

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON JUNE 25, 2020

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, June 25, 2020 at 6:30 p.m.

Roll Call: Present: Shaun Musil
Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick

Mayor Musil 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 June 11, 2020; the minutes stand approved as presented.

3. FINANCIAL STATEMENT: Finance Director, Kim Rupp, reviewed the financial summaries of the revenue and expenditure activities of the City of Hays for the month ended May 31, 2020.

Month-to-date general fund sales tax collections were at \$570,391 which was a decrease of \$20,819 or -3.52% as compared to last year. Year-to-date collections are at \$3,121,179 up \$132,469 or 4.43%. The six month average is at 5.77% which is an increase of 3.68% when compared to a year ago. Mr. Rupp stated that given stay-at-home restrictions began in the middle of March, we originally projected May receipts, which consists mostly of March collections, to be down -20%. The -3.5% actual was a welcome sight given that was a \$97,000 trend upward from projected.

The report of top ten quarter-to-date (QTD) sales tax collections by classification was up \$123,349 or 7.18%. The largest categorical increase was in merchant wholesalers up 44% with building material/garden supply up 33%.

Some of the more expected decreases due to the stay-at-home orders included food services/restaurants down -6.5%, clothing stores down -16%, and accommodation off -23%.

Mr. Rupp added that they received sales tax numbers this week for June receipts. It was projected that receipts for June would be down 30% and they were only down 5%. That is a turn-around of about \$150,000.

The portfolio of certificates of deposit on May 31, 2020 totaled \$53,050,000 with a weighted average interest rate of 1.57% down .90% from a year ago. The total of US Treasuries at par value is \$1,477,000 with a weighted average yield to maturity of 1.59%. The total balance of the Money Market account on May 31, 2020 was \$1,500,000 with a current yield of .05%. Total investments are down \$7,473,000 when compared to this time last year. That decrease includes the payment to KDOT in the amount of \$7,111,000 for the North Vine Corridor reconstruction.

Ron Mellick moved, Mason Ruder seconded, to approve the Financial Statement for the month of May 2020 as presented.

Vote: Ayes: Shaun Musil
Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: Approve the following Cereal Malt Beverage licenses:
Kiwanis of Hays (Wild West Festival Saloon), 4th & Main Street, July 3, 2020
American Shooters, LLC – 2503 Vine Street, Annual License
Downtown Hays Development Corporation (Union Pacific Plaza), 110 East 10th Street, July 4, 2020

Sandy Jacobs moved, Ron Mellick seconded, to approve the Consent Agenda as presented.

Vote: Ayes: Shaun Musil
Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick

NEW BUSINESS

6. FORT HAYS STATE UNIVERSITY (FHSU) REOPENING: Dr. Tisa Mason, FHSU President, discussed the reopening of Fort Hays State University. She thanked the Commission for the continued strong partnership with the University. She stated that they have been working hard to make sure classes will be held this fall internationally, on-line, and on campus. She reviewed some of the changes they are making to ensure a safe environment for students and faculty. She stated their academic calendar will not change. She wants the community to know that FHSU will have a very strong and vibrant on campus student life.

Mayor Musil thanked her for what they are doing to bring FHSU students back to Hays and for what they do for our community.

Commissioner Ruder thanked her and her teams for keeping their people employed at FHSU during this pandemic, noting that is a huge benefit to our community. She stated it is part of their “Ethic of Care” and added that she is happy to be living in Ellis County.

Commissioner Berges asked if masks will be required on campus. Dr. Mason stated the Board of Regents has been allowing them to make decisions based on the situation in our community. They will encourage masks especially for those that are vulnerable. Things may change, but at this time they will not require masks unless it is a class requirement.

7. 2020 STATE LEGISLATIVE SESSION REVIEW: Representative Barbara Wasinger and Senator Rick Billinger provided a review of the 2020 State Legislative Session. Ms. Wasinger stated it was a shortened session and she reviewed many of the legislative changes regarding Covid-19 issues.

Senator Billinger stated they were successful in getting money in the budget to get mental health services back in Hays for our youth. He also discussed the problems citizens have had with receiving unemployment benefits and changes that have been made to improve that.

8. PROPERTY/LIABILITY COVERAGE RENEWAL – 2020/2021: Kim Rupp, Director of Finance, reported the City's property/liability coverage is up for renewal on July 1, 2020. The company, Arthur J. Gallagher, provides oversight for the City as the insurance broker. Our broker had conversations with other insurance carriers and concluded that Midwest Public Risk (MPR), a Municipal Risk Pool, offered the lowest cost option for the renewal of the City's package. Our broker did poll the market place and both Brit & Travelers who we've had insurance with before declined to quote as they could not provide a competitive bid.

The renewal for 2020/2021 amounts to \$245,345, an increase of \$17,117 as compared to last year. The outcome translates into a 7.5% increase. City staff recommends pursuing the 2020/2021 Property/Liability Coverage renewal with the incumbent.

Mr. Rupp stated MPR is a pool of public entities that includes cities, schools, counties, health departments, fire protection districts, ambulance districts, election boards, and housing authorities. Their services go beyond just property and liability coverage as they are a true risk prevention advisor. They also offer facility and work practice reviews and they offer online and site-based training, which our Police Department took advantage of this past year saving about \$2,000 in online training expenditures.

Sandy Jacobs moved, Michael Berges seconded, to authorize the City Manager to renew the 2020/2021 Property/Liability Coverages with the MPR package in the amount of \$245,345.38 to be funded from the Intergovernmental Insurance and Surety line item.

Commissioner Berges asked what the last large claim the City made. Mr. Rupp stated it was the storm last August.

Vote: Ayes: Shaun Musil
Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick

9. ABEL ADDITION FINAL PLAT: Jesse Rohr, Director of Public Works, stated the property, known as the proposed ABEL Addition, is under consideration for plat approval. The property is located on the west side of Vine Street at 37th Street. The property was formally the Ambassador Hotel that was demolished in 2017. This property was not previously platted, but as the North Vine Street Corridor Improvements were being designed and with all the changes to lots, rights of way, easements, and streets; staff determined that platting would be a benefit to all parties involved.

The plat includes four lots and incorporates the 37th Street right of way connecting Vine Street to Skyline Drive. The City of Hays and adjacent property owners have worked together to come up with a plat that incorporates the North Vine Street Corridor Project and increases the potential redevelopment of the existing sites. Staff, as well as the Hays Area Planning Commission, recommends approving the final plat as submitted. Platting will make it easier for development to occur on these four lots due to clearer legal descriptions of the boundaries and easements.

Mason Ruder moved, Ron Mellick seconded, to approve Resolution No. 2020-013 accepting the Final Plat of ABEL Addition.

Vote: Ayes: Shaun Musil
Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick

10. ANNEXATION OF PROPERTY LOCATED NORTH OF EAST 33RD AND SHERMAN AVENUE: Jesse Rohr, Director of Public Works, reported V & E Properties LP, the owner of the property north of East 33rd Street and Sherman

Avenue, has submitted a signed consent to annex the property under K.S.A. 12-520(a)(7). The owner desires annexation to allow for development of the property and the ability to connect to City services. The land is contiguous to City limits and meets City requirements for annexation. Staff recommends annexing this property due to its proximity and the availability of City services and infrastructure necessary to serve this property.

This property has been owned by the current owner for many years and has been used as agriculture. Multi-family development has occurred to the east, and similar development on this parcel is expected once the property is annexed. This is the last portion of this property that needs to be annexed into the City which will allow future development.

Approval of the annexation will allow the property owner to receive full benefits of City services, including utilities and fire/police protection. The property owner plans to request a portion of the property be rezoned and platted to continue development.

Michael Berges moved, Sandy Jacobs seconded, to approve Ordinance No. 3986 annexing the property as legally described and located on East 33rd Street and Sherman Avenue to the City of Hays.

Vote: Ayes: Shaun Musil

Sandy Jacobs

Mason Ruder

Michael Berges

Ron Mellick

11. PUBLIC HEARING TO CONSIDER THE CREATION OF THE TALLGRASS

2ND ADDITION RURAL HOUSING INCENTIVE DISTRICT: Mayor Musil opened the public hearing.

Kim Rupp, Director of Finance, reported Heart of America Development Corporation, a Kansas not for profit corporation, submitted an application for economic incentives and the required application fee for a residential project and related infrastructure.

The Developer seeks to develop the street and infrastructure to serve the development of 75 residential lots generally located at the northeast corner of 22nd Street and Wheatland Avenue, with expected home values ranging from \$175,000 - \$225,000.

The Developer is requesting rural housing incentive district financing (RHID) on a pay-as-you-go basis. Developer estimates the RHID will generate approximately \$3,227,355 of revenue over the maximum 25-year term, which would be made available to reimburse Developer for RHID-eligible project costs.

Following the public hearing, the Commission will consider an Ordinance establishing the RHID, adopting the development plan, and authorizing the execution of the development agreement. The development agreement is entered into between the City and the Developer to govern the rights and responsibilities of the parties.

Collin Bielser, Assistant City Manager, reviewed the general provisions of the Development Agreement. The Development Agreement establishes the expectations and responsibilities of each party.

Mr. Bielser reviewed the negotiated additions which include a southern sidewalk to be constructed on the property on the north side of 22nd Street and running from Wheatland Avenue to the eastern boundary of the property. Also included is a sidewalk to be constructed west of the property on the north side of 22nd Street from Wheatland Avenue running west to a point of connection with a City multi-use path near the Hays Medical Center property. The Developer will reimburse the City, up to a maximum of \$20,000 from funds of the Developer other than RHID Funds. The Multi-Use Path Connection will be not be part of the Developer Project and the costs of the Multi-Use Path Connection will not be eligible costs.

There were no public comments.

Ron Mellick moved, Mason Ruder seconded, to close the public hearing to consider the creation of the Tallgrass 2nd Addition RHID.

Vote: Ayes: Shaun Musil
Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick

12. ORDINANCE ESTABLISHING THE TALLGRASS 2nd ADDITION RURAL HOUSING INCENTIVE DISTRICT, ADOPTING THE DEVELOPMENT PLAN, AND AUTHORIZING THE EXECUTION OF THE DEVELOPMENT

AGREEMENT: Sandy Jacobs moved, Mason Ruder seconded, to approve Ordinance No. 3987 establishing the Tallgrass 2nd Addition Rural Housing Incentive District, adopting the Development Plan, and authorizing the execution of the Development Agreement.

Vote: Ayes: Shaun Musil
Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick

13. RESOLUTION DESIGNATING THE CITY'S WEBSITE AS THE OFFICIAL CITY NEWS OUTLET

Collin Bielser, Assistant City Manager, reported that at the March 26, 2020 Commission meeting, the City Commission unanimously voted to adopt a Charter Ordinance allowing the City of Hays the ability to publish official notices via the City's website. Before a Charter Ordinance becomes effective, a 60-day protest period must elapse. With no protest petition received, Charter Ordinance No. 29 became effective on June 7, 2020. To complete the process of naming the City's website as the official City news outlet, a Resolution announcing the designation must be adopted.

Mr. Bielser stated on the City of Hays website there is a module called "News Flash", which allows people to sign up and receive notifications. A new category will be created called Legal Publications. These notices will remain on our website for two weeks. The average annual cost for legal publications and notices is \$9,400 and the City should see much of those savings.

Mason Ruder moved, Michael Berges seconded, to approve Resolution No. 2020-014 designating the City's website as the official City news outlet, and in limited circumstances, the Hays Daily News.

Vote: Ayes: Shaun Musil
Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick

14. PROGRESS REPORT: Assistant City Manager, Collin Bielser, presented a monthly report of city-related activities, services, and programs.

15. COMMISSION INQUIRIES AND COMMENTS: Commissioner Mellick stated we are having a flare up of Covid-19 cases nationwide and encouraged everyone to be careful.

Vice-Mayor Jacobs agreed and stated it is important to keep our economy going and hopes everyone continues to be safe and practice social distancing.

Mayor Musil stated the recent tournaments have brought a lot of people to Hays and unfortunately the more people get out the greater the chance of flare ups.

The meeting was adjourned at 7:44 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk