

City of Hays
City Commission
Work Session Notes

Thursday, January 16, 2020 – 6:30 p.m.

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

January 2, 2020 Work Session Notes

There were no corrections or additions to the minutes of the work session held on January 2, 2020; the minutes stand approved as presented.

City of Hays/Hays Recreation Commission Joint Meeting

The City of Hays contracts with the Hays Recreation Commission (HRC) to manage area pools and for all scheduling needs of the various recreational areas in Hays such as ball fields, soccer fields, and the Bickle-Schmidt Sports Complex. Each year the HRC and the City of Hays conduct a joint meeting to discuss general operations, financial reports and any other facility needs or expectations that may need to be addressed.

Jeff Boyle, Director of Parks, reviewed the 2019 Pool Season Financial Report from the HRC. City staff recommends proceeding with the pool reimbursement request, as outlined in the Pool Services Agreement, for HRC operational losses at Wilson Pool and the Hays Aquatic Park for an amount of \$26,289.31. This amount reflects the City's share of the total HRC loss for the 2019 season of \$52,289.31.

Commissioner Jacobs stated she supports funding our share of this and added that it is a quality of life issue for our community. Commissioner Ruder stated the pool is very well taken care of and he and his family have enjoyed using the new feature.

Commissioner Berges stated seeing the fluctuation in the loss amount he asked how they project the loss amount for the next year. Mr. Boyle stated the

loss amount is based on attendance and weather has a huge impact on the use so it is hard to predict. He added that the costs to the City fluctuate noting that every three or four years they stain the entire facility which costs \$25,000 to \$30,000.

Commissioner Mellick asked if HRC has any recommendations for the coming year whether it be rate increases or added features.

Roger Bixenman, HRC Superintendent, stated there is a lot of discussion throughout the year and at this point he would not suggest any changes. They feel that the rates are fair and that it is important to keep it affordable. He added that some of the play features have been refurbished and there aren't any major repairs needed.

The HRC contracted with Dr. Tom Johansen, Professor of Finance and Financial Planning at Fort Hays State University, to conduct a study of the economic impacts of the Bickle-Schmidt Sports Complex. Dr. Johansen presented the findings of the study. He stated when tournaments are held and participants and attendees come to town, they spend their money here and the study estimates what that money does and how it circulates through the regional economy, creating additional expenditures and jobs.

Dr. Johansen explained that the direct effect is the amount of new money that participants and attendees spend in the local economy, that is, participants and attendees purchase goods and services from firms located in the region. The indirect effect includes additional amount of spending by businesses that receive income as a result of participant and attendee spending. The induced effect includes employees of local businesses that spend a portion of their wages and salaries locally.

Dr. Johansen stated an economic multiplier is a measure of the ripple effect that an initial expenditure has on the regional economy. The Output Multiplier for HRC sponsored tournaments is estimated to be about 1.57. He stated essentially when \$1 is spent that creates 57 cents more that ripples through the economy. The indirect impact is estimated to be 30.5% of the direct impact. The induced impact is estimated to be 26.7% of the direct impact. He

stated this shows the tournaments are of great value and contribute a lot to the local economy.

Mr. Bixenman noted that in 2018 the City lost an ASA girls softball state tournament due to the weather and it was moved to Great Bend. They are seeing more and more cities putting in turf fields and that means guaranteed play regardless of the weather. He added that it may get more difficult for us to get these tournaments unless we switch to turf fields. Mayor Musil stated he knows it is a funding issue, but would like to see our fields changed to turf a little at a time.

Mr. Boyle reviewed the 2019 Financial Report for the Bickle-Schmidt Sports Complex. He noted the Complex showed a profit of \$11,286.32.

Vice-Mayor Jacobs asked if they have checked on the cost of changing the fields to turf. Mr. Boyle stated the quotes have been \$1.6M to \$1.8M for all eight fields. Ms. Jacobs stated this is a great facility and if we can enhance it and not lose any tournaments and possibly get more tournaments it may pay for itself rather quickly. Mr. Bixenman stated it is definitely a trend you are seeing in other cities.

At the January 23, 2020 Commission meeting, Commissioners will be asked to approve the pool reimbursement request from the Hays Recreation Commission for the 2019 pool loss amount of \$26,298.31 with funding from the Contractual Services line item of the 2019 General Fund Pool Budget.

DHDC Request for Improvements and Art Installation at the Downtown Pavilion

City Manager, Toby Dougherty stated that this request is within his spending authority, but since it involves the installation of public art, he requested the City Commission's blessing to move forward.

Sara Bloom, Executive Director, Downtown Hays Development Corporation (DHDC), presented information and photos of the following proposed site improvements for the Downtown Pavilion area located at 10th and Main Street:

- A crushed concrete and gravel fill for the west parking area.

- An addition to the retaining wall on the east side of the site.
- The raising of the retaining wall on the west side of the site.
- The installation of a limestone train carved by local artist Pete Felten and owned by John T. Bird.

Bret Ottley, Commercial Builders, provided information on the project and stated the total project cost is estimated at \$12,420.20. He stated Jeff Boyle, City of Hays Parks Department, and his team, have estimated the cost to put crushed concrete and gravel down in the parking area at \$7,933.20. The cost for the retaining wall improvements from Commercial Builders is estimated at \$4,487.00.

Mr. Ottley stated DHDC would provide \$6,500 for the project and a \$500 donation has already been secured by the Parks Department from the Thunder on the Plains Car Show. DHDC would ask that the City cover the remaining \$5,420.00 needed for the improvements.

City Attorney, John T. Bird, shared the story behind the train sculpture. He stated the model that Pete Felten used for the sculpture is on display at Fort Riley and it is actually an engine that used to pull through Hays. He added that he purchased the sculpture and would like to make it available to the public.

Ms. Bloom thanked Mr. Bird for the donation and said it will be a great addition to the area. She stated DHDC is looking into getting a security system in place to deter vandalism of the restrooms and in anticipation of the installation of the train sculpture. She added that they would like to add a plaque thanking Mr. Bird for the donation and providing the history behind the train.

Rezoning of 700 West 48th (Ottley Property) from Commercial General (C-2) to Agriculture (A-L)

Jesse Rohr, Director of Public Works, reported that an application has been submitted to request a change in zoning for property located at 700 West 48th Street from (C-2) Commercial General District to (A-L) Agriculture. This property was recently annexed into the City of Hays. This request is favorable according to the Comprehensive Plan and Compatibility Matrix. A public hearing was conducted on December 16, 2019 at the regular meeting of the Planning

Commission and a vote of 5-1 in favor of the request was passed. Staff recommends approval of this request to change the zoning from C-2 to A-L.

This property was formerly Mid Kansas Auto Auction. The property owner has changed business plans for this location and is requesting a change of zoning to allow uses within an A-L zoned district for a portion of the property. The property does have private water and septic; however, sanitary sewer will be extended from the Ottley Addition near the Hilton Garden Inn from the east and water will be available to this property upon completion of a city waterline project in 2020. Rezoning of this property restricts and limits the uses compared to the C-2 zoning currently.

Mr. Rohr stated it was brought up at the Planning Commission meeting how the floodplain would affect this property. He noted that we are in the midst of a remapping project with FEMA and the State of Kansas and the proposed new floodplain will pull that 100 year floodplain area back into the waterway that is along the east part of this property and will significantly reduce the floodplain and benefit the owner making it easier to develop. Commissioner Mellick asked what caused the change to the floodplain. Mr. Rohr stated it is due to the type of data they have now verses the data they had in the early 1980's. The data they have now and the modeling is so much more accurate than it was then and they are better able to pinpoint the floodplain areas.

Commissioner Berges asked for the reason behind the one dissenting vote against the proposed change at the Planning Commission Meeting. Mr. Rohr stated there was not a reason given for the vote against the change; however, it may have been related to an item coming up later on the agenda regarding spot zoning. This rezoning request did not meet the spot zoning test which has been determined by past court cases.

At the January 23, 2020 Commission meeting, Commissioners will be asked to approve an Ordinance rezoning the legally described portion of 700 West 48th Street from C-2 (Commercial General District) to A-L (Agriculture District).

Hess Land LLC and City of Hays Rezoning (5809 230th Avenue) – Agriculture (A-L) to Commercial General (C-2)

Jesse Rohr, Director of Public Works, stated an application has been submitted to request a change in zoning from A-L (Agriculture) to C-2 (Commercial General District) for a tract of land owned by Hess Land, LLC, and a tract of land owned by the City of Hays located at 5809 230th Avenue. This property is located north of I-70 Exit 157. The request is favorable according to the comprehensive plan and compatibility matrix. A public hearing was conducted on December 16, 2019 at the regular meeting of the Planning Commission and a vote of 6-0 in favor of the request was passed. Staff recommends approval of the rezoning request.

A development group has come forward with plans to develop the property that would accommodate local consumers and the traveling public.

The property is currently being used as pasture/grassland. Development of the property will begin once approvals for rezoning, platting, and any economic packages are completed. The properties do not have city utilities to the property. The developer will be extending water and sewer utilities across I-70. The developer will also be making improvements to 230th Avenue and portions of 55th Street as part of the project.

Commissioner Mellick asked if this zoning change would allow an adult book/video store. Mr. Rohr stated they are not prohibited, but there are certain restrictions as to how close they can be to schools and churches. City Attorney, John T. Bird, stated the church across the road would be the limiting factor and he stated he thinks they must be 1,000 feet from a school or church. Commissioner Mellick asked that Mr. Rohr look into that and stated he has seen them pop up at other places along I-70 and he could see that being a viable location for that type of business.

At the January 23, 2020 Commission meeting, Commissioners will be asked to approve an Ordinance rezoning the legally described tracts of 5809 230th Ave from A-L (Agriculture District) to C-2 (Commercial General District)

Grow Hays Request for Utilization of RHID Policy

Doug Williams, Grow Hays Executive Director, provided an update on an affordable housing project they are working on. He stated the availability of affordable housing is critical to the recruitment and retention of a workforce in our community. Without an adequate workforce we cannot attract new businesses or retain the ones we have. He stated affordable housing, from a workforce standpoint, would include new homes costing between \$175,000 to \$225,000. He showed an example to quantify that price. He stated Grow Hays plans to develop an affordable housing development with new homes priced from \$175,000 to \$225,000. The target audience would be workforce housing, downsizers, and single people. In the effort to make it affordable they are looking at a Rural Housing Incentive District (RHID) to eliminate special assessments.

Mr. Williams stated Heart of America Development Corp., an investment consortium in Ellis County, has developed industrial business areas throughout the county the past 40 years. He stated he approached the local Heart of America Development Corp. about using its resources for developing affordable housing, which in turn, may allow Grow Hays to help them with industrial development. Heart of America supported the concept and the local financial lenders Mr. Williams has already talked to have agreed to participate, as have four builders. He added that construction and design departments at Fort Hays State University and NCK-Tech College would also be involved in the project development.

Mr. Williams stated they approached the William Lusk family in Wichita, the owner of the 21.44 acres of land at 22nd and Wheatland, directly east of the NCK-Tech College. They agreed to sell it to Heart of America at a considerably reduced price. Plans call for 75 houses to be built in four phases.

Mr. Williams stated the City's current RHID policy currently requires the developer to include a minimum of 10 low income apartments in the development. This is not an apartment type development. It is for single family homes only in the range of 1,150 to 1,350 square foot, with three bedrooms, two baths, two-car garages, and some with basements. He asked if the Commission

would consider eliminating that clause from the RHID policy or to make an exception for this project.

Mr. Williams also shared an e-mail he received from a former Hays resident wanting to move back to Hays, but is unable to find an affordable home. He was very interested in this project.

City Attorney, John T. Bird, stated that an exception clause for non-profit developers, such as Heart of America, could be inserted into the policy. A revised RHID policy will be brought back to the Commission for consideration at the January 23, 2020 Commission meeting.

Vice-Mayor Jacobs spoke in favor of the new development and stated the collaboration that is going on is outstanding and that is how we continue to make things happen in this community.

Mayor Musil added that this is something different that hasn't been done before and he would like to be on the Commission that tried something different that led Hays to growth.

Commissioner Ruder stated he did some research and found a considerable shortage of homes for sale in Hays costing between \$165,000 and \$225,000. He found 17 homes for sale in that range, 60 homes below \$165,000 and 40 homes above \$225,000. He thinks this will help fill that gap by adding 75 homes in that range which could potentially help drive the cost down for some of the homes that may be affordable in the future once these new homes are there.

Commissioner Berges stated the state is starting an Office of Rural Prosperity to tackle problems with affordable housing and quality jobs. He added that having met with Mr. Williams he feels this is the kind of project we can tackle on our own and is excited about the project.

Other Items for Discussion

There were no other items for discussion.

The work session was adjourned at 8:17 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk