

City of Hays  
City Commission  
Work Session Notes

Thursday, January 16, 2025 – 4:00 p.m.

Present: Sandy Jacobs, Mason Ruder, Alaina Cunningham, Reese Barrick, Shaun Musil, Toby Dougherty, Kim Rupp, and Don F. Hoffman

**December 19, 2024 Work Session Notes**

There were no corrections or additions to the minutes of the work session held on December 19, 2024; the minutes stand approved as presented.

**32<sup>nd</sup>/33<sup>rd</sup> Street Reconstruction – Award of Bid**

Jesse Rohr, Director of Public Works, stated that 32<sup>nd</sup>/33<sup>rd</sup> Street from Willow to Vine needs repairs. This section of roadway is listed in the Capital Improvement Program (CIP) of the 2025 budget for reconstruction. This section of street is a minor urban arterial road and carries approximately 3,500 vehicles per day. The total project length is approximately 2,500 LF. The existing pavement is comprised of all concrete.

Driggs Design Group was awarded the bid to design the project last year, and for the past several months, the City of Hays has been working with Driggs Design Group on the formulation of the reconstruction plans for 32<sup>nd</sup>/33<sup>rd</sup> Street from Willow to Vine. The project includes removing and replacing all the concrete pavement, various areas of curb & gutter, select areas of sidewalk and curb ramps to meet ADA requirements, intersections, and some alley entrances. The north intersection of Skyline and 33<sup>rd</sup> Street will be widened, which will entail lengthening the box culvert under 33<sup>rd</sup> Street adjacent to that intersection.

The project went out for bid in November 2024, and bids were opened on December 3<sup>rd</sup>. The low bid was under budget and from Vogts-Parga Construction, LLC from Moundridge, KS. Vogts-Parga has performed work in Hays in the past, with the most recent street project being in 2018 for the

reconstruction of 43<sup>rd</sup> and 45<sup>th</sup> streets North of I-70 and West of Vine. Staff was satisfied with this contractor in the past and looks forward to working with them on this project.

At the January 23, 2025 Commission meeting, Commissioners will be asked to authorize the City Manager to enter an agreement with Vogts-Parga Construction, LLC in the amount of \$1,554,275.70 for construction services related to the reconstruction of 32<sup>nd</sup>/33<sup>rd</sup> Street from Willow to Vine to be funded from Commission Capital Reserves.

Commissioners were concerned about where the traffic on 33<sup>rd</sup> Street would go during the construction.

Mr. Rohr stated that this section of town is set up as a grid and vehicles going to 33<sup>rd</sup> Street are able to get out by another Street.

#### **32<sup>nd</sup>/33<sup>rd</sup> Street Reconstruction – Construction Engineering Services Agreement**

Jesse Rohr, Director of Public Works, stated that the 2025 budget included funding for a project to reconstruct 32<sup>nd</sup>/33<sup>rd</sup> Street from Willow to Vine. For the past several months, the City of Hays has been working with Driggs Design Group on the design and engineering work for the reconstruction project. Driggs Design Group has prepared a contract for construction engineering services to include daily project inspection, testing of soils, subgrade and concrete, shop drawing review and approval, and developing pay applications. The contract is in the amount of \$52,320.

At the January 23, 2025 Commission meeting, Commissioners will be asked to approve the Construction Engineering Services Agreement with Driggs Design Group in the amount of \$52,320 for the reconstruction of 32<sup>nd</sup>/33<sup>rd</sup> St. to be funded from the City Commission Capital Reserve Fund.

#### **Annexation of Property Located at 800A Commerce Parkway (BEREXCO, LLC)**

Jesse Rohr, Director of Public Works, stated that the property owner, BEREXCO, LLC, has submitted a signed consent to annex 800A Commerce Parkway under K.S.A. 12-520(a)(7) and desires to annex to allow for connection to City utilities.

The City Manager approved a lot split for this property in November of 2024. The front 5.177-acre lot, which is proposed to be annexed, will have a 20 ft. access easement on the north property line for access to the rear 12.636-acre lot. Currently, BEREXCO, LLC owns both of the lots, and they plan to retain both lots for the foreseeable future.

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.

At the January 23, 2025 Commission meeting, Commissioners will be asked to approve an Ordinance annexing the property located at 800A Commerce Parkway, as legally described within the adopting ordinance.

**Tallgrass 4<sup>th</sup> Addition – Rezoning from Agriculture District (A-L) and Residential General (R-G) to Residential Multi-Family (R-M)**

Jesse Rohr, Director of Public Works, stated that an application has been submitted to request a change in zoning from Agriculture District (A-L) and Residential General (R-G) to Residential Multi-Family (R-M). This area is slated for the fourth phase of Heart of America Development Corporation's workforce housing project. A portion of the property is already zoned Residential Multi-Family and will remain as such. Residential Multi-Family is being requested for this stage of development due to it providing more housing type options for the developer.

The purpose of the Residential Multi-Family District is to provide for the development of residential neighborhoods with auto-urban character. These areas are required to utilize an urban level of services and are generally comprised of higher density residential uses such as apartments. The developer will extend streets, water, and sanitary sewer for the development.

54 homes have been completed in the first and second phases of this development since 2021. 12 homes in the third phase will be completed in the next 12 months. Rezoning this fourth phase to multi-family allows more flexibility regarding density, setbacks, and types of housing. However, single-family homes, which are still an allowable use within the R-M zoning, with smaller lots, will be the main focus for this phase.

The Comprehensive Plan identifies this area as MDR (Medium Density Residential). Any type of residential use will have a compatible rating of 5 out of 5 adjacent to any other residential uses, making this logical for development.

At the January 23, 2025 Commission meeting, Commissioners will be asked to adopt an ordinance approving the rezoning request from Agriculture District (A-L) & Residential General (R-G) to Residential Multi-Family (R-M) for Tallgrass 4th Addition, as legally described within the adopting ordinance.

Commissioner Barrick questioned, if multi-family zoning can have standard residential housing with standard lot sizes, then why do you have two different zones. He wondered if it was for excluding multi-family housing in the certain zone.

City Manager, Toby Dougherty, stated that yes, other states and cities have done away with single-family zoning districts. This allows for more flexibility within the zone.

Mr. Rohr stated that we do not have a zoning district that only allows single-family zoning.

#### **Tallgrass 4<sup>th</sup> Addition – Final Plat**

Jesse Rohr, Director of Public Works, stated that an application has been submitted for the final plat of the Tallgrass 4<sup>th</sup> Addition. This area is the fourth phase of Heart of America Development Corporation's workforce housing project. The proposed plat includes 101 lots in total. The final plat meets the requirements of the current subdivision regulations regarding lot size, setbacks, and specific utility requirements. Staff, as well as the Hays Area Planning

Commission, recommend approving the Tallgrass 4<sup>th</sup> Addition final plat as submitted.

At the January 23, 2025 Commission meeting, Commissioners will be asked to approve a Resolution accepting the Tallgrass 4<sup>th</sup> Addition final plat as submitted.

### **Tallgrass 4<sup>th</sup> Addition – Engineering Services Agreement**

Jesse Rohr, Director of Public Works, stated that the developer (Grow Hays/Heart of America Development Corporation) of Tallgrass 4<sup>th</sup> Addition is moving forward with development plans for street, storm sewer, water, and sanitary sewer improvements to an area containing 101 lots in the Tallgrass 4<sup>th</sup> Addition. Sloan Engineering and Consulting has prepared a contract for engineering services to include civil engineering design, contractor bid solicitation, bid review, and final contractor recommendation. The contract is for a lump-sum amount of \$249,850. The construction of the streets will be completed along with the associated utilities (water, sanitary sewer, and storm sewer) as specified by the City of Hays Development Policy Infrastructure Guidelines for New Development. The current timeline has construction starting fall of 2025.

At the January 23, 2025 Commission meeting, Commissioners will be asked to approve the Engineering Services Agreement with Sloan Engineering and Consulting for the lump-sum amount of \$249,850 for the infrastructure design of Tallgrass 4<sup>th</sup> Addition to be paid by a 30% pre-construction agreement deposit from Heart of America.

### **Other Items for Discussion**

Commissioner Ruder stated that Toby, Jarrod, & himself went to Washington DC for some meetings to talk about the R9 Ranch, and everyone they had spoken to talked very highly about how well prepared the City is in regards to the project.

The work session was adjourned at 4:43 p.m.

Submitted by: \_\_\_\_\_

Jami Breit –City Clerk