

City of Hays
City Commission
Work Session Notes

Thursday, January 7, 2021 – 6:30 p.m.

Present: Shaun Musil, Sandy Jacobs, Mason Ruder, Michael Berges, Ron Mellick, Toby Dougherty, Kim Rupp, and John T. Bird

December 17, 2020 Work Session Notes

There were no corrections or additions to the minutes of the work session held on December 17, 2020; the minutes stand approved as presented.

2021 Legislative Update

Barbara Wasinger, Kansas State Representative, and Rick Billinger, Kansas State Senator, provided an update on the 2021 Legislative Session.

Representative Wasinger said the operating procedures of the Kansas legislature will be different for the 2021 session due to the coronavirus pandemic. The 125 state representatives will be in session in Topeka every day they normally are, but will communicate with each other from their offices through a digital platform, Webex. When it is time to vote on a bill, the representatives will be on the floor, just one day a week and will be spread out. They will be using laptop computers to vote. Social distancing will be easier for the Kansas senate, with just 40 members.

Representative Wasinger stated they will be discussing emergency powers for the governor because as they were written in the last session, they expire on January 26, 2021. In an attempt to bring down sales tax on food, the state will look at enforcing equitable sales taxes for online companies doing business in Kansas, so brick and mortar businesses won't have to bear all of the burden. She noted that there will also be an anti-stalking bill coming up, and problems in the state's foster care system still need to be addressed.

Senator Billinger stated his role will be changing in Topeka. He has agreed to chair the Ways and Means Committee and by doing that will not serve on any other committees. He said he has been spending a lot of time working with Kansans who are in dire need of financial help because of the pandemic. He also talked about COVID-19 vaccines in Kansas, saying the state is not doing a good job of distributing the supplies, and eligible people are being left out of the process. There needs to be better communication between the state and local entities providing the shots.

Senator Billinger stated property tax relief is likely to be among the first bills up for debate in the senate. He added that despite the pandemic, sales tax revenues have been better than expected for the state, as well as for the City of Hays.

Both Senator Billinger and Representative Wasinger promised the Commissioners they would continue to support Hays in seeing through its long-term water supply project at the R9 Ranch in Edwards County.

Essential Air Service – Letter of Recommendation for SkyWest Airlines

Jamie Salter, Director of Hays Regional Airport, stated commercial air service at the Hays Regional Airport is provided through the Essential Air Service (EAS) program and is administered by the US Department of Transportation (DOT). Air carriers who participate in the EAS program receive subsidies in return for providing quality, reliable service. SkyWest Airlines has been our carrier since August of 2014 and currently provides 12 roundtrip flights each week to and from Denver.

The current EAS contract with SkyWest Airlines expires July 31, 2021. The US DOT solicited proposals for the upcoming 2021 to 2024 period and received one response. This was from SkyWest Airlines and mirrors the same structure of 12 roundtrip flights each week to and from Denver. The annual subsidy requested is \$3.6 million, up from the annual \$3.1 million for the current contract. The DOT offers communities the opportunity to provide feedback during the carrier selection.

Ms. Salter stated while the proposed annual subsidy has increased, there are no annual costs to the Hays Regional Airport as the contract is between the carrier and the DOT. The increased ask is likely due to the pandemic's impact on the travel industry as a whole. The aviation industry has been hit heavily and while there has been an uptick in passenger traffic, usage is still down significantly.

At the January 14, 2021 Commission meeting, Commissioners will be asked to authorize the Mayor to submit the letter of support for the selection of SkyWest Airlines to provide passenger service at the Hays Regional Airport.

City Commission Rules of Procedure

City Manager, Toby Dougherty, presented the current Hays City Commission Rules of Procedure for consideration. The Commissioners were asked to review the Rules of Procedure for any changes or modifications they may wish to make. This is an annual procedure which occurs following the reorganization of the City Commission.

At the January 14, 2021 Commission meeting, the Commissioners will be asked to approve a resolution adopting the City Commission Rules of Procedure.

Other Items for Discussion

Commissioner Mellick asked the City Manager to elaborate on a recent article in the Hays Daily News regarding the Quivera National Wildlife Refuge water rights and how that will affect the City of Hays.

City Manager, Toby Dougherty, stated two entities, Groundwater Management District No. 5 and WaterPACK are working to block Hays and Russell's efforts to develop the R-9 Ranch and are offering contradicting viewpoints when it comes to the US Fish and Wildlife Services water rights and the irrigators upstream. The Cities of Hays and Russell have gone above and beyond what is required by law in order to make a commitment to sustainability for use of the R-9 Ranch. He stated he has seen a double standard when it comes to agriculture use verses municipal use. He has seen laws get bent and

pushed to favor the agriculture industry. He added that we are simply asking that the laws and regulations to be applied uniformly. He emphasized that we don't have a Plan B for a sustainable water source for the area and the future of Hays, Russell, and the region depends on this.

Mr. Dougherty noted that this legal delay is costing the taxpayers of Hays and Russell a million dollars a year simply because they are trying to hold us to unreasonable standards.

The Commissioners wished Vice-Mayor Jacobs a happy birthday and congratulated Commission Ruder on the birth of his daughter.

Mayor Musil thanked Sherriff Ed Harbin, Ellis County Commissioner Dustin Roth, Ellis County Attorney Tom Drees, and Ellis County Clerk Donna Maskus for their service to Ellis County. He also wished those beginning their new positions well.

The work session was adjourned at 7:24 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk