

City of Hays
City Commission
Work Session Notes
April 3, 2014

Present: Kent Steward, Henry Schwaller IV, Eber Phelps, Shaun Musil, Ron Mellick, John Bird, Toby Dougherty

March 20 2014 Work Session Notes

There were no corrections or additions to the minutes of the work session held on March 20, 2014; the minutes stand approved as presented.

Vehicle Abatement – 510 West 23rd Street

The two abandoned vehicles located in the rear yard at 510 W 23rd Street have expired tags deeming them inoperable. Up to this point, all proper notification has been given to the owner of the property. To date, no action has been taken by the owner of the property. The property is vacant and has been unoccupied for several years. If the vehicles are removed by the city, all costs of abatement will be charged to the owner of the property.

At the April 10, 2014 Commission meeting, the Commissioners will be requested to approve the resolution to abate the vehicles located on the property at 510 W 23rd Street.

Vehicle Abatement – 1309 Donald Drive

The abandoned vehicle located in the rear yard at 1309 Donald Drive has expired tags and flat tires therefore deeming it inoperable. Up to this point, all proper notification has been given to the owner of the property. To date, no action has been taken by the owner of the property. If the vehicle is removed by the city, all costs of abatement will be charged to the owner of the property.

At the April 10, 2014 Commission meeting, the Commissioners will be requested to approve the resolution to abate the vehicle located on the property at 1309 Donald Drive.

Vehicle Abatement – 1812 East 27th Street

The abandoned vehicle located in the driveway at 1812 E 27th Street has expired tags therefore deeming it inoperable. Up to this point, all proper notification has been given to the owner of the property. Personal or phone contact has been made several times with promises made by the owner to remove the vehicle; however, the vehicle remains in place. If the vehicle is removed by the city, all costs of abatement will be charged to the owner of the property. Staff initially started this case with multiple vehicles. Most were removed from the property with the exception of the remaining van.

At the April 10, 2014 Commission meeting, the Commissioners will be requested to approve the resolution to abate the vehicle located on the property at 1812 E 27th Street.

Recommendation for Zoning Rewrite Consultant

The City of Hays adopted a new Comprehensive Plan in 2012. One of the findings of the plan that was brought to light is just how outdated and “first generation” the current zoning and subdivision regulations really are. As a result, the 2014 budget included funding to hire a consultant to review and rewrite the current regulations to something more modern and fitting with the trends of current development and lifestyles.

In November of 2013, proposals were sought for the review and rewrite of the current zoning and subdivision regulations. The nine proposals were narrowed down to three by a selection committee comprised of City staff and members of the Planning Commission. Because they meet the requirements of the request for proposals and were the top firm recommended by the Selection Committee, staff recommends entering into a contract with Kendig Keast

Collaborative for the rewrite of the Zoning and Subdivision Regulations. The process will cost \$150,000 and is estimated to take 14 months to complete.

At the April 10, 2014 Commission meeting, the Commissioners will be requested to allow the City Manager to enter into a contract with Kendig Keast Collaborative for the Zoning and Subdivision Regulation Rewrite.

Hays Regional Airport Terminal Project

This is an information item to the City Commission on the status of the Airport Terminal Improvement Project to be funded with assistance from the Federal Aviation Administration (FAA) Airport Improvement Program (AIP). An FAA AIP design grant was awarded in June, 2013 for the design of terminal improvements. Through negotiations with FAA for eligibility and design elements and input from citizens, airport operational stakeholders and the Airport Advisory Board, biddable documents are ready to be let for this project.

I.D. Creech Director of Public Works presented a proposed plan to renovate the Hays Regional Airport to accommodate the new 50 passenger jet service through Sky West Airlines. The current terminal building was constructed in 1991 and requires multiple updates and repairs.

The FAA will pay for a significant portion of the remodeling cost; however, there is going to be a required City match. At this time, City staff is recommending utilizing the Airport reserves and operating expenditures, as well as an allocation from the City Commission Financial Policy Projects, to pay for its share of the remodel.

Commissioner Steward clarified that this item will be brought back to the Commissioners at the May 15, 2014 work session with a bid recommendation.

EPA Fine for Exceeding Wastewater Treatment Permit Limits

In 2012, discharge at the City of Hays wastewater treatment facility was out of compliance with the permit issued by the Kansas Department of Health and Environment. KDHE was notified immediately and staff worked to correct the compliance issue as soon as possible. In 2013, the Environmental Protection

Agency (EPA) inspected the wastewater facility and noted the permit violation. The EPA determined a fine was in order and initially proposed a fine of \$29,000, but after negotiation, has issued a fine of \$18,000.

City Manager Toby Dougherty explained that the aging wastewater treatment plant was built in the 1950s and 1960s and was last upgraded in the 1990s. It worked very well for what it was designed for, but it really doesn't work for what we're trying to do with it today.

At the April 10, 2014 Commission meeting, Commissioners will be requested to approve the payment of the \$18,000 fine to the EPA to be paid out of Water/Sewer contingency.

Discussion of Snow Removal from Sidewalks

At a previous City Commission meeting, it was asked that a discussion of snow removal from sidewalks be placed on a future work session agenda. City Manager Toby Dougherty surveyed other cities and found that most cities have an ordinance on the books regarding snow removal from sidewalks, but very few enforce it. This is due to the difficulties of actually enforcing this ordinance. Up until 2005, the City of Hays had a similar ordinance on the books that was rarely, if ever, enforced. In 2005, the City Commission directed City staff to begin enforcing the ordinance. This coincided with a significant snowfall followed by an ice storm making sidewalks very difficult to clear. Shortly after this event, the City Commission repealed the ordinance. City staff would not recommend adopting an ordinance requiring snow removal from sidewalks.

After concerns were raised about how it would be enforced, Commissioners decided not to move this item on to the Commission meeting next week.

City Commission Rules of Procedure

Every year when the Commission elects a chairman and reorganizes, City staff requests the City Commission review its Rules of Procedure prior to the

reorganization. If the Commission feels that changes need to be made, it can direct staff to make the proper modifications.

At the April 10, 2014 Commission meeting, the Commissioners will be requested to approve a resolution adopting the City Commission Rules of Procedure.

Other Items for Discussion

Commissioner Phelps discussed information he heard regarding bidding processes, that some states have a policy in place to add five percent to out of state bids.

City Attorney John Bird stated that may be a violation of the Interstate Commerce Clause.

Commissioner Phelps also mentioned that next Tuesday the topic for the Water Wise Program is xeriscaping. He was also glad to hear they are adding City Hall to the Art Walk. He also requested the City Manager contact the City of Pueblo, Colorado about their switch to Sky West and what results they have seen.

The work session was adjourned at 7:40 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk