

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON MARCH 13, 2008

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, March 13, 2008 at 7:30 p.m.

Roll Call: Present: Barbara Wasinger

Ron Mellick

Allan Lytton

Absent: Troy Hickman

Christopher Channell

Vice-Chairman Wasinger declared that 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 February 28, 2008; the minutes stand approved as written.

3. CITIZEN COMMENTS: There were no comments.

4. CONSENT AGENDA: Ron Mellick moved, Allan Lytton seconded, that the following be approved:

A. Cereal Malt Beverage License for Xtra Innings

B. Mayoral appointment of Ken Haas to an unexpired term on the Fort Hays Municipal Golf Course Advisory Board to expire July 1, 2008

Vote: Ayes: Barbara Wasinger

Ron Mellick

Allan Lytton

NEW BUSINESS

5. GATING OF RIGHT-OF-WAY IN 500 BLOCK OF EAST 9TH STREET: Larry Schmidt has asked permission to install gates immediately east of Milner on 9th

Street. This public right-of-way was never improved as a city street. Mr. Schmidt would like to have controlled access after hours to diminish vandalism. Utility companies have been contacted and none of them had an issue with the request as long as each company has a lock for access. The Public Works and Police Departments have no opposition to the proposal.

Allan Lytton moved, Ron Mellick seconded, that Resolution No. 2008-007, being a resolution regarding installation of access gates in the 500 block of East 9th Street within the City of Hays, Kansas, be approved.

Commissioner Mellick requested that the minutes state that there will be no permanent storage or parking of vehicles on city right-of-way behind this gate. He wanted future Commissions to understand that would not be allowed.

City Attorney John Bird commented that those regulations would still be in effect on 9th Street, as they are for the rest of the City; the gates only allow access to be controlled.

Vote: Ayes: Barbara Wasinger

Ron Mellick

Allan Lytton

6. SELF-CONTAINED BREATHING APPARATUS (SCBA) BIDS: The fleet of self-contained breathing apparatus used by the Fire Department is obsolete and the Department has experienced difficulties in getting spare parts. Bids were solicited to replace this equipment.

Ron Mellick moved, Allan Lytton seconded, that the bid submitted by Conrad Fire Equipment, Olathe, KS in the amount of \$83,044 for the apparatus be approved.

Commissioner Mellick stated that only two bids were received, one from a local vendor. The bid from the local vendor was \$7,344 higher than the bid submitted by Conrad Equipment. He would have liked to accept the local bid; however, he feels it is in the City's best interest to accept the lower bid to encourage competitive bidding.

Vote: Ayes: Barbara Wasinger
Ron Mellick
Allan Lytton

7. LETTER OF AGREEMENT – JBD WASTE HAULING: The City Commission approved Resolution No. 2008-006 on February 28, 2008 to abate 16 mobile homes and other nuisances from the Fort Hays Trailer Park located at 618 East 5th Street. The Commissioners were requested to approve a letter of agreement with JBD Waste Hauling to remove all mobile homes and associated nuisances no later than April 11, 2008.

Allan Lytton moved, Ron Mellick seconded, that a Letter of Agreement with JBD Waste Hauling in regard to the abatement of structures on the property at 618 East 5th Street be approved.

Vote: Ayes: Barbara Wasinger
Ron Mellick
Allan Lytton

8. GROUP DAYCARE CENTERS IN C-1, C-2 AND C-3 ZONING DISTRICTS: The Hays Area Planning Commission conducted a public hearing on February 18, 2008 regarding Group Daycare Centers and voted unanimously (6-0) to recommend to the City Commission approval of an ordinance allowing group daycare centers in zoning districts C-1 (Neighborhood Shopping District), C-2 (General Commercial and Service District), and C-3 (Central Business District).

Ron Mellick moved, Allan Lytton seconded, that Ordinance No. 3745, being an ordinance amending Chapter 71 of the City of Hays, Kansas, Municipal Code, by modifying Article II., Division 14, Section 71-474, Division 15, Section 71-503 and Division 16, Section 71-531 regarding use regulations in C-1, C-2 and C-3 zoned districts to allow for group daycare centers, be approved.

Vote: Ayes: Barbara Wasinger
Ron Mellick
Allan Lytton

9. DEVELOPMENT POLICY UPDATE: Since reviewing the new draft of the Development Policy during the December 20, 2007 work session, City staff has

made revisions requested by the City Commission and has also taken the policy to the Hays Area Planning Commission for review and comment. A draft of the policy was also sent to various private developers that do work in the Hays area. The Planning Commission discussed the policy at the January 21 and February 18, 2008 regular meetings. Changes were made throughout the policy and the Planning Commission recommended approval by the City Commission.

Allan Lytton moved, Ron Mellick seconded, that the Development Policy revisions be approved.

Vote: Ayes: Barbara Wasinger

Ron Mellick

Allan Lytton

10. REPORT OF THE CITY MANAGER: City Manager Toby Dougherty stated a letter had been received from the Corps of Engineers accepting responsibility for the Big Creek levee system should it fail. The City is working with the Corps to make sure that everything is properly maintained.

The City Manager stated that Susie Billinger, a long time employee, will be retiring April 1, 2008.

11. COMMISSION INQUIRIES AND COMMENTS: Commissioner Lytton stated that he heard many positive comments about Hays during the State Basketball Tournament held last weekend at Fort Hays State University.

Vice-Chairman Wasinger stated that Mayor Hickman is helping with the Special Olympics that are being held this weekend. She encouraged the citizenry to try to attend some of the games.

The meeting was adjourned.

Submitted by: _____

City Clerk