

City of Hays
City Commission
Work Session Notes
Thursday, February 3, 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 20, 2022 Work Session Notes

There were no corrections or additions to the minutes of the work session held on January 20, 2022; the minutes stand approved as presented.

USD 489 Request for Sales Tax Ballot Initiative

Ron Wilson, USD 489 Superintendent, stated the USD 489 Board of Education is requesting that the City consider an election for a special purpose sales tax to be used to reduce the property tax requirement associated with the USD 489 bond project.

Mr. Wilson stated the district does have aging facilities, but really what this bond issue is about, is creating space at all grade levels for our enrollments. He shared statistics showing that all the USD 489 schools since 2006, except for Lincoln Elementary, have more students than the capacity for which they were built and enrollments are predicted to continue to grow.

Mr. Wilson stated the proposed bond scope is to consider \$143.5M over a 30 year period. The plan includes:

- Building a new high school
- Moving the middle school to the existing high school
- Converting the existing middle school into an elementary school
- Renovating Roosevelt and O'Loughlin Elementary Schools
- Moving Rockwell Administrative Center and Westside Alternative School to Wilson Elementary
- Closing Lincoln Elementary and Rockwell Administrative Center

Mr. Wilson noted that the Hays School District receives no state aid for new building construction because it is considered a “property wealthy” district. He added that other Western Athletic Conference member schools including Dodge City, Garden City, Great Bend, and Liberal all receive state property tax dollars for their school’s bond capital improvements.

Mr. Wilson reviewed the details of their request asking the City to consider calling a special question election:

- A request for a one-half cent (.5%) special purpose sales tax to be used for educational purposes in completing new and renovated infrastructure for the school district.
- This sales tax would only be used for bond repayment for the bonds issued.
- This sales tax would be for an initial term of 10 years, commencing October 1, 2022.
- The intent would be for a future USD 489 Board of Education to request to a future City Commission the extension/renewal of the sales tax until bonds for the project are repaid in full.
- This school bond project would not be contingent upon the sales tax question passing.
- This Special Purpose Sales tax would be contingent upon the school bond project passing.

Commissioner Musil noted that our sales tax would potentially be higher, but we haven’t seen the negative effects so far of the recent passage of a county sales tax; it has actually grown.

Commissioner Jacobs stated she personally supports the bond and believes we should let the citizens vote on it.

Commissioner Barrick stated he feels a new school and new facilities is probably the most important thing the City of Hays can do for itself in the next few years. He thinks it will give great results for our kids and for the growth of the City.

Mayor Ruder stated he believes a community needs housing, jobs, and schools to be successful. He added that if the Commission can be a part of that by allowing the citizens to decide how they want to fund it, he does not feel the City should be in the way of that.

At the February 10, 2022 Commission meeting, Commissioners will be asked to consider placing a sales tax question on an upcoming ballot regarding the potential use of a 10-year, one-half cent (.5%) sales tax to help fund planned district-wide improvements.

Larks Park Foul Ball Safety Net – Award of Bid

Jeff Boyle, Director of Parks, reported that the Larks Park foul ball safety net has been problematic since it was installed in the early 2000's and needs replacement. An amount of \$18,577.10 was received from the City's insurance company, following a spring 2021 storm event, and an additional \$55,000.00 is budgeted in the 2022 Special Park and Recreation Budget to install new poles and net.

Two bids were received for the installation of a foul ball net and poles. Staff recommends accepting the low bid from West Coast Netting, Inc. for an amount of \$69,800.00.

At the February 10, 2022 Commission meeting, Commissioners will be asked to approve the installation of a foul ball net and poles from West Coast Netting, Inc, for an amount of \$69,800.00, plus \$3,777.10 contingency for unknowns, for a total amount of \$73,577.10.

2022 Street Maintenance Program – Award of Bid

Jesse Rohr, Director of Public Works, reported that each year staff evaluates the condition of city streets and develops a maintenance program that is brought forward for Commission consideration. Staff utilizes traffic counts, the latest pavement condition assessment, past maintenance treatments, public input, and available budget in developing the program.

Bids for the 2022 Street Maintenance Projects were opened on January 18, 2022. The projects bid with this year's program include seal coat, polypatch, reconstruction of two concrete alleys, reconstruction of 22nd Street from Allen to Vine, bridge deck patching, and sidewalk construction. Bids were received from ten different contractors and staff recommends entering contracts with the low bidders for all projects. The projects awarded would be accomplished at various locations at various times throughout this year. The total of the low bid contracts being recommended would be \$705,003.98 to be funded out of Special Highway.

Mr. Rohr stated in 2022 there is a little over \$1M budgeted for street maintenance with funding sources shown below:

Special Highway

State Gas Tax Refund (KDOT)	\$ 533,430
Connecting Link Maintenance (KDOT)	\$ 74,500
Transfer from General Fund	\$ 200,000
Federal Aid (ARPA Funding)	\$ 110,984
Cash Carryover	\$ 197,808
<u>Contingency (keep for unforeseen expenses)</u>	<u>\$ -(50,000)</u>
Total Available	\$1,066,722

At the February 10, 2022 Commission meeting, Commissioners will be asked to authorize the City Manager to enter contracts for construction as follows:

- Circle C Paving and Construction, LLC in the amount of \$213,194.88 for seal coat;
- Stripe & Seal in the amount of \$30,500.00 for polypatch;
- T&T Builders in the amount of \$124,053.35 for reconstruction of the Sip-n-Spin and Bus Barn alleys;
- T&T Builders in the amount of \$175,420.00 for reconstruction of 22nd Street from Allen to Vine Street;
- PCI Roads in the amount of \$148,260.75 for partial depth concrete removal and replacement for three bridge decks including the bridge on East 17th

Street, just east of Harvest Drive; the bridge on West 37th Street over Lincoln Draw; and the bridge on Willow Street over Skyline Draw;

- T&T Builders in the amount of \$13,575.00 for sidewalk construction along Mopar Drive;

All to be funded out of Special Highway Budgeted Projects, with the exception of \$14,000.00 for a sewer manhole replacement in the Sip-n-Spin alley which will be funded out of sewer capital.

Mr. Rohr stated there is a balance remaining of just over \$281,000.00. Staff is in the process of bidding out additional projects to spend the remaining funds and will bring those to the Commission in March for consideration of award. Those projects will include curb and brick repair in various areas, and sidewalk along West 27th Street.

City Commission Rules of Procedure

Toby Dougherty, City Manager, stated in 2018, the Kansas Legislature modified the election laws in Kansas, moving city elections from April to November. The legislation further stated that newly elected city officials shall assume office no later than the second Monday in January following the election. Since that time, the City of Hays has seated new Commissioners at a special meeting called on the second Monday in January each year. For non-election years, the Commission reorganizes at the first regular meeting in January.

Because of the second Monday in January deadline to seat new Commissioners, the Hays City Commission is forced to hold a special meeting every other year. On non-election years, the Commission can reorganize at the first regular meeting in January and not be in violation of the statute. City staff suggests adding language to Sections 1.3 and 4.1 of the City Commission's Rules of Procedure distinguishing between meetings that are simply for reorganization and meetings when Commissioners are sworn in.

Mr. Dougherty stated these changes simply clarify that if it is a simple reorganization meeting, it will take place at the first regular meeting in January, and if a new Commissioner or Commissioners will be sworn in along with the

reorganization it would happen at a special meeting on the second Monday in January.

At the February 10, 2022 Commission meeting, Commissioners will be asked to modify its Rules of Procedure to further clarify the timing of the swearing in of new Commissioners.

Other Items for Discussion

Commissioner Jacobs stated she continues to see good things happening with the Ellis County Historical Society. She feels they are making positive changes and doing a great job.

Mayor Ruder thanked everyone involved with the USD 489 Bond Project for attending the meeting.

Executive Session

Shaun Musil moved, Sandy Jacobs seconded, that the Governing Body recess to executive session at 7:55 p.m. for a period not to exceed 25 minutes for the purpose of discussing data relating to financial affairs and trade secrets of specific private entities. The executive session included the City Commission, City Attorney, City Manager, Assistant City Manager, Mike Graham, Chris Sook, Doug Williams, Jeff Crispin, and Jesse Rohr. K.S.A. 75-4319 authorizes the use of executive session to discuss the topics stated in the motion.

Vote: Ayes: Mason Ruder
Michael Berges
Shaun Musil
Sandy Jacobs
Reese Barrick

The open session was resumed at 8:20 p.m. and no action was taken.

The work session was adjourned at 8:20 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk