

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON AUGUST 10, 2023

1. CALL TO ORDER BY CHAIRPERSON: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, August 10, 2023 at 4:00 p.m.

Roll Call: Present: Shaun Musil

Reese Barrick

Alaina Cunningham (by Zoom)

Mason Ruder

Absent: Sandy Jacobs

Mayor Musil 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 July 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 June 30, 2023.

After a period adjustment due to timing of sales tax receipts from the state, month-to-date (MTD) general fund sales tax collections were at \$779,272, which was a decrease of \$31,211 or 3.9% as compared to last year. Year-to-date (YTD) general fund sales tax is at \$4,770,936 up \$243,482 or 5.4% from a year ago. The six-month average is at 5.4%, which was a drop of 6% when compared to a year ago. MTD county sales tax collections were at \$91,385. YTD county sales tax is at \$569,791.

The total par value of the US Treasuries for June was \$54,600,000 with a weighted average yield to maturity of 3.28% up 2.67% from a year ago. The total of the portfolio of certificates of deposit on June 30, 2023 was \$17,600,000 with a weighted average rate to maturity of 4.78% up 4.7% from a year ago. The total balance of the Money Market account on June 30, 2023 was \$3,000,000 with a

current yield of 2.575% up 2.525% from a year ago. Total investments are up \$4,551,286.

Mason Ruder moved, Reese Barrick seconded, to approve the Financial Report for the month of June, 2023 as presented.

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

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: A. Approve the Cereal Malt Beverage license for the Volga German Centennial Association/Oktoberfest.

B. The following proposed appointments will be presented for approval at the August 24, 2023 City Commission meeting.

Hays Convention and Visitors Bureau Advisory Committee

Elinda Mages – three-year term to expire August 24, 2026 (4th term – nonconsecutive)

Hays Public Library Board

Joe Lohmeyer – unexpired term to expire April 30, 2026 (1st term)

Hays Recreation Commission Board

Zach Binder – four-year term to expire August 1, 2027 (1st term)

Mason Ruder moved, Reese Barrick seconded, to approve the Consent Agenda as presented.

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

NEW BUSINESS

6. R9 PIPELINE LAND ACQUISITION SERVICES AGREEMENT: John Braun, R9 Project Manager, stated City staff is requesting that the Commission approve

a contract with 4D Acquisition and Consulting, LLC to provide pre-acquisition services related to the construction of a water transmission pipeline from the City's R9 wellfield in Edwards County to the City's Smoky wellfield near the City of Schoenchen.

City staff solicited qualifications from firms that specialize in land and right of way acquisition. Eight consultants submitted proposals. A selection committee consisting of City staff and select members of the Burns & McDonnell (BMcD) design team reviewed the qualifications of these firms and shortlisted those eight firms down to two.

The team of BMcD and City staff then worked with the two shortlisted firms to define a scope of services from which to base fee proposals. The lowest cost proposal was submitted by 4D Acquisition and Consulting of Onstead, Michigan.

The scope of services and work plan for the pre-acquisition phase of the project includes management and coordination of the project, performing a market analysis to determine the cost of acquiring right of way and easements, assist in selecting the best route to run the pipeline, and to begin populating a data management and GIS software for tracking and processing all the parcels that will need to be acquired. The pre-acquisition phase should take about 90 days to complete. The team will then develop a scope of services for the next phases, which include right of way acquisition and construction support services. Using that scope of services, the two shortlisted firms, 4D Acquisition & Consulting and O. R. Colan Associates, will again submit fee proposals that will be brought back to the Commission for consideration.

Reese Barrick moved, Alaina Cunningham seconded, to authorize the City Manager to sign the Pre-Acquisition Services Agreement with 4D Acquisition & Consulting, LLC, in the amount not to exceed \$28,375, to be funded out of Water Sales Tax Reserve.

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

7. DOONAN ADDITION FINAL PLAT: Jesse Rohr, Director of Public Works, reported that an application has been submitted for the final plat of the Doonan Addition. The property is located at the southeast corner of 230th Avenue and 55th Street, at the I-70 Exit 157 Interchange. The proposed plat includes four total lots ranging in size from 4.3 acres to 9.7 acres. The property has been owned by BBJ, LLC for many years and has remained natural grassland except for the Doonan Peterbilt dealership that was built in 2014. The properties, with the exception of the Peterbilt dealership, were annexed into the City of Hays in April of 2023, and utility work for extending City water and sewer to the area is nearly complete. Per the pre-annexation agreement approved in 2022, the remaining property will be annexed within three to five years depending on certain triggering events.

The plat meets the requirements of the current subdivision regulations regarding lot size, setbacks, and specific utility requirements. Completing the platting process will allow development to occur on the property. Staff, as well as the Hays Area Planning Commission, recommend approving the Doonan Addition Final Plat.

Mason Ruder moved, Reese Barrick seconded, to approve Resolution No. 2023-015, accepting the Doonan Addition Final Plat.

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

8. PROGRESS REPORT: Collin Bielser, Deputy City Manager, presented a monthly report of city-related activities, services, and programs. Mr. Bielser noted that a joint City of Hays Commission and Ellis County Commission meeting is planned for Monday August 21, 2023 at 6:00 p.m. at BriefSpace. They will be

discussing maintenance on peripheral roads and Law Enforcement Center/Dispatch services.

9. HAYS HAPPENINGS/UPCOMING EVENTS: Brittney Squire, Marketing Manager for the Hays Convention and Visitors Bureau, presented information on events that will be going on in Hays during the month of August.

10. COMMISSION INQUIRIES AND COMMENTS: Toby Dougherty, City Manager, stated he spent most of July preparing for and attending the R9 Water Transfer Hearing in Wichita. He thanked the Commission for allowing him to be out of the office to devote adequate time to prepare. He also thanked Collin Bielser, Deputy City Manager, for handling things while he was in Wichita. Mayor Musil thanked Mr. Dougherty and City staff that attended the hearing for the great job they did presenting our information.

Commissioner Cunningham thanked City staff for their efforts to make the roundabout at 27th Street and Canterbury Drive more visible.

Commissioner Ruder stated that it is nice to see all of the progress being made in Hays and also that we are moving forward with the R9 water transfer. He also asked that everyone be careful driving as the students go back to school.

Commissioner Barrick stated it was nice to see the recent rains.

The meeting was adjourned at 4:34 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk