

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON FEBRUARY 13, 2025

1. CALL TO ORDER BY CHAIRPERSON: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, February 13, 2025 at 4:00 p.m.

Roll Call: Present: Sandy Jacobs

Mason Ruder

Reese Barrick

Shaun Musil

Mayor Jacobs 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 session held on January 23, 2025; the minutes stand approved as presented.

Alaina Cunningham joined the meeting.

3. Financial Statement: Kim Rupp, Director of Finance, reviewed the financial summaries of the revenue and expenditure activities of the City of Hays for the month ended December 31, 2024.

Month to date (MTD) general fund sales tax collections were at \$853,838, which was an increase of \$61,707 or 7.8% as compared to last year. YTD general fund sales tax was at \$9,804,878 up \$77,000 or .79%. The six month average was up 2.9%, which was a year-over-year decrease of -3.24%. YTD County sales tax collections were at \$1,161,149 down -\$3,731.

The report of top ten quarter to date (QTD) sales tax collections by classification was up \$29,992 or .9%. These top ten represent 73% of the total sales tax collections for the running quarter.

The total par value of the US Treasuries for December was \$6,717,000 with a weighted average yield to maturity of 4.3% up .5% from a year ago. The total of the portfolio of certificates of deposit on December 31, 2024 was \$63,438,862 with a weighted average rate to maturity of 4.9% down .15%. The total balance of the

Money Market account on December 31, 2024 was \$2,400,000 with a current yield of 3.388% down .77% from a year ago. Total investments were up \$2,590,018.

Mr. Rupp stated there were a couple of highlights to review. Total expenditures finished the year \$281,000 under budget. The transfer into commission capital reserves was \$2.75 million. \$362,743 of that was used to begin to shore up the Budget Stabilization Reserve per policy. Additionally, the unreserved fund balance stays at a very strong \$1.675 million.

Commissioner Musil moved, Commissioner Barrick seconded, to approve the Financial Statement for the month of December 2024 as presented.

Vote: Ayes: Sandy Jacobs

Mason Ruder

Alaina Cunningham

Reese Barrick

Shaun Musil

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: Mayoral Appointments for Approval.

Hays Convention and Visitors Bureau Advisory Committee

Jeremy Gill – three-year term to expire 2-13-2028 (3rd term)

Hays Housing Authority Board

Jo Ann Morse – four-year term to expire 2-13-2029 (1st term)

Northwest Kansas Community Corrections and Juvenile Services Governing Board

Donnette Noble – two-year term to expire 2-1-2027 (1st term)

Commissioner Musil moved, Commissioner Cunningham seconded, to approve the Consent Agenda as presented.

Vote: Ayes: Sandy Jacobs

Mason Ruder

Alaina Cunningham

Reese Barrick

Shaun Musil

NEW BUSINESS

6. Ellis County Historical Society's 2025 Goals: Amanda Rupp, Executive Director of the Ellis County Historical Society, updated the Commission on all the projects that happened in 2024 and presented the 2025 goals for the Ellis County Historical Society.

7. Water Reclamation Filter Media Replacement – Award of Bid: Jeff Crispin, Director of Water Resources, stated that the Water Reclamation and Reuse Facility beneficially reuses a significant portion of its total annual wastewater flow for irrigation at some of the City's recreational facilities, mostly the Fort Hays Municipal Golf Course and Bickle-Schmidt Sports Complex. The Water Reclamation Filter helps ensure the plant effluent is of the best quality. The filter was originally equipped with panels of polyester fabric media. Initially, these were satisfactory, but after a few years, the routine cleaning has not been as effective as it was previously, making the run times on the machine higher than expected. The polyester media has reached the end of its useful life and needs to be replaced. The replaced filter media will be of stainless steel, which should provide a 10-year solution.

The Water Reclamation Filter System is manufactured by Evoqua Water Technologies, an approved sole source vendor for the Water Reclamation and Reuse Facility. The 504 panels and supporting parts within the filter system are specifically designed and manufactured for this unit and not provided by another vendor. The quote from Evoqua Water Technologies for full replacement was \$48,087.90, which is under the \$70,000 budget for 2025.

Commissioner Barrick moved, Commissioner Musil seconded, to authorize the purchase of Water Reclamation Filter Media in the amount of \$48,087.90 to be funded from the Projects line in the Water Reclamation and Reuse Operating Budget.

Vote: Ayes: Sandy Jacobs

Mason Ruder

Alaina Cunningham

Reese Barrick

Shaun Musil

8. R9 Updates: John Braun, R9 Project Manager, provided an update on the R9 Project including fund sourcing, survey, easement acquisition, wellfield design, and pipeline design.

Mr. Braun stated that the short-range schedule for wellfield improvements includes Burns & McDonnell finishing the geotechnical investigation report for the building sites at the Ranch for the proposed well sites and storage tank/pump station site. They will have 60% design drawings for the wellfield itself completed in March and hope to have 90% design drawings in May. The pipeline improvements have 60% design drawings complete and under review. Easements documents and valuations are being wrapped up in February and offers of easement acquisition will be made as early as March or April. All of these activities lead to entering contracts for construction of both the pipeline and wellfield components in late 2025 or early 2026.

Chris Smith, R9 Property Manager, provided an update on recent activities and the goals for the year for the R9 Ranch. He stated that the cooperative research project between the University of Georgia and the Kansas Department of Wildlife and Parks continues. This is a state-wide, three-year project seeking to learn how landscape composition affects bobwhite quail abundance, survival, and reproduction. Since this is a newly inception study, there is not a lot of data; however, Sarah Jacobson, the University of Georgia graduate student overseeing the project, said that the monthly survival rates on the R9 were the highest in the state so far.

Mr. Smith also discussed the walk in hunting access (WIHA) program on the R9 property. He stated that the WIHA program has been highly utilized and greatly appreciated by hunters. Since enrolling into the WIHA program in November of 2023, there has been an increase in sales tax collections for Edwards County. The City of Hays CVB and IT worked together to make maps and QR codes for the WIHA property. The data from the QR codes revealed that there are many people from out of state, from Kansas, and a few from out of the country that have visited the R9 property.

There are multiple R9 improvements that will be happening in 2025 including fence work, property clean up, removal of Johnson Grass, and fixing a wind erosion problem. Mr. Smith stated that this spring 300 acres of native grasses will be replanted. Once the grass is established, this new pasture will be utilized for grazing. The tenant on the land applied for and received funding for improvements through the Natural Resources Conservation Service's EQIP program. This program provides funding on an 80% - 20% match basis and will help pay for livestock wells, fencing, and solar pumping units for stock tanks.

Toby Dougherty, City Manager, provided a brief update on the regulatory/legal proceedings regarding the R9 Ranch. The Transfer Hearing was supposed to happen last year; however, Waterpack/Edwards County tried to get the recusal of the Chief Engineer. The case was dismissed on December 23, 2024; therefore, the City of Hays has filed a motion asking the Panel to schedule the Transfer Hearing. There was a suit filed in October of 2024 for illegal zoning practices in Edwards County, which was essentially an attempted end run around Kansas Water Appropriations and Water Transfer Acts. The City of Hays is hopeful now that Senior Judge Nancy Parrish has been appointed to the case that things move forward.

Mr. Dougherty praised John Braun and Chris Smith for the high quality of work that they do on the R9 project.

Commissioner Ruder spoke about how the cities of Hays and Russell are the vision of what the Governor and the Kansas Water Plan are trying to achieve in regard to water. Unfortunately, we are the example of how the legal and regulatory system have been weaponized against us. He stated that we are treated differently than any other water right holder in the State. He stated that the State of Kansas owns water, and they need to act like the owners. The Kansas water laws and regulations need to be rewritten to ensure that every water owner gets treated the same and the system can't be weaponized against them.

9. EXECUTIVE SESSION: Commissioner Jacobs entertained a motion at 5:20 p.m. to enter into executive session for a period not to exceed 40 minutes, to include the City Commission, City Manager, Deputy City Manager, Assistant City

Manager, and City Attorney, for purposes of discussing personnel matters related to non-elected personnel as well as data relating to the financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships. Commissioner Ruder moved, Commissioner Cunningham seconded.

Vote: Ayes: Sandy Jacobs

Mason Ruder

Alaina Cunningham

Reese Barrick

Shaun Musil

Commissioner Jacobs entertained a motion at 6:00 p.m. to enter into executive session for a period not to exceed 20 minutes, to include the City Commission, City Manager, Deputy City Manager, Assistant City Manager, and City Attorney, for purposes of discussing personnel matters related to non-elected personnel as well as data relating to the financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships. Commissioner Ruder moved, Commissioner Cunningham seconded.

Vote: Ayes: Sandy Jacobs

Mason Ruder

Alaina Cunningham

Reese Barrick

Shaun Musil

No action was taken within the executive sessions.

The meeting was adjourned at 6:18 p.m.

Submitted by: _____

Jami Breit – City Clerk