

City of Hays
City Commission
Work Session Notes
Thursday, May 15, 2025 – 4:00 p.m.

Present: Sandy Jacobs, Mason Ruder, Alaina Cunningham, Reese Barrick, Shaun Musil, Toby Dougherty, Collin Bielser, and Melvin Sauer Jr.

May 1, 2025 Work Session Notes

There were no corrections or additions to the minutes of the work session held on May 1, 2025; the minutes stand approved as presented.

Discussion of Allowing Chickens in City Limits

Collin Bielser, Deputy City Manager, stated that 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 investigate the issue and provide a list of proposals to allow the practice.

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

o It was proposed at public comment that no more than five 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

o 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

- o 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 recommends 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

- o 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

- o 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

- o 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

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

Discussion was held about pros and cons of having chickens. Commissioners agreed to give three more weeks to hear from residents. They recommended James Bell, Public Relations Manager, create an online poll to allow all residents to give their opinions, that way the Commissioners would be able to hear from all residents and not just the people they know.

Aaron Dreher, resident of Hays, spoke how he is against having chickens in backyards due to the smell and people not properly taking care of them. He says he sees nothing positive about this.

Glen Cox, resident of Hays, stated that he is in favor of the proposal. He did his own research and was surprised to see how many communities allow chickens. He believes there are a lot of benefits.

At the June 5, 2025 Commission meeting, a draft Ordinance as well as the results of the poll will be presented to the Commission.

Runway 4-22 Reconstruction – Award of Bid

Jamie Salter, Airport Director, stated that bids for the reconstruction of Runway 4-22 and Taxiway M at the intersection of Runway 4-22 were opened on April 15, 2025. Bids were received from five contractors, with the lowest bid being

from Smoky Hill, LLC in the amount of \$6,676,180.98. The low bid price is below budget.

The contractor is allowed 143 calendar days to complete this project. Runway 4-22 will be closed for the duration of construction. The project will require the Primary Runway 16-34 to be closed for about three weeks while construction is being performed within its safety area. A portion of Taxiway M will be closed for two weeks during the project as well, requiring aircraft to back-taxi on Runway 16-34. Airport Staff will work to minimize the impact on the Airport's users throughout the project. Construction will begin in the spring of next year and be completed in the Fall.

At the May 22, 2025 Commission meeting, Commissioners will be asked to accept the bid from Smoky Hill, LLC in the amount of \$6,676,180.98 to reconstruct Runway 4-22 and Taxiway M at the intersection of Runway 4-22 at the Hays Regional Airport to be paid from the Airport Improvement Fund, contingent upon the FAA awarding a grant for Federal funding, and authorize the City Manager to carry out this project including the execution of the FAA grant agreement when offered.

Runway 4-22 Reconstruction – Construction Engineering Services

Jamie Salter, Airport Director, stated that bids were received for the reconstruction of Runway 4-22 at the Hays Regional Airport. Inspection and observation of the construction needs to be accomplished according to FAA requirements to satisfy the terms of the grant funding, to ensure proper adherence to the plans, and to ensure quality construction. Lochner, the Airport's Engineering Consultant for the project, has presented a scope of services and fee proposal to accomplish the required construction oversight and project documentation. The cost for said services is \$445,800 and is eligible for 95% funding through the FAA with Airport Improvement Program (AIP) and Infrastructure Investment and Jobs Act (IIJA) grant funding. This results in a City share of \$22,290.

At the May 22, 2025 Commission meeting, Commissioners will be asked to authorize the City Manager to execute the Consultant Agreement for construction

engineering services with Lochner in the amount of \$445,800 to be paid from the Airport Improvement Fund and to execute the FAA grant agreement when offered.

Covenant Estates 1st Addition – Rezoning Request from Agriculture District (A-L) to Residential General District (R-G)

Jesse Rohr, Director of Public Works, stated that an application has been submitted to request a change in zoning from (A-L) Agriculture District to (R-G) Residential General District for Covenant Estates 1st Addition. This area, identified in the Comprehensive Plan for Light Density Residential (LDR) development, is ideal due to its proximity to existing neighborhoods and utility access. R-G zoning is fully compatible with LDR, earning a 5 out of 5 rating on the compatibility matrix found within the Comprehensive Plan. Staff, as well as the Hays Area Planning Commission, by a vote of 6-0, recommend approving this request as it is in conformance with the adjacent zoning districts.

At the May 22, 2025 Commission meeting, Commissioners will be asked to adopt an Ordinance approving the rezoning request (A-L) Agriculture District to (R-G) Residential General District for Covenant Estates 1st Addition, as legally described within the adopting ordinance.

Covenant Estates 1st Addition – Final Plat

Jesse Rohr, Director of Public Works, stated that an application has been submitted for the Final Plat of the Covenant Estates 1st Addition. The property is owned by Covenant Land & Developing, Inc.

The proposed Final Plat of Phase 1 includes three total blocks with 54 lots. Staff has reviewed the proposed Final Plat, which was also reviewed by the Utility Advisory Committee on March 4, 2025. Any concerns noted at that time were addressed.

This first phase of development contains 20 acres, and the owner plans to final plat, rezone, and annex the remaining 55 acres of property lying to the north of Phase 1 in phases from south to north over the next few years.

These 54 lots will have access from Cherry Hill and Columbine Drive. There will be a multi-use path incorporated in the development from 41st Street to Columbine utilizing the stormwater drainage area/green space for the location of the trail. City utilities are in the area and will be extended for development. Stormwater management will be taken care of with quality and control measures throughout the development.

At the May 22, 2025 Commission meeting, Commissioners will be asked to approve a Resolution accepting the Covenant Estates 1st Addition Final Plat as submitted.

Covenant Estates 1st Addition – Annexation

Jesse Rohr, Director of Public Works, stated that the property owner, Covenant Land & Developing Inc., has submitted a signed consent to annex under K.S.A. 12-520(a)(7) and desires to annex to allow for development of the property for the proposed Covenant Estates 1st Addition. The land is contiguous with the present City limits. Approval of the annexation will allow the property owner to receive full benefits of City services, including utilities and fire/police protection.

City utilities are available for connection, as both water and sewer are adjacent to this location. It is the intent of the owner to extend both City sewer and City water for the proposed Covenant Estates after annexation takes place. Staff recommends annexing this property due to it being contiguous to the City limits and the availability of City services.

At the May 22, 2025 Commission meeting, Commissioners will be asked to approve an Ordinance annexing the property for Covenant Estates 1st Addition, as legally described within the adopting ordinance.

Other Items for Discussion

Mayor Jacobs brought up that it is time for a joint meeting with Russell, Kansas. Toby Dougherty, City Manager, will talk with the City Manager in Russell, and they will come up with potential dates for when the meeting will take place. Russell will be hosting the meeting this time.

Commissioners congratulated all graduates this weekend from Fort Hays State University, Hays High School, and Thomas More Prep-Marian.

The work session was adjourned at 5:04 p.m.

Submitted by: _____

Jami Breit –City Clerk