

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON SEPTEMBER 10, 2020

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, September 10, 2020 at 6:30 p.m.

Roll Call: Present: Mason Ruder

Michael Berges

Ron Mellick

Absent: Shaun Musil

Sandy Jacobs

Commissioner Ruder 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 August 27, 2020; the minutes stand approved as presented.

3. CITIZEN COMMENTS: There were no comments.

4. CONSENT AGENDA: There were no items on the Consent Agenda for consideration.

NEW BUSINESS

5. STORMWATER RETENTION MITIGATION PROJECT: Jesse Rohr, Director of Public Works, stated MAO Investments, LLC, Mark Ottley, Managing Member, is the owner of property north of I-70 and west of Vine Street, near the site of the Hilton Garden Inn and Convention Center. The site is a potential location for a stormwater retention project that would benefit downstream areas within the City. The potential project would construct a stormwater retention area North of I-70 in the Lincoln Draw watershed. It would contain approximately 170,000 cubic feet of storage beyond what is required for development. The project is designed to

clean and filter the water and would serve as both a water quantity and water quality Best Management Practice (BMP), which is a requirement of the MS-4 Permit from Kansas Department of Health and Environment (KDHE).

Mr. Ottley has agreed to construct the drainage retention area with extra capacity to benefit the City by providing additional stormwater retention and reductions to the rate of water flowing into the Lincoln Draw channel. Staff recommends approving the drafted agreement allowing for the expenditure of \$130,000 of Stormwater Reserve funds for the construction of the stormwater retention facility on the Ottley property.

Mr. Rohr stated that in 2016, with the development of the Tebo Village property, a payment was made by the developer to the City in lieu of on-site stormwater retention improvements. The City agreed to utilize those funds to make off-site upgrades to the City's stormwater sewer system that would have a greater impact than the private on-site improvements would have made. A total fee of \$222,324 was paid to the City and set aside in the Stormwater Reserve Fund for future stormwater mitigation projects with an emphasis on stormwater quality.

Ron Mellick moved, Michael Berges seconded, to authorize the City Manager to execute an agreement between the City of Hays and MAO Investments, LLC to allow for the expenditure of \$130,000 in Stormwater Reserve funds for the construction of a stormwater retention facility as further described within the agreement.

Commissioner Mellick asked how deep this stormwater retention pond would be. Mr. Rohr stated he believes the deepest area would be approximately six feet. He added that it is not designed to hold water long term, ideally within 72 hours after a rain, the water is gone.

Commissioner Ruder asked if this would have any effect on the stormwater retention for the undeveloped areas south of 41st Street should that area develop. Mr. Rohr stated it might reduce the rate of volume of water coming onto the property south of 41st Street, but they would likely need additional stormwater management as the impervious surface area is increased.

Vote: Ayes: Mason Ruder
Michael Berges
Ron Mellick

8. COMMISSION INQUIRIES AND COMMENTS: There were no Commission inquiries or comments.

The meeting was adjourned at 6:42 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk