

City of Hays
City Commission
Work Session Notes

Thursday, January 20, 2022 – 6:30 p.m.

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

January 6, 2022 Work Session Notes

There were no corrections or additions to the minutes of the work session held on January 6, 2022; the minutes stand approved as presented.

2022 Well Rehabilitation (Water Production) – Award of Bid

Jeff Crispin, Director of Water Resources, reported that staff solicited bids for the 2022 Well Rehabilitation Project to perform professional maintenance on specific production wells. Bids were submitted by three contractors, with the lowest cost bid from Downey Drilling of Lexington, Nebraska in the amount of \$70,465.68. Downey Drilling's bid is below the budgeted number of \$80,000.00. Mr. Crispin stated Downey Drilling was awarded the 2020 and 2021 Projects and their work is exceptional.

Mr. Crispin stated City staff performs routine maintenance on wells by acidizing and disinfecting the wells in an effort to improve performance. When our maintenance efforts can no longer improve the performance of the well, professional rehabilitation is necessary. Rehabilitating wells extends the life of the well, reduces electricity to pump the water, and the costs to produce water.

At the January 27, 2022 Commission meeting, Commissioners will be asked to authorize the City Manager to execute a contract with Downey Drilling in the amount of \$70,465.68 for the 2022 Well Rehabilitation Project to be funded from the Projects Line Item in the Water Production and Distribution Budget.

Waterline Upgrade at 8th and Park Streets – Award of Bid

Jeff Crispin, Director of Water Resources, stated in late 2020 staff from the Fire Department and Water Resources Department met to discuss options to increase water flow to hydrants on the East side of the Fort Hays State University (FHSU) campus. An investigation of two hydrants on Park Street found that performance could not be improved due to capacity restriction of the current four inch line along Park Street.

The annual Capital Improvement Plan includes a project to upgrade the waterline and add a hydrant on 8th Street between Elm and Park Streets next to the FHSU campus. One bid for the 2022 project was received from J Corp of Hays in the amount of \$65,000.00.

At the January 27, 2022 Commission meeting, Commissioners will be asked to authorize the City Manager to enter into a contract with J Corp in the amount of \$65,000.00 for the construction of the Waterline Upgrade at 8th and Park Street to be funded from Water Capital.

Rezoning Request for 1680 East 10th Street from Agriculture (A-L) to Heavy Industrial (I-2)

Jesse Rohr, Director of Public Works, stated an application has been submitted by Langer Industrial Services, LLC to request a change in zoning from (A-L) Agriculture to (I-2) Heavy Industrial District for a 17.903 acre tract of land owned by Thomas D. & Joleen M. Arnhold generally located at 1680 East 10th Street. The property was originally platted in 1979 and has not been developed. The applicant plans to develop the area for heavy industrial uses. The property is located just outside the city limits, but within the Future Land Use Map area. The area is designated as Urban Reserve (UR) on the Future Land Use Map. There is no plan at this time for this property to be annexed into the city limits of Hays.

There are currently five other properties along East 10th Street that are of heavy industrial use. Due to its proximity to adjacent I-2 zoned property, staff, as well as the Hays Area Planning Commission, recommends approving the rezoning request from Agriculture (A-L) to Heavy Industrial (I-2).

At the January 27, 2022 Commission meeting, Commissioners will be asked to adopt an ordinance approving the change in zoning from Agriculture (A-L) to Heavy Industrial (I-2) for the property located at 1680 East 10th Street.

Langer Industrial Addition – Final Plat

Jesse Rohr, Director of Public Works, reported that an application has been submitted proposing the Langer Industrial Addition Plat. This is a replat of a portion of the Arnhold's Industrial Plat that was approved in 1979. The replat consists of one large lot 17.903 acres in size. The properties within the proposed Langer Addition are not within the city limits of Hays and there is no plan for annexation at this time. Sanitary sewer is nearby but no request to connect has been made at this time. City water does not run adjacent to this property. Existing or proposed streets will continue to be maintained by parties other than the City at this time. Staff, as well as the Hays Area Planning Commission, recommends approving the final plat as submitted.

Commissioner Barrick asked if there would be any issues with the development due to the Chetolah Draw. Mr. Rohr stated they are not aware of any potential issues with that based on the proposed development.

Commissioner Jacobs asked if there is the potential of a railroad spur and if that is part of the original development plan or may happen later.

Pete Langer, Langer Industrial Services, stated it is part of their original plan to have a railroad spur in the development, noting that is a huge part of their business as it continues to grow. He added that there are some challenges with that piece of property because of where it is located and the draw to the western edge of it. He stated that after conversations with engineers it looks like that is something that can be overcome. Commissioner Jacobs asked if that railroad spur would be something that could be utilized by others by contracting through them. He stated it is their intention to do that, mostly because it is a very expensive addition. They intend to operate a transload facility that is available to the entire community.

Commissioners will be asked to approve a Resolution accepting the final plat of Langer Industrial Addition, at the January 27, 2022 Commission meeting.

Vehicle Abatement at 208 East 32nd Street

Jesse Rohr, Director of Public Works, stated the abandoned vehicle located in the side yard at 208 East 32nd Street has no current legal tag and is not road worthy, therefore deeming it inoperable. All proper notification has been given to the owner of the property informing them of the violation. To date, no action has been taken by the owner of the property. If the vehicle is removed by the City, all costs of abatement will be charged to the property owner.

At the January 27, 2022 Commission meeting, Commissioners will be asked to approve the resolution to abate the vehicle located on the property at 208 East 32nd Street, ten days after the approval date.

Pre-Annexation Agreement with BBJ, LLC

Toby Dougherty, City Manager, stated staff and the owner of four parcels along 55th Street (BBJ, LLC) have worked out the terms of a Pre-Annexation Agreement that governs BBJ, LLC's property annexation as well as the construction of infrastructure to serve future development.

BBJ, LLC owns four tracts of land along 55th Street near the intersection of 230th Avenue. One tract of land has previously been developed as a Doonan Peterbilt dealership. All tracts of land are currently outside of the city limits, and only the dealership is served by a City waterline. City water and sewer infrastructure do not exist to serve the vacant properties for future development.

Mr. Dougherty reviewed the terms of the Pre-Annexation Agreement which include:

- BBJ, LLC agrees to plat and zone all of its property upon execution of this agreement.
- BBJ, LLC agrees to immediate annexation of all properties, except for the Peterbilt dealership, upon execution of this agreement.

- The City of Hays will solicit proposals for water and sewer main infrastructure to serve BBJ, LLC's developable property.
- The City of Hays will pay 100% of the cost of the water main.
- BBJ, LLC and the City of Hays will split the cost of the sewer main.
- BBJ, LLC agrees to annex the dealership no later than three years from the date that the City completes the water main.
 - o There are two provisions in the agreement that could push the dealership annexation to four or five years.
- The City of Hays agrees to entertain a possible request from BBJ, LLC to modify the existing Community Improvement District (CID) for the dealership property if BBJ, LLC feels that the CID should be reduced or eliminated.

Mr. Dougherty stated that while this is a little bit different than the normal pre-annexation agreements, we think this is very advantageous for Hays.

Commissioners will be asked to approve the Pre-Annexation Agreement between the City of Hays and BBJ, LLC, at the January 27, 2022 Commission meeting.

Other Items for Discussion

Commissioner Berges stated that the turf for the ball diamonds at the Bickle Schmidt Sports Complex is in and will be installed soon. He added that there was no damage to the new shade structures from the recent wind storm and noted that the old shade structures would not have been able to withstand that wind.

The work session was adjourned at 7:11 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk