

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON FEBRUARY 14, 2019

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, February 14, 2019 at 6:30 p.m.

Roll Call: Present: Henry Schwaller, IV

Shaun Musil

Sandy Jacobs

Ron Mellick

James Meier

Mayor Schwaller 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 meeting held on January 24, 2019; the minutes stand approved as presented.

3. CITIZEN COMMENTS: There were no comments.

4. EMPLOYEE PROMOTIONS AND NEW HIRES: The following employees were recognized for promotions or as new hires:

Public Works

Shirley McDonald was recently promoted from part time to full time Administrative Assistant.

Water Resources

Jacob Schnabel was recently hired as a Maintenance Worker I.

Police Department

Dakota Gulley was promoted from a part time to a full time Police Officer.

5. CITY OF HAYS WEBSITE PRESENTATION: Chad Ruder, Information Technology Director, presented an overview of the new website for the City of Hays that went live last week. He stated a committee of department representatives was formed and they discussed goals for the new site. They

wanted it to be informational and current, with an intuitive layout for contributors to easily navigate. One of the changes will be that IT will administer the back end of the web site and make sure everything works well, but the departments will be able to post their own information. Citizens can access current information, forms, calendars, news announcements, and online bill pay.

One module of the website will replace the current “Nixle” notification system used by the City. The new notification system “Notify Me”, gives citizens the ability to sign up via text and e-mail for information that they are interested in such as public safety, road closures, and bid notifications. Also available is an Emergency Alert as well as calendar events, any news flash, and agendas for the various city boards. Mr. Ruder stated the City will keep using Nixle for a short time as it transitions to the new “Notify Me” notification system and advises residents of the change. He thanked the committee members, Assistant City Manager, Jacob Wood, and Webmaster, Jessi Jacobs, for their work on this project.

6. CONSENT AGENDA: A. Approve a Cereal Malt Beverage License for St. Catherine Church, 1309 Fort Street, for a Mardi Gras event on February 16, 2019.

B. The following proposed appointments will be presented for approval at the February 28, 2019 City Commission meeting.

Northwest Kansas Community Corrections Board

Curtis Brown – unexpired term to expire November 1, 2019 (1st term)

Sister Cities Advisory Board

Mehran Shahidi – three-year term to expire January 1, 2022 (4th term)

Shaun Musil moved, Sandy Jacobs seconded, to approve the Consent Agenda as presented.

Vote: Ayes: Henry Schwaller, IV

Shaun Musil

Sandy Jacobs

Ron Mellick

James Meier

NEW BUSINESS

7. ANNEXATION OF PROPERTY LOCATED AT 183 BYPASS AND WEST

33RD STREET: Jesse Rohr, Director of Public Works, reported that Robert and Sondra Swift, who own 23.310 acres of property on the west side of the 183 Bypass and West 33rd Street, have submitted a signed consent to annex the property under K.S.A. 12-520c and desire to annex; to allow for development of the property and connection to City services. The land is approximately 500 feet from the present City limits but is not contiguous. Staff recommends annexing this property due to its proximity and the availability of City services and infrastructure necessary to serve this property once developed.

A portion of the property being annexed is known as Creeksite Acres which previously was a Mobile Home Park. The other portion of property includes Big Creek that runs along the west of the property. Being this close to Big Creek, all of this property is located within the 100-year floodplain and any development would be required to follow the City of Hays floodplain development ordinances. Sewer is located along the east side of Highway 183 Bypass. Upon annexation approval, the developer plans on extending a City water main from Columbine Drive to the west to this property at no cost to the city.

Due to the noncontiguous nature, K.S.A. 12-520c requires a different approval process that requires the county's approval. On January 10, 2019 the City Commission passed a Resolution asking the Ellis County Commission to determine the feasibility of the annexation request. The Ellis County Commission approved the Resolution on February 4, 2019.

Ron Mellick moved, James Meier seconded, to approve Ordinance No. 3960 annexing the property along Highway 183 Bypass and West 33rd Street, as legally described, into the City of Hays.

Vote: Ayes: Henry Schwaller, IV

Shaun Musil

Sandy Jacobs

Ron Mellick

James Meier

8. 2019 STREET MAINTENANCE PROGRAM – AWARD OF BID: John Braun, Project Manager, stated at the December 6, 2018 City Commission Work Session, staff presented a proposed Street Maintenance Program for 2019. The total program cost was estimated to be \$1,134,462; which is the amount of funding included in the 2019 Budget for these projects. Bids for 2019 Street Maintenance Projects were opened on January 22, 2019. The projects bid with this year's program include seal coat, asphalt rejuvenator, micro-surfacing, diamond grinding, curb and brick repair, major rehab of Ash Street from 23rd to 27th Street, and shoulders along portions of 8th Street and Old Hwy 40 east of Vine Street. The bids were received from eight different contractors and staff recommends entering contracts with the low bidders for all projects except diamond grinding.

Mr. Braun explained that three contractors were interested in the diamond grinding project, but Diamond Surface, Inc. of Rogers, Minnesota, was the only bidder. Diamond Surface, Inc. is the same contractor that did diamond grinding in 2018 on Canterbury and 27th Street. The unit price bid for grinding in 2019 is \$8.91/SY compared to \$5.59/SY last year, or 60% higher. Due to the excessively high cost of grinding by only one bidder, staff does not recommend awarding a bid for diamond grinding at this time. Some contractors stated that they did not bid because their schedule was already full for the year. Staff recommends rejecting all the diamond grinding bids and awarding the remaining projects to the low bidders. The remaining \$393,000 could be used on other projects. At last week's work session, the Commissioners discussed doing concrete shoulders along the entire length of both sides of Old Highway 40 and East 8th Street at the unit price of \$19.50 per linear foot for a cost not to exceed \$175,500. That would leave \$237,043 for other work, which might include diamond grinding being bid out later this summer for next year.

The projects awarded would be accomplished at various locations at various times throughout the year. The total of the contracts recommended by staff would be \$774,456.39.

James Meier moved, Shaun Musil seconded, to authorize the City Manager to enter contracts for construction as follows, all to be funded out of Special Highway:

- Circle C Paving and Construction, LLC in the amount of \$153,535.20 for seal coat
- Proseal Inc. in the amount of \$84,466.84 for asphalt rejuvenator
- Vance Brothers, Inc. in the amount of \$71,159.05 for micro-surfacing
- J Corp., Inc. in the amount of \$100,566.30 for curb and brick repair
- J Corp., Inc. in the amount of \$189,229.00 for Ash Street Major Rehab
- J Corp., Inc. in the amount of \$175,500.00 for concrete shoulders

Vote: Ayes: Henry Schwaller, IV

Shaun Musil

Sandy Jacobs

Ron Mellick

James Meier

9. CITY MANAGER EMPLOYMENT AGREEMENT – 11TH ADDENDUM: The City Commission, upon the completion of a performance evaluation of the City Manager, has requested that the Eleventh Addendum be attached to the City Manager's existing Employment Agreement. The Commission recommends the City Manager receive a 3% pay increase of the base salary for 2019, effective as of December 16, 2018, which is the first payroll period for 2019, and the reduction of one week of paid time off (PTO) per year.

Sandy Jacobs moved, Ron Mellick seconded, to approve the Eleventh Addendum to City Manager Toby Dougherty's Employment Agreement dated June 28, 2007, as presented.

Commissioner Jacobs commented that to say he does a wonderful job is an understatement, but to recognize the wonderful job he does is to recognize the Department Heads that he has. He allows them to work independently, they do their job very well and he supports what they do. She added that kind of leadership is very important in our community.

Vice-Mayor Musil stated that he appreciates the job Mr. Dougherty does. He added the City Manager and his staff make their job as City Commissioners much easier.

Mayor Schwaller added that to be a good City Manager you have to have a good eye on finances, you have to conceptually see where the City is going and what it will need in three to five years, and you must have good people skills. He feels Mr. Dougherty is good in all three. He appreciates his leadership and the fact that he empowers the people that work for him to make decisions and that is a mark of an excellent leader.

Vote: Ayes: Henry Schwaller, IV

Shaun Musil

Sandy Jacobs

Ron Mellick

James Meier

10. COMMISSION INQUIRIES AND COMMENTS: Mayor Schwaller commented that in June of 2015 the cities of Hays and Russell filed applications requesting the transfer of water from the R-9 Ranch in Edwards County. It has been nearly four years and our communities and the region need the R-9 Ranch to remain economically viable. Despite a good working relationship with the Kansas Department of Water Resources, City officials have gotten no answers for the endless delay. He stated over the next three months we will continue to work with our representatives in Topeka and state officials to make this project happen.

Commissioner Meier agreed and added that we need to be engaging our representatives more as to what needs to be done to get us over the finish line.

Commissioner Mellick agreed stating it is frustrating and noted that we are getting promises that aren't being met. He added as a Commission they will need to push a little harder.

Commissioner Jacobs stated this water issue is frustrating. She added that there is no reason for the delay and it is time to get it done.

Vice-Mayor Musil agreed and said it is time for them to make a decision. We need this to help western Kansas grow and if we don't get this soon, it is going to hurt for a long time and he hopes the Mayor continues to push on this.

Mayor Schwaller asked for an update on the status of city commissions and boards at a future work session.

The meeting was adjourned at 7:11 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk