

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON SEPTEMBER 26, 2019

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, September 26, 2019 at 6:30 p.m.

Roll Call: Present: Henry Schwaller, IV

Sandy Jacobs

Ron Mellick

Eber Phelps

Absent: Shaun Musil

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 September 12, 2019; 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 August 31, 2019.

Month-to-date general fund sales tax collections were at \$597,876 which was a decrease of \$10,219 or -1.68% as compared to last year. Year-to-date general fund sales tax collections are at \$4,817,047 up \$76,916 or 1.62%. The six month average is at -1.59% which is a decrease of -4.82% when compared to a year ago.

The report of top ten quarter-to-date sales tax collections by classification was up \$69,132 or 3.62% when compared to the same time last year. These top ten now represent 75% of the total sales tax collections for August.

The portfolio of certificates of deposit on August 31, 2019 totaled \$60,300,000 with a weighted average interest rate of 2.39% up .53% from a year ago. The total balance of the Money Market account on August 31, 2019 was

\$2,000,000 with a current yield of .90%. Total investments are up \$4,643,000 when compared to this time last year.

Ron Mellick moved, Sandy Jacobs seconded, to approve the Financial Statement for the month of August 2019 as presented.

Vote: Ayes: Henry Schwaller, IV

Sandy Jacobs

Ron Mellick

Eber Phelps

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: Consider approval of the Cereal Malt Beverage License for Volga German Oktoberfest for October 11th and 12th.

Sandy Jacobs moved, Ron Mellick seconded, to approve the consent agenda as presented.

Vote: Ayes: Henry Schwaller, IV

Sandy Jacobs

Ron Mellick

Eber Phelps

NEW BUSINESS

6. ANNEXATION OF PROPERTY LOCATED AT 4890 AND 4940 GENERAL HAYS ROAD: Jesse Rohr, Director of Public Works, stated the owner, J & L Capital LLC, who owns 4890 & 4940 General Hays Road, has submitted a signed consent to annex the property under K.S.A. 12-520(a) (7) and desires to annex to allow for development of the property and connection to City services. The land is contiguous to City limits. Staff recommends annexing this property due to its proximity and the availability of City services and infrastructure necessary to serve this property once developed.

The property is located north of 48th Street and east of General Hays Road. The property owner has a business to the south of these two lots, Joe Bob

Outfitters, and has plans to expand the business and create other store front opportunities on the property.

Sandy Jacobs moved, Henry Schwaller, IV seconded, to approve Ordinance No. 3969 annexing the property at 4890 and 4940 General Hays Road into the City of Hays.

Vote: Ayes: Henry Schwaller, IV
Sandy Jacobs
Ron Mellick
Eber Phelps

7. VEHICLE ABATEMENT – 520 WEST 17TH STREET: Jesse Rohr, Director of Public Works, reported that the abandoned vehicle located in the rear yard at 520 West 17th Street does not have current tags; therefore, deeming it inoperable. Up to this point, all proper notification has been given to the owner of the property. To date, no action has been taken by the property owner. If the vehicle is removed by the City, all costs of abatement will be charged to the owner of the property. Mr. Rohr noted that there has been 30 nuisance or inoperable vehicle cases on this property since 2012.

Ron Mellick moved, Eber Phelps seconded, to approve Resolution No. 2019-010 to abate the vehicle located on the property at 520 West 17th Street, ten days after the approval date.

Vote: Ayes: Henry Schwaller, IV
Sandy Jacobs
Ron Mellick
Eber Phelps

8. SANITARY SEWER LINING PROJECT 2019-01 – AWARD OF BID: Jeff Crispin, Director of Water Resources, stated sanitary sewer cleaning and inspection has been performed by a contractor yearly since 2013. The inspection of sewer lines has given staff a data set of tap intrusions, cracks in the lines, sagging of lines, and other areas where the camera inspection could not get through. Staff uses the data to develop a repair program. Staff created a Request for Proposal to complete Cure in Place Pipe (CIPP) lining of approximately

15,000 linear feet of 8” sanitary sewer. Mr. Crispin explained that CIPP lining is done by pulling polyester resin through a manhole and inflating it with steam or water. Once complete, problems such as infiltration, leakage, and deteriorating infrastructure is repaired.

The project also includes a spot repair of the swimming pool drain under the Big Creek Levee. Six proposals were received from qualified firms with the lowest cost proposal submitted by SAK Construction, LLC of O’Fallon, Missouri. Mr. Crispin stated SAK Construction, LLC is an expert in CIPP lining and they have over 20 years of experience in 30 countries. A standard one year warranty applies for this project.

