

Memo

To: City Commission
From: Toby Dougherty, City Manager
Date: July 10, 2025
Re: July 17, 2025 Work Session

Please find attached the agenda and supporting documentation for the July 17, 2025 Work Session.

Item 2 – Draft Ordinance to Allow Chickens in City Limits

Please refer to the attached memorandum from Collin Bielser, Deputy City Manager, regarding the potential allowance of chickens in the city limits. The City Commission discussed this matter in May and directed City staff to bring back an ordinance for possible consideration.

Item 3 – Review of Park Amenities

There has been much discussion among the City Commissioners and staff about the future sustainability of amenities in our parks system. Jeff Boyle, Director of Parks, will be in attendance and will give a presentation on the history of park amenities and a little more granular detail as to the financial sustainability of those amenities. City staff will not be asking for any formal action on this topic. The information presented is for awareness and as a basis for future discussions in subsequent budget years.

Item 4 – 2026 Budget Review

This is the Commission's first opportunity to provide input, direction, and modification to the 2026 Budget. Collin and I will be prepared to discuss the budget in more detail as the Commission desires.

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CITY COMMISSION WORK SESSION

City Hall, 1507 Main Street, Hays, KS

Thursday, July 17, 2025 – 4:00 P.M.

AGENDA

1. **July 3, 2025 Work Session Notes (PAGE 1)**
Department Head Responsible: Kim Rupp, Director of Finance
2. **Draft Ordinance to Allow Chickens in City Limits (PAGE 5)**
Staff Member Responsible: Collin Bielser, Deputy City Manager
3. **Review of Park Amenities**
Department Head Responsible: Jeff Boyle, Director of Parks
4. **2026 Budget Review**
Staff Member Responsible: Collin Bielser, Deputy City Manager
5. **Other Items for Discussion**
6. **Executive Session (if required)**
7. **Adjournment**

ANY PERSON WITH A DISABILITY NEEDING SPECIAL ACCOMMODATIONS TO ATTEND THIS MEETING SHOULD CONTACT THE CITY MANAGER'S OFFICE 48 HOURS PRIOR TO THE SCHEDULED MEETING TIME. EVERY ATTEMPT WILL BE MADE TO ACCOMMODATE ANY REQUESTS FOR ASSISTANCE.

City of Hays
City Commission
Work Session Notes
Thursday, July 3, 2025 – 4:00 p.m.

Present: Sandy Jacobs, Mason Ruder (by Zoom), Reese Barrick, Shaun Musil, Toby Dougherty, Collin Bielser, and Melvin Sauer Jr.

Absent: Alaina Cunningham

June 19, 2025 Work Session Notes

There were no corrections or additions to the minutes of the work session held on June 19, 2025; the minutes stand approved as presented.

Resolution Authorizing the City to Issue Bonds to Finance Exit 161 Infrastructure Improvements and The Grove Development Public Infrastructure Improvements and a Resolution Authorizing the Offering for Sale of General Obligation Bonds, Series 2025-A; Taxable General Obligation Bonds, Series 2025-B; and General Obligation Temporary Notes, Series 2025-1

Kim Rupp, Director of Finance, presented a financial plan with Bonds for the AMI project, the Grove RHID, Exit 161, and the Police Facility:

Project Authorization Resolution. Pursuant to the Development Agreement, the City has agreed to finance construction of infrastructure to support the Grove RHID project. The City will have the right to receive the annual RHID increment to pay or reimburse payment of the infrastructure costs. The City estimates that at full buildout the annual RHID increment generated will be sufficient to pay the debt service on bonds issued to fund the RHID eligible expenses, including the public infrastructure, approximately \$3,675,000. However, if the RHID increment is not sufficient, the City will still be required to make the debt service payments.

The City has considered the need to make infrastructure improvements in the vicinity of I70 Exit 161. These improvements are expected to cost

approximately \$4,000,000 net of the grant received. City staff recommends that a portion of the costs of the I70 Exit 161 project be temporarily financed through the sale of the City's general obligation temporary notes.

Sale Resolution. To provide an orderly plan of finance for the City, staff recommends that the City issue (a) general obligation bonds to fund the RHID infrastructure improvements, permanently finance a portion of the advanced metering infrastructure improvements, fund a portion of the police station project in the amount of \$6,850,000, and fund the Grove RHID economic development grant in the amount of \$825,000; and (b) general obligation temporary notes to temporarily finance the I70 Exit 161 infrastructure improvements. State law and capital market structures require that City staff and the City's advisors take various actions prior to the City offering any of its general obligation bonds or temporary notes for sale. These actions may include publication requirements, offering documents drafting, and other preparations to receive bids on the securities for sale. Approval of the Sale Resolution would authorize all necessary actions to offer for sale the City's general obligation bonds and temporary notes for the purposes stated above.

David Arteberry, Stifel, Nicolaus & Co., presented an overview of the financing plan and calendar for Bond – tax-exempt series 2025-A, Bond – taxable series 2025-B, Note – tax-exempt series 2025-1, and Note – Series 2025-2.

At the July 10, 2025 Commission Meeting, Commissioners will be asked to approve a Resolution authorizing the City to issue bonds to finance the Grove RHID public infrastructure improvements and I70 Exit 161 infrastructure improvements; and Approve a Resolution authorizing the offering for sale of the City's General Obligation Bonds, Series 2025-A, Taxable General Obligation Bonds, Series 2025-B, and General Obligation Temporary Notes, Series 2025-1.

Commission Receives 2026 Proposed Budget

Collin Bielser, Deputy City Manager, presented the draft 2026 Budget to the City Commission and noted the following highlights.

- It is anticipated that the General Fund will transfer approximately \$2.8 million to the Commission Capital Reserve account. Of that \$2.8 million, approximately \$1.2 million are the proceeds from the Ellis County sales tax, approved by voters in 2020.
- To date, sales tax revenues are up 2% over 2024 actuals, holding steady with the City's 2025 budget. For 2026, an additional 2% increase in sales tax collections over 2025 projections has been factored into next year's budget.
- Total assessed valuation is up 2.5%.
- The mill levy is maintained at 25.00, for the 17th year in a row. This means the draft budget does recommend exceeding the revenue neutral rate.
- Although the mill levy remains the same, the draft 2026 budget does increase the number of mills allocated to the City Airport, moving from 1.50 to 2.50. Last year during the budget process, City staff advised the Commission that a mill levy increase to the City's budget would likely be needed. However, at the behest of the Commission, the 2026 budget will be able to maintain the City's success of levying only 25 mills.
- The budget contains a programmed 2% step and 3% COLA increase for all employees.
- The budget is balanced.
- Reserves are funded.

Mr. Bielser stated there are budget review sessions scheduled for July 17th and August 7th, the 2026 draft budget is available online, and at the September 11th meeting, the revenue neutral rate hearing will be held as well as the 2026 Budget Public Hearing with the Ordinance approvals to follow.

Ken Kennedy, City of Hays resident, encouraged the City and the Commission to think about the three most important things when spending money, efficiency, fairness, and adequacy for the citizens. He asked the Commissioners that everything they do, every expenditure they make or design, and every decision that is made, that they think about efficiency and if we can fulfill the needs of the community by making it more efficient. He also encouraged them to think about

fairness when making decisions. Mr. Kennedy stated that if they have excess money at the end of the year, the City doesn't have to spend it, they can look at ways to cut costs for citizens. He appreciates the fact that for years the City has continued to keep the 25 mill levy, but he asks for consideration for a mill levy decrease.

All Commissioners appreciated hearing from Mr. Kennedy.

Other Items for Discussion

Commissioners thanked City staff for all the hard work they've put in to the 2026 Budget, especially keeping it at 25 mills.

Commissioner Musil stated that he spoke with Wes Bainter, developer of Ellis Estates, and Mr. Bainter was very complimentary of the City of Hays. Mr. Bainter expressed that Hays should share with other cities what the City of Hays is doing to encourage growth.

The work session was adjourned at 5:02 p.m.

Submitted by: _____

Jami Breit –City Clerk



City Commission Work Session

Agenda Memo

From: Collin Bielser, Deputy City Manager

Work Session: July 17, 2025

Subject: Draft Ordinance to Allow Chickens in City Limits

Person(s) Responsible: Collin Bielser, Deputy City Manager

Summary

Staff recently presented a framework for a potential Ordinance to allow the domestic keeping of chickens in city limits at the May 15th City Commission Work Session. Following Commission discussion, it was requested for Staff to develop a community opinion poll to gather further feedback regarding the issue.

In addition to the community poll, staff have prepared a draft ordinance, utilizing the framework that was presented to the Commission for consideration.

Background

Staff presented a framework for a potential ordinance to allow the domestic keeping of chickens in the City limits of Hays at the May 15th City Commission Work Session. This was in response to public comment received at the March 27th Commission meeting requesting the City consider the issue. Direction provided at the May 15th work session was to prepare a draft ordinance for consideration and issue a public poll to gather greater feedback from the community concerning the policy consideration.

Discussion

At the May 15th City Commission Work Session, City Staff presented a series of recommendations for a potential policy to allow urban chicken farming. Attached to this memorandum is the staff memo from the May 15th Work Session; however, in summary the key points were as follows:

- Maximum of 5 hens. No roosters
- Allowed in any zoning district if property has a primary structure
- Chickens must be contained within a fenced in rear or side-yard and must be kept in a coop, run or other confined structure at all times
- Coops, runs, etc. would be treated like any other accessory structure and would have to adhere to applicable planning and development regulations

- No registration system
- Complaint driven structure with enforcement handled by Hays Community Service Officers. Violations would be processed through Municipal Court

The draft ordinance as presented has been crafted with these recommendations in mind.

The City's Public Relations Manager conducted an online community poll that ran for 10 days. There were nearly 1,900 respondents and results indicated 58% supported the initiative, with 40% opposed and 2% no opinion. In addition to the poll, the City received 94 written correspondences, with 77% of that communication supportive of the policy.

Legal Consideration

There are no known legal obstacles to proceeding as recommended by City staff.

Financial Consideration

There are no known financial considerations at this time.

Options

The City Commission has the following options:

- Adopt the Ordinance as proposed
- Do not adopt the Ordinance
- Provide staff with further direction

Recommendation

City Staff have no recommendation at this time.

Action Requested

City Staff requests the Commission discuss the proposed Ordinance.

Supporting Documentation

May 15th City Commission Work Session Memo
Draft Ordinance



City Commission Work Session

Agenda Memo

From: Collin Bielser, Deputy City Manager

Work Session: May 15, 2025

Subject: Discussion of Allowing Chickens in City Limits

Person(s) Responsible: Collin Bielser, Deputy City Manager

Summary

At the March 27, 2025 Commission Meeting, resident Tina Sarver, addressed the Commission about the possibility of changing the City's ordinance to allow backyard chickens within the city limits of Hays. The Commission requested staff look into the issue and provide a list of proposals to allow the practice.

Background

Urban chicken farming has been a growing trend for many years. In the State of Kansas, multiple jurisdictions, both big and small, allow the practice including Overland Park, Prairie Village, Salina, El Dorado, Wakeeney, Pratt and Goodland just to name a few.

Commissioners recently directed Staff to draft a list of proposals which would remove chickens from the list of prohibited animals in the City of Hays, thereby allowing urban chicken farming.

Discussion

Staff's suggestion is to craft a policy that is less burdensome for staff and the public. Through conversations with multiple cities, Staff has noted some of the more prevalent points to consider which are listed below, along with staff's analysis.

1. # of Chickens Allowed
 - It was proposed at public comment that no more than 5 chickens be allowed per residence. Staff concurs with this suggestion as it appears to be in line with many other cities across Kansas.
2. Ability to keep roosters
 - It was also suggested during public comment that roosters not be allowed to reside within the City limits. Staff also agrees with this

recommendation. Of the communities surveyed, only one town allowed roosters.

3. Chicken coops and runs.

- Many communities had specific regulations pertaining to chicken coop location and size. For consistency, staff recommends that chicken coops and runs be treated like any other accessory structure, such as a garden shed, and comply with Planning and Development regulations.

Staff also recommend that if chickens are allowed, they must be kept in a chicken coop, run, or other confined structure at all times.

Furthermore, these structures can only be located within fenced rear or side yards.

4. Registration

- Staff does not recommend the implementation of a registration system. If the decision is to allow chickens in city limits, Staff would prefer to initiate the change in a more informal manner. If significant problems arise, then a registration program can always be added later.

This recommendation is based on the City's experience with the allowance of UTVs. Initially a registration system was implemented; however, it was determined shortly thereafter that registration was overly bureaucratic and to date the City has not had any significant issues or concerns with UTVs on city streets.

5. Enforcement

- Enforcement would be handled primarily by the Police Department, specifically the City's Community Service Officers (CSOs). CSOs currently handle animal complaints such as reports of lost or stray animals. Any complaints would be investigated by the City's Community Service Officers and any violations would be processed through Municipal Court.

If a chicken is at large and the owner cannot be found, the Police Department would take the animal to a veterinarian for safekeeping. If unclaimed after three days, the chicken would become property of the City of Hays.

6. Areas of Eligibility

- Some communities only allow chickens to be in residential zoned districts or on lots that can meet certain size requirements.

Staff recommends that the keeping of chickens can be located in any zoning district within the City of Hays; however, only the maximum allowed number of chickens can be allowed per parcel and a primary structure, such as a home or business, must also be located on the lot.

7. Ordinance

- If the Commission would like to proceed, a new ordinance and changes to existing ordinances would need to be approved.

Legal Consideration

There are no known legal obstacles to proceed as recommended by City Staff.

Financial Consideration

There are no known financial considerations at this time.

Options

City Staff requests the City Commission provide guidance on the subject and to determine if a proposed ordinance should be brought forth at a future meeting.

Recommendation

City Staff recommends the City Commission provide guidance on the subject and to determine if a proposed ordinance should be brought forth at a future meeting.

Action Requested

City Staff requests the City Commission provide guidance on the subject and to determine if a proposed ordinance should be brought forth at a future meeting.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 5-3 IN CHAPTER 5, ARTICLE I OF THE CITY OF HAYS, KANSAS, CODE OF ORDINANCES REGULATING ANIMALS, AND ENACTING A NEW SECTION 5-5 WITHIN SAID ARTICLE I, REGULATING THE KEEPING OF CHICKENS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAYS, KANSAS:

- I. Section 5-3(a) in Article I, Chapter 5 “ANIMALS” of the Code of Ordinances of the City of Hays, Kansas, is hereby amended to state the following:

Sec. 5-3. - Keeping of wild and domestic animals.

- (a) It is unlawful for the owner, lessee, occupant or person in charge of any premises in the city to possess and maintain any animal within the city which are normally held in stables, sheds, pens, or other places where undomesticated animals are kept, i.e., horses, mules, cattle, sheep, goats, swine, chickens, ducks, geese, turkeys, pigeons, or guineas. This subsection does not apply to:
- (1) The maintaining of a stockyard or sales barn for the loading, unloading, temporary detention and sale of such livestock, if the location of such stockyard or sales barn does not otherwise violate the zoning ordinances of the city;
 - (2) The maintaining of dogs which are regulated by this chapter;
 - (3) The maintaining of non-venomous and non-vicious animals which are commonly kept as household pets, such as cats, hamsters, rabbits, parakeets, and comparable animals, when kept as household pets and in a safe and sanitary manner in accordance with this chapter;
 - (4) The transporting of animals through the city by ordinary and customary means;
 - (5) The keeping of chickens as provided in Section 5-5 below.

- II. Section 5-5 in Article I, Chapter 5 “ANIMALS” of the Code of Ordinances of the City of Hays, Kansas, is hereby added to state the following:

Sec. 5-5. - Keeping of chickens.

- (a) Female chickens may be maintained in any zoning district within the city, but subject to the following:
 - (1) Chicken coops, chicken runs and chicken tractors shall be located in the rear yard or side yard of the property, and shall comply with all city code setbacks applicable to accessory buildings and structures.
 - (2) No more than five (5) chickens shall be located on each lot. Roosters are prohibited.
 - (3) Chickens shall be kept in a chicken coop, chicken run or other confined structure at all times. In addition, said structure shall be located within a fenced yard.
 - (4) Chicken coops shall have a minimum size of 3 square feet per chicken and the chicken runs shall have an additional minimum size of 3 square feet per chicken, for a minimum total size of 6 square feet per chicken.
 - (5) Chicken coops, chicken runs and chicken tractors shall be subject to the Planning and Development regulations of the city, and a primary residential or commercial structure also shall be located on all properties upon which chickens are maintained.
 - (6) Chicken coops, chicken runs and chicken tractors shall be cleaned on a regular basis to prevent the accumulation of waste and shall be kept in a sanitary condition free from offensive odors. The outdoor slaughtering of chickens is prohibited. Waste materials (feed, litter and manure) shall be bagged and promptly disposed of in the trash. Piling waste materials on the property is prohibited. Dead chickens shall be double-bagged and promptly disposed of in the trash, and not composted. Offsite incineration is another option, as some veterinary offices will incinerate deceased animals for a fee.
 - (7) Chickens shall not be maintained for profit or commercial business purposes.
 - (8) Chicken coops and chicken runs shall be enclosed on all sides and shall have a roof and doors. All access doors shall be able to be shut and locked. Chicken coops and chicken runs shall be well ventilated, and windows and vents shall be covered with sturdy predator-proof and bird-proof wire containing less than one-inch (1") openings. Chicken coops, chicken runs and chicken tractors must be constructed and maintained with

durable materials that will hold up to an external environment. Used and reclaimed material, scrap, waste board, sheet metal, or similar materials are prohibited.

- (b) The city chief of police or designee shall be authorized to seize any chicken at large, and to take the chicken to a veterinarian or animal shelter for safekeeping. If unclaimed within three (3) days, the chicken shall become the property of the city.
- (c) The city chief of police or designee shall be authorized to inspect chicken coops, chicken runs and chicken tractors at any time upon receiving a complaint about chickens, to obtain search warrants, if necessary, to so inspect, and to issue citations for non-compliance with this Section.
- (d) Any chicken found within the city in violation of this section shall be impounded by the chief of police or designee. Upon conviction of a violation of this section, the judge of the municipal court of the city shall order the owner, harbinger, keeper, or possessor to surrender the chickens to the chief of police or designee for humane destruction or other disposition. In addition, whoever violates any provision in this section shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$50 nor more than \$500.

III. This Ordinance shall take effect upon its publication on the City of Hays website, the official City of Hays news outlet for publication of legal notices.

PASSED by the Governing Body the ____ day of _____, 2025.

APPROVED and signed by the Mayor the ____ day of _____, 2025.

CITY OF HAYS, KANSAS

Sandy Jacobs, Mayor

ATTEST:

Jami Breit, City Clerk