

City of Hays
Hays City Hall, 520 Country Lane
Special Called Council Meeting
Minutes 11-30-2022

1. **CALL TO ORDER AND ROLL CALL.** The meeting was called to order at 6:32 p.m. In attendance were Mayor Billy Maphies; Mayor Pro Tem Roxanne O'Neal; Councilmembers Candace Blake, Tony Valdez, and Glennell Strawn. Hannah Ballou was absent. Also in attendance were Don Rauschuber, City Engineer; Veronica Rivera, City Attorney; Harvey Davis, City Treasurer (via Zoom); Andrew Cortez, Director of Entitlement at Milestone; Jeffrey Howard, Milestone Attorney; John A. Clark, PE with LJA Engineering
2. **PUBLIC COMMENTS.** No comments
3. **NEW BUSINESS:**
 - a. **Discussion and possible actions regarding The Hays Commons Preliminary Plat Application (This item may be taken into Executive Session under Code §551.087, Deliberation Regarding Economic Development Negotiations exception or §551.071, Advice of Counsel exception.)**

Mayor Maphies opened the Public Hearing at 6:33 p.m.

John Clark, PE provided a summary of the Preliminary Plat – 20 single family lots, park land, commercial and multifamily/condo lots.

Don Rauschuber provided his summary of the Preliminary Plat. He handed out copies of the Plat and the 2013 Development Agreement (DA). He told the council that the Plat includes the 13-acre Vet Tract. The Vet Tract is not part of the 2013 DA.

LV Dickerson, Hays resident, was disturbed the Plat is being considered before the water issues are resolved. She was not in favor of approval of the Plat.

Tom Lemman, Hays resident, said he has lived in the City of Hays for 43 years. He expressed concern of the strain on the aquifer. He recommend voting no on the Plat application.

Jim Camp, a resident of Chaparral Park (Southwest Territory), said he has lived in the area for 37 years. He is concerned about the recharge zone, sink holes and caves. He recommends Milestone return with a more complete Plat. He handed out maps of the critical karst features in area. Many of the karst features were not shown on the Plat.

Pete Wittington, a resident of Carpenter Lane, told the meeting that Carpenter Lane is not a county road. The Plat uses Carpenter Lane as an access. He recommends voting no on the Plat.

Mike Clifford, Technical Director of the Greater Edwards Aquifer Alliance, gave the council five reasons to deny the Plat: not complete, buffer zones, habitat concerns, flooding dangers, and not enough detail.

Charles Franks, a resident of Woods of Cimarron, worried about protecting the wells. He did not favor approval of the Plat.

Brett Mundy, a resident of Carpenter Lane, said flooding and noise from her dog ranch were concerns. She said to vote no on the application.

Lydia Bryan Valdez, Hays resident, talked about whether Milestone is using a bait and switch tactic. She asked for the head of Milestone to attend the meeting. She said to vote no.

Don Rauschuber gave the council guidelines of the 2006 city code for approving Plat. He said that in his professional opinion, the Plat is not consistent with the 2013 DA. He said the Plat was not consistent with the 2013 conceptual plan in the DA.

Jeffrey Howard, Attorney with McLean & Howard Law, told the council the Plat was consistent with the 2013 DA.

Veronica Rivera, City Attorney, gave some legal advice.

John Clark PE, talked about the requirements of the preliminary plats. He said the Application met all requirements.


At 8:07, Roxanne O'Neal made a motion to close the Public Hearing. Tony Valdez seconded the motion. The motion passed unanimously.

The council went into executive session at 8:08 p.m.


At 8:40 p.m., the council returned from executive session.

Tony Valdez made a motion to deny the Plat. Roxanne O'Neal seconded the motion. Councilmembers Valdez, O'Neal and Blake votes yes on the motion. Glennell Strawn abstained.

4. **ADJOURNMENT:** The meeting was adjourned at 8:42 p.m.



Mayor Billy Maphies



Harvey Davis, City Treasurer