Mr. Crispin stated Vice-Mayor Musil asked that staff gather feedback from other cities that have used the CIPP process and report back to the Commission. He stated SAK Construction has performed 238 miles of CIPP work on sanitary sewer lines in Kansas since 2008. The cities he spoke to have been very pleased with the results.

Henry Schwaller, IV moved, Sandy Jacobs seconded, to authorize the City Manager to enter an agreement with SAK Construction, LLC to complete CIPP lining at a cost not to exceed \$400,000 to be funded from Sewer Capital and \$5,500 to be funded out of Stormwater Management.

Commissioner Mellick thanked Mr. Crispin for being proactive in maintaining our infrastructure.

Mayor Schwaller asked what the estimated life span is for the CIPP lining. Mr. Crispin stated it could extend the life of the lines up to 30 or 40 years.

Vote: Ayes: Henry Schwaller, IV

Sandy Jacobs

Ron Mellick

Eber Phelps

9. 27TH STREET RECONSTRUCTION – DESIGN CONTRACT: John Braun, Project Manager, reported the Capital Improvement Plan within the 2020 Budget includes a project to reconstruct 27th Street from Hall Street to Fort Street. To accomplish construction in 2021, it is necessary to begin engineering design at

this time. Staff has solicited proposals from qualified engineering firms to prepare plans for the reconstruction project. The lowest cost proposal was presented by Kirkham Michael Engineers of Ellsworth, Kansas at a cost of \$89,900.

Mr. Braun stated 27th Street from Hall Street to Fort Street is a three lane arterial road carrying approximately 10,000 vehicles per day and is in dire need of repairs. The reconstruction would address many Americans with Disabilities Act (ADA) issues and would include a limited amount of waterline and stormsewer upgrades. A tentative schedule would be to begin construction in the spring of 2021. They plan to design the construction to maintain one lane of traffic one way throughout construction.

Sandy Jacobs moved, Ron Mellick seconded, to authorize the City Manager to enter an agreement with Kirkham Michael & Associates, Inc. in the amount of \$89,900 for engineering services related to the design of the reconstruction of 27th Street from Hall Street to Fort Street to be funded from Commission Capital Reserves.

Commissioner Mellick stated he can't stress enough the importance of maintaining our infrastructure to make sure we are a successful City in years to come.

Commissioner Jacobs stated she appreciates that one lane of traffic will remain open during construction. She added this street has been a mess with all of the rain and storms and City crews have done a very good job filling potholes and maintaining the street, but it is time for this reconstruction.

Vote: Ayes: Henry Schwaller, IV

Sandy Jacobs

Ron Mellick

Eber Phelps

10. NORTH VINE STREET CORRIDOR PROJECT – RIGHT OF WAY

ACQUISITION AUTHORIZATION: John Braun, Project Manager, stated during an executive session at the September 12, 2019 Commission meeting, he presented details of proposed offers to acquire rights-of-way, easements, and the costs associated with the North Vine Street Corridor Project. The City

Commission is now being asked to authorize the expenditure of funds for rights-of-way purchases associated with the North Vine Street Corridor Project in the amount of \$390,020.

Ron Mellick moved, Sandy Jacobs seconded, to authorize the City Manager to purchase rights-of-way and easements associated with the North Vine Street Corridor Project in the amount of \$390,020 to be funded out of Capital Projects.

Vote: Ayes: Henry Schwaller, IV

Sandy Jacobs

Ron Mellick

Eber Phelps

11. PROGRESS REPORT: City Manager, Toby Dougherty, presented a monthly report of city-related activities, services, and programs.

12. COMMISSION INQUIRIES AND COMMENTS: Commissioner Jacobs welcomed those attending the Hays High School Homecoming activities and class reunions.

Mayor Schwaller stated there is a statewide question on the ballot of the November 5, 2019 election to amend the Kansas Constitution. Kansas is the only state in the United States that has the unusual provision in its constitution that states after a census is completed the Kansas Secretary of State is required by law to contact college students and military personnel to find out where they would prefer to be counted. He noted that the census says they are to be counted where they sleep on the date the census is completed. The Secretary of State and the Legislature is asking to approve this constitutional amendment to strike the language because it does not conform to the constitution and it is very costly and difficult to do.

The meeting was adjourned at 7:13 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk