

City of Hays
City Commission
Work Session Notes
April 18, 2013

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

Dog Park Phase I Request

At the June 28, 2012 meeting, the Commission set aside a tract of land approximately six acres in size for the Friends of the Hays Dog Park (FHDP) for the construction of a dog park. The land is located east of the maintenance building at the Bickle-Schmidt Sports Complex. The dog park has a 'small dogs' section consisting of approximately one acre and a 'large dogs' section consisting of approximately five acres. The Commission gave the FHDP two years to begin construction of the dog park.

Kim Perez, representing FHDP, requested approval to complete construction of the dog park in three phases. To date, FHDP has raised \$15,873 and are not requesting any funding assistance at this time. Their intent is to construct Phase 1 so people can see progress is being made and also to be able to use the park, which in turn should increase interest in the dog park and increase the amount of donations coming in for the remainder of the park. Phase 1 has a projected cost of \$32,845 and consists mainly of road improvements, parking lot, staging area and approximately one acre of fenced-in area, which will be known as the 'small dog park' portion of the park. Phase 2, estimated to cost \$42,269, includes mostly fencing and will be known as the 'large dog' portion of the project. Phase 3, estimated to cost \$33,686, consists mainly of various amenities needed to complete the dog park, such as shelters and additional benches. If Phase 1 is approved, both small and large dogs will be allowed to use the 'small dog' portion of the dog park until Phase 2 has been completed. City staff will provide some of the labor for the construction of the dog park when

time allows and will not take priority over maintenance of existing facilities. The estimate for labor hours by City staff is 128 hours or \$1,664.

Commissioner Mellick stated that it bothers him that not all of the money has been raised to fund Phase 1. He feels they should have the money before Phase 1 is started.

Mrs. Perez stated that Phase 1 will not be started until FHDP has the full \$32,845, nor will the other phases be started until the FHDP has raised the full amount for each phase. Five additional fund raisers are in the planning stages.

Commissioner Mellick expressed concern that the project might not be finished and the City would be expected to step up and finish the dog park.

Commissioners Schwaller and Phelps agreed that completion of Phase 1 would increase donations and interest in the park and they felt the group would not have any trouble raising the rest of the money needed to fund Phase 1.

Chairperson Steward stated he is concerned about the project never getting finished and becoming an eyesore. He is also concerned about putting small dogs and big dogs together in the same fenced-in area.

Mrs. Perez stated that it is not ideal; however she is hopeful the people using the park will know the temperament of their dogs and whether or not their dog can be placed in the same area with other dogs. Another possibility would be to allow small dogs to use the park on certain days of the week and large dogs on alternating days of the week. She stated that if no other money was raised for Phase 2, the small dog park would still be utilized and maintained.

Commissioner Steward stated he would be comfortable with extending the two-year deadline to a longer period of time if necessary.

Commissioner Musil questioned who was liable if a dog attacks another dog.

City Attorney John Bird stated there is broad immunity for cities regarding recreational activities; the City would not have any responsibility for anything that might occur.

The Commissioners will be requested to approve the FHDP proceeding with Phase 1 at the April 25, 2013 Commission meeting.

Commission Direction Regarding Sister Cities Advisory Board

The Sister Cities program is not a City program, but the City does contribute support to the group. The Sister Cities program is citizen-driven by people with a lot of enthusiasm for cultural exchange programs. It was decided that the group will relay their mission and strategy when requesting 2014 funding.

Recycling Presentation

Marvin Honas, Solid Waste Superintendent, presented information regarding the City of Hays Recycling Program. The City recycles residential paper, plastic, glass, aluminum, tin beverage and food cans and commercial paper. The City has a compost/yard waste program that is replenished with yard waste that is hauled to the compost site by citizens. Compost is provided to the public at no cost. The City also recycles household batteries and bicycles. Every year, the City holds a fall alley clean-up. Metal is taken to the Ellis County Transfer Station and recycled. Tree limbs and Christmas trees are chipped; the mulch is provided to the public free of charge. Sand that is collected from the street sweeper is used for concrete projects.

Building Condemnation – Fort Hays Trailer Park (618 East 5th St.)

The property located at 618 East 5th, known as Fort Hays Trailer Park, has several abandoned homes on site that meet the definition of unsafe structures that need to be remediated. The owner, Loren Heiser, has not taken steps to remediate the issues on the property. The conditions in which the homes are in continue to invite vandals and vagrants to the site, causing increasing amounts of damage. The current condition of the homes presents a severely blighting issue to the surrounding properties. Staff recommends passing a resolution directing the structures at 618 E. 5th to be repaired or removed and the premises made safe within the timeframe specified in the resolution.

The Commissioners will be requested to approve a resolution at the April 15, 2013 Commission meeting directing the structures at 615 East 5th be repaired or removed and the premises made safe within a defined time frame.

Newly Seeded Lawn Permit

The City of Hays prohibits outdoor watering between the hours of noon and 7:00 p.m. between June 1st and September 30th of each year. Residents wishing to seed or sod a lawn during this period are able to obtain a 30 day permit from the City Clerk's Office at no charge which allows them to water outdoors during the prohibited time while establishing a lawn.

Staff has reviewed the Newly Seeded Lawn Permit and determined the permit needs to be updated. The current permit allows for significant waste of water and encourages residents to plant and sod cool season grasses (fescue or bluegrass) during periods when they should not be planted or sodded. Cool season grass should not be planted in June, July, or the better part of August as the water requirements to establish cool season grass during those months is significantly higher than in the spring or fall. Staff suggested that permits for cool season grass plantings be available for a 10 day period from August 25th to September 30th.

Warm season grasses (buffalo or bermuda) require higher ground temperature, and must be planted in the heat of the summer, therefore staff recommended that a watering permit be available for a 10 day period between June 1st and August 1st. When seeding or sodding a lawn in the correct manner, the lawn should be established within 10 days and not require watering during the prohibited times.

All permits will be issued on a weather-proof sign that is to be placed in the yard where the seeding or sodding is taking place. The sign will have an expiration date written clearly upon it. Staff suggested a fee of \$100 for new cool season lawn permits and no fee for warm season lawn permits. Money collected from permit fees will be utilized to offset the cost and incentivize the purchase of buffalo grass seed for residents who are willing to convert from cool season grasses.

Plantings at new construction must have two cubic yards of compost added and incorporated into existing soil via mechanical means per 1000 square feet of landscape installation or the permit is subject to be revoked.

The Commissioners will be requested to approve the revised Newly Seeded Lawn Permit and adopt the amended ordinance regarding water conservation at the April 25, 2013 Commission meeting.

City Commission Rules of Procedure

At the April 25, 2013 Commission meeting, the Commissioners will be requested to approve a resolution adopting the City Commission Rules of Procedure. This is done every year when the Commission elects a chairman and reorganizes.

Executive Session

Eber Phelps moved, Henry Schwaller IV seconded, that the Governing Body recess to executive session at 7:50 p.m. for 15 minutes to discuss property acquisition. The executive session included the City Commissioners, the City Manager, the City Attorney, and the Assistant Director of Public Works. K.S.A. 75-4319 authorizes the use of executive session to discuss property acquisition.

Vote: Ayes: Kent Steward

Henry Schwaller IV

Eber Phelps

Shaun Musil

Ron Mellick

Chairperson Steward called the meeting back to order at 8:05 p.m. He stated no action was taken during the executive session.

The work session was adjourned.

Submitted by: _____

Doris Wing – City Clerk

