments are up \$5,733,302.

Shaun Musil moved, Sandy Jacobs seconded, to approve the Financial Report for the month of March, 2023 as presented.

Vote: Ayes: Mason Ruder
Shaun Musil
Sandy Jacobs
Reese Barrick
Alaina Cunningham

4. CITIZEN COMMENTS: Jay Harris, the new District Director for K-State Research and Extension, introduced himself to the Commission and explained some of the services they can provide. He noted he is also the Community Vitality Agent and will be working with Melissa Dixon, CVB Director, regarding a program called First Impressions.

5. CONSENT AGENDA: The following appointments were recommended by Mayor Ruder at the April 13, 2023 City Commission meeting and are now being presented for approval.

Hays Area Planning Commission

Dustin Schlaefli (resides in city limits) – three-year term to expire April 30, 2026 (3rd term)

Jim Schreiber (resides in city limits) – three-year term to expire April 30, 2026 (3rd term)

Michael Vitztum (resides in city limits) – three-year term to expire April 30, 2026 (3rd term)

Hays Convention and Visitors Bureau Advisory Committee

Aaron Dreher (Creek Side Resort) – three-year term to expire April 27, 2026 (1st term)

Brent Schulte (Thirsty's/Gella's) – three-year term to expire April 27, 2026 (1st term)

Hays Housing Authority Board

Audra Brungardt – four-year term to expire April 27, 2027 (3rd term)

Hays Public Library Board

Amy Feauto – four-year term to expire April 30, 2027 (3rd term)

Sandy Jacobs moved, Reese Barrick seconded, to approve the Consent Agenda as presented.

Vote: Ayes: Mason Ruder
Shaun Musil
Sandy Jacobs
Reese Barrick
Alaina Cunningham

NEW BUSINESS

6. 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.

Commissioner Jacobs congratulated everyone involved in the ARC Park for everything they have done for the community. She thinks the additional features will be great for the park, but she is concerned about the cost for upkeep and replacement when necessary. Ms. Meitner stated that they do plan to open a designated investment fund for the ARC Park to cover future costs.

Jeff Boyle, Director of Parks, stated that the fiscal note is approximately \$5,000 per year for maintenance plus \$98,000 per year for depreciation costs.

Vice-Mayor Musil was concerned with them beginning Phase 3 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.

Shaun Musil moved, Alaina Cunningham seconded, 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, with the stipulation that work will not begin until the project is fully funded.

Vote: Ayes: Mason Ruder

Shaun Musil

Sandy Jacobs

Reese Barrick

Alaina Cunningham

7. 2022 AUDIT: As required by Kansas Statute, the City of Hays hires an outside firm to conduct an annual audit of City finances. The audit represents an unbiased opinion of business practices and the financial soundness of all City funds.

Kim Rupp, Director of Finance, thanked his staff, Lori Hertel, Brenda Kitchen, Jami Breit, Shanna Koster, and Brenda Dechant for all they do to ensure a clean audit.

Danielle Hollingshead and Jami Benyshek of Adams Brown presented the 2022 Audit to the Commission. Ms. Benyshek noted that the City waived using Generally Accepted Accounting Principles (GAAP) and elected to use the

regulatory basis of accounting in accordance with the financial reporting provisions of the Kansas Municipal Audit and Accounting Guide (KMAAG). She noted that there were no significant findings.

Sandy Jacobs moved, Reese Barrick seconded, to accept the 2022 Audit for the City of Hays as presented by Adams Brown.

Vote: Ayes: Mason Ruder

Shaun Musil

Sandy Jacobs

Reese Barrick

Alaina Cunningham

8. ANNEXATION OF PROPERTIES OWNED BY HIGH PLAINS FARM CREDIT FLCA LOCATED ADJACENT TO 1100 EAST 43RD STREET:

Jesse Rohr, Director of Public Works, reported that High Plains Farm Credit FLCA, who owns the property at 1100 East 43rd 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 43rd 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 43rd 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.

Alaina Cunningham moved, Sandy Jacobs seconded, to approve Ordinance No. 4029 annexing the properties owned by High Plains Farm Credit FLCA, located adjacent to 1100 East 43rd Street, as legally described within the adopting ordinance.

Vote: Ayes: Mason Ruder
Shaun Musil
Sandy Jacobs
Reese Barrick
Alaina Cunningham

9. ANNEXATION OF BBJ, LLC PROPERTY LOCATED NEAR 230TH AVENUE

and 55TH STREET: Jesse Rohr, Director of Public Works, stated BBJ, LLC, the owner of the properties located near 230th Avenue and 55th 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.

Reese Barrick moved, Shaun Musil seconded, to approve Ordinance No. 4030 annexing the three tracts of BBJ, LLC property, located near 230th Avenue and 55th Street, as legally described within the adopting ordinance.

Vote: Ayes: Mason Ruder
Shaun Musil
Sandy Jacobs
Reese Barrick
Alaina Cunningham

10. WHEATLAND COMMONS HOUSING TAX CREDIT – 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 22nd 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 22nd 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.

Shaun Musil moved, Alaina Cunningham seconded, to approve Resolution No. 2023-008 in support of the Wheatland Commons Development.

Vote: Ayes: Mason Ruder

Shaun Musil

Sandy Jacobs

Reese Barrick

Alaina Cunningham

11. 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, LLC 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
Original bid from Utility Solutions	<u>\$200,404.60</u>
Balance	\$172,395.40
Payment from Bonding Company	\$172,395.40

Sandy Jacobs moved, Alaina Cunningham seconded, 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 to be funded from Water Reclamation Reserves.

Vote: Ayes: Mason Ruder
Shaun Musil
Sandy Jacobs
Reese Barrick
Alaina Cunningham

Sandy Jacobs moved, Reese Barrick seconded, 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.

Vote: Ayes: Mason Ruder
Shaun Musil
Sandy Jacobs
Reese Barrick
Alaina Cunningham

12. 27TH AND CANTERBURY DISCUSSION: Commissioner Musil requested the topic of a roundabout at 27th Street and Canterbury Drive be discussed, due to the increased traffic that will come from the new high school and middle school construction and the additional housing in that area.

John Braun, Project Manager, stated this topic was discussed at the April 20, 2023 Work Session. Staff also presented information regarding 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 27th 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 27th 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 27th 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 13th and 27th Street. This would be like what was done to 13th Street in 2013 and Hall Street in 2016.

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 13th Street to 27th 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, stated that there are adequate funds in Commission Capital Reserves should the Commission wish to proceed. He also stated that Commissioner Musil mentioned last week the possibility of a roundabout at 13th and Canterbury and staff feels that may be a good direction to

go. Staff will research that and bring information back to the Commission at a later date.

Shaun Musil moved, Sandy Jacobs seconded, to provide direction to City Staff to implement a roundabout at 27th and Canterbury Drive and the restriping of Canterbury Drive from 4 lanes to 3 lanes funded from Commission Capital Reserves.

Commissioner Jacobs stated that she is strongly in favor of the roundabout at 27th and Canterbury and she also favored the lane diet.

Vice-Mayor Musil also favored the roundabout but was concerned a reduction to three lanes may back up traffic south of the 22nd Street intersection. He noted that restriping can be changed at any time. He suggested restriping Canterbury to three lanes from 13th to 27th Street, and if it becomes an issue, we can repaint it back to four lanes. Mayor Ruder agreed, he was in favor of the reduction to three lanes throughout the entire corridor.

Commissioner Barrick stated he is in favor of the lane diet from 22nd Street to 27th Street, but expressed concern with a lead car slowing down traffic if it is changed to three lanes the entire corridor.

Commissioner Cunningham supported the roundabout at 27th and Canterbury, but noted that the restriping may just be paint, but it costs \$70,000.

Don Scheibler, Chief of Police, stated that he feels the three lane travel would have a calming effect on traffic and would be safer.

Toby Dougherty, City Manager, stated the main reason for the lane diet is the functionality of the 22nd Street intersection. That signal light can not function at its highest capacity to handle traffic in a safe manner without the lane diet.

Vote: Ayes: Mason Ruder

Shaun Musil

Sandy Jacobs

Alaina Cunningham

No: Reese Barrick

Mayor Ruder stated that the R9 update will follow the Youth Leadership Advisory Board Agenda Items.

13. ESTABLISHMENT OF THE YOUTH LEADERSHIP ADVISORY BOARD:

Mayor Ruder stated he is seeking approval to establish a Youth Leadership Advisory Board to help promote youth participation and leadership in the community. He feels having a direct connection to the City Commission to really influence change is important. Mayor Ruder presented a resolution that establishes the seven member board. It also stipulates that applicants are enrolled in high school within the city limits of Hays.

Shaun Musil moved, Reese Barrick seconded, to approve Resolution No. 2023-009 establishing the Youth Leadership Advisory Board of the City of Hays, Kansas.

Commissioner Jacobs stated that she would like wordage added that an open online application process would include all high school students.

Sandy Jacobs moved, Alaina Cunningham seconded, to amend Resolution No. 2023-009 under Item G to state that the committee shall be appointed by the Mayor of the City of Hays, Kansas, after consultation with the Commission, subject to approval by the Commission at the last regular meeting in April each year. The application is open to all students in the high schools within the city limits of Hays, Kansas, with the availability of online application.

Vote: Ayes: Mason Ruder

Shaun Musil

Sandy Jacobs

Reese Barrick

Alaina Cunningham

The Commission then voted to approve the amended Resolution No. 2023-009 establishing the Youth Leadership Advisory Board of the City of Hays, Kansas.

Vote: Ayes: Mason Ruder

Shaun Musil

Sandy Jacobs

Reese Barrick

Alaina Cunningham

14. APPOINTMENTS TO THE YOUTH LEADERSHIP ADVISORY BOARD: The following students have been recommended for consideration and approval to the Youth Leadership Advisory Board for a term beginning May 1, 2023 to May 1, 2024.

Evyn Cox (Hays High School)

Cy Drobeck (Hays High School)

Henry Fitzthum (Hays High School)

Isabelle Jones (Hays High School)

Mia Lang (Thomas More Prep-Marian High School)

Preston Mermis (Thomas More Prep-Marian High School)

Nathan Stecklein (Thomas More Prep-Marian High School)

Alaina Cunningham moved, Sandy Jacobs seconded, to approve the proposed appointments to the Youth Leadership Advisory Board.

Vote: Ayes: Mason Ruder

Shaun Musil

Sandy Jacobs

Reese Barrick

Alaina Cunningham

15. R9 UPDATE: Toby Dougherty, City Manager, stated design contracts will be presented to the Commission for consideration for approval at the May 11, 2023 Commission meeting.

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

17. HAYS HAPPENINGS / UPCOMING EVENTS: Melissa Dixon, Director of the Convention and Visitors Bureau, presented information on events that will be going on in Hays during the month of May.

18. COMMISSION INQUIRIES AND COMMENTS: Commissioner Cunningham stated the Youth Advisory Board is a great opportunity for our youth to get involved in City government. She added that she hopes the community will be patient regarding the changes to Canterbury Drive.

Commissioner Jacobs stated she hopes citizens of the community know the Commission works hard to make the right decisions for everyone. She believes the changes on Canterbury Drive will be a great addition and she encourages input from the community.

Vice-Mayor Musil added that he appreciates the great discussion the Commission had, and he believes the changes will be better for the community.

Mayor Ruder stated there is a lot going on in Hays and he appreciates the work and research staff put into these presentations. He also hopes the new Leadership Advisory Board will bring about positive change for the young people in our community.

The meeting was adjourned at 6:20 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk