

MINUTES OF A MEETING
OF THE GOVERNING BODY OF THE
CITY OF HAYS, KANSAS
HELD ON MAY 10, 2007

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, May 10, 2007 at 7:30 p.m.

Roll Call: Present: Troy Hickman
Barbara Wasinger
Ron Mellick
Christopher Channell
Allan Lytton

Chairperson Hickman declared that a quorum was present and called the meeting to order.

2. MINUTES: There were no additions or corrections to the minutes of the regular session held on April 26, 2007; the minutes stand approved as written.

3. CITIZEN COMMENTS: There were no comments.

4. CONSENT AGENDA: A. Mayor Hickman proposed the following mayoral appointment:

Hays –Ellis County Planning Commission

Mark Deterding

The proposed appointment will be presented for approval at the May 24, 2007 Commission meeting.

B. Barbara Wasinger moved, Christopher Channell seconded, that the following appointments proposed by Mayor Hickman at the April 26, 2007 Commission meeting be approved:

Airport Advisory Committee

Lyle Noordhoek – 3-year term to expire April 30, 2010

Jennifer Allenbaugh – 3-year term to expire April 30, 2010

Fort Hays Municipal Golf Course Advisory Board

Doug Huston – 3-year term to expire July 1, 2010

Hays-Ellis County Board of Zoning Appeals

Louis Caplan – 3-year term to expire May 1, 2010

Roger Staab – 3-year term to expire May 1, 2010

Hays-Ellis County Planning Commission

Louis Caplan – 3-year term to expire April 30, 2010

Hays Public Library Board

David Dunn – 4-year term to expire April 30, 2011

Public Wholesale Water Supply District #15 Board

Curtis Longpine – 3-year term to expire March 1, 2010

Vote: Ayes: Troy Hickman

Barbara Wasinger

Ron Mellick

Christopher Channell

Allan Lytton

UNFINISHED BUSINESS

5. ESTABLISHMENT OF HAYS AREA PLANNING COMMISSION / HAYS

AREA BOARD OF ZONING APPEALS: Ellis County has established countywide zoning and has excluded the three-mile area around Hays from its zoning regulations. For this reason, it will be necessary to change the City ordinance and County resolution that were passed in 1974. The amended ordinance and resolution will define the makeup and appointment of the members of the Planning Commission and Board of Zoning Appeals. The Ellis County Commissioners adopted the resolution at their meeting on May 7, 2007.

Barbara Wasinger moved, Ron Mellick seconded, that Ordinance No. 3721, being an ordinance providing for the amendment of Ordinance No. 2479, passed as a resolution by the Board of County Commissioners of Ellis County, Kansas and an ordinance by the Governing Body of the City of Hays, Kansas on April 25, 1974, and providing for the Hays Area Planning Commission and Hays

Area Board of Zoning Appeals, prescribing the methods and means of establishment of said bodies, their powers and duties and continuing the effectiveness of certain zoning ordinances, subdivisions regulations and land use restrictions and regulations within the corporate limits of the City of Hays, Kansas and within three (3) miles of its corporate limits, be approved.

Vote: Ayes: Troy Hickman
Barbara Wasinger
Ron Mellick
Christopher Channell
Allan Lytton

NEW BUSINESS

6. PUBLIC HEARING – SPECIAL ASSESSMENT ORDINANCE: Chairperson Hickman opened the public hearing to hear comments regarding the levying of special assessments for improvements to property located in the 46th Street First Addition, Covenant Place Addition, and Golden Belt Estates, Second Addition.

David Barber, 2919 Roosevelt, asked how long of a time period the assessments will be spread out.

Finance Director/City Clerk Mark Loughry replied that if the assessments are not paid within the 30-day pre-payment period, the assessments plus interest will be placed on the tax rolls for collection over a 15-year period, starting with the 2007 tax statement.

There being no further comment, Christopher Channell moved, Allan Lytton seconded, that the public hearing be closed.

Vote: Ayes: Troy Hickman
Barbara Wasinger
Ron Mellick
Christopher Channell
Allan Lytton

Christopher Channell moved, Ron Mellick seconded, that Ordinance No. 3728, being an ordinance levying assessments on lots, pieces and parcels of land in the City of Hays, Kansas, for the purpose of paying all of the costs for improvements related to the 46th Street First Addition Improvement District authorized by Resolution 2005-002; the Covenant Place Addition Improvement District authorized by Resolution 2005-004; and the Golden Belt Estates Second Addition Improvement District authorized by Resolution 2005-026, as amended by Resolution 2006-003, be approved.

Vote: Ayes: Troy Hickman

Barbara Wasinger

Ron Mellick

Christopher Channell

Allan Lytton

7. ABATEMENT OF DANGEROUS STRUCTURE: Procedures were started July 18, 2006 regarding the dangerous structure at 414 East 16th Street. A public hearing was held at the October 12, 2006 regular Commission meeting to consider abatement of the property. That public hearing was extended until the November 9, 2006 Commission meeting. At that meeting, the Commissioners agreed to table the vote on the resolution for six months to allow the property owner time to secure a building permit and make the repairs. To date, the property owner has not secured a building permit, and sufficient work to correction the noted violations has not been accomplished.

Barbara Wasinger moved, Allan Lytton seconded, that Resolution No. 2007-011, being a resolution authorizing the City of Hays or its designated agent to abate the dangerous structure located on the property at 414 East 16th Street, Hays, Kansas, be approved.

Commissioner Wasinger stated that if Jim Bollig, owner of the property, had made some progress on the house or even taken out a building permit, she would be in favor of allowing Mr. Bollig more time to make the repairs.

Commissioner Mellick stated that the outside of the home looks very bad. Mr. Bollig assured the Commission that he would have the repairs completed by

this time. He hates to approve the abatement but it does not appear that Mr. Bollig has shown that he will make the repairs. He suggested that Mr. Bollig be given until July 18, 2007 to make the repairs; this would give him one whole year from when this process was started.

Commissioner Lytton stated that if he had seen some progress, he would be in favor of granting Mr. Bollig additional time; however, that is not the case.

Chairperson Hickman called for the vote.

Vote: Ayes: Troy Hickman

Barbara Wasinger

Ron Mellick

Christopher Channell

Allan Lytton

8. GUIDE FOR RENTERS, LANDLORDS AND HOMEOWNERS: During 2006, a Housing Task Force was convened, and one of the issues addressed was raising awareness of renters' and landlords' rights and responsibilities. As part of the process, City staff was involved in creating a guide which is essentially a handbook explaining these rights and responsibilities. The Commission has viewed this document several times and suggested many changes, which have been incorporated into the document. Staff feels the document is ready for printing and distribution.

Ron Mellick moved, Christopher Channell seconded, that the Guide for Renters, Landlords and Homeowners be approved and staff is to determine where to expense the cost of the Guide.

Commissioner Wasinger stated that she thinks the Guide is good tool; however she is going to vote no. Every home in Hays and every rental cannot be brought completely up to code every year. Financially, that is not possible. She would like to have more input and feels that approving the Guide this evening is rushing the process without thinking about the confusion and consequences that may arise.

Chairperson Hickman agreed that the Guide is a good tool along with property inspections. He does agree that there will most likely be changes to the

document in the future; however, he felt that the Guide should be made available to the public fairly soon.

Sue Rouse, a member of the Housing Task Force, discussed with the Commission egress issues in multi-unit apartment houses.

Dale Silkman, 1005 Ash Street, stated that there is a desperate need for knowledge for both property owners and tenants regarding their responsibilities and rights. His rental property is inspected by HUD and SRS yearly; he does not think it is necessary for the City to also do an inspection.

Commissioner Mellick suggested asking several landlords and Fort Hays State students to review the Guide before it is printed.

Ron Mellick amended his motion that landlords, tenants, and members of the Housing Task Force review the Guide prior to printing and distribution. The Commissioners will review another draft copy of the Guide at the July 5, 2007 work session. Christopher Channell approved the amended motion.

Vote: Ayes: Troy Hickman
Barbara Wasinger
Ron Mellick
Christopher Channell
Allan Lytton

9. INTERNATIONAL PROPERTY MAINTENANCE CODE ORDINANCE: Allan Lytton moved, Christopher Channell seconded, that Agenda Item #9 – International Property Maintenance Code Ordinance, be postponed.

Vote: Ayes: Troy Hickman
Barbara Wasinger
Ron Mellick
Christopher Channell
Allan Lytton

10. AWARD OF BID – POLYCARTS: Allan Lytton moved, Barbara Wasinger seconded, that Ameri-Kart, Corporation be awarded the low bid of \$307,650 for 7,000 polycarts.

Vote: Ayes: Troy Hickman

Barbara Wasinger
Ron Mellick
Christopher Channell
Allan Lytton

11. REPORT OF THE CITY MANAGER: Assistant City Manager Toby Dougherty reported that year-to-date enplanements at the Hays Regional Airport are up 18% compared to the same time frame in 2006.

The Assistant City Manager reported that the Ellis County Commission approved the interlocal agreement for the hiring of a Geological Information System coordinator. This position will be jointly funded by the City and the County. The City Commission has already approved the agreement and the City Attorney has sent it to the Attorney General for approval.

The Assistant City Manager also reported on the City's position in regard to the wind farm that is being proposed southwest of Hays. The wind farm is almost entirely located outside of the three-mile limit of the City. It is possible that there may be as many as five of the proposed 129 wind towers that may fall within the three-mile radius of Hays. The tower locations are not final and are subject to change. Any towers within the three-mile area will need to have a special-use permit approved by the Hays Area Board of Zoning Appeals (BZA). The BZA will have final say to whether or not the application is approved. There will be no action required of the Hays-Ellis County Planning Commission or City Commission.

12. COMMISSION INQUIRIES AND COMMENTS: Commissioner Lytton requested that staff make sure that there are adequate sirens throughout the City to warn residents about bad weather.

Commissioner Mellick requested that the Assistant City Manager relate what the City of Hays has done for the town and victims of the recent tornado that hit Greensburg.

Mr. Dougherty reported that the City has sent Public Works Department and Police Department employees to assist with the clean-up and security, as

well as equipment. The City has made it known that it will offer help and assistance if called upon.

Commissioner Wasinger commented that she welcomes letters from citizen of Hays; however, any letters that are not signed or do not have a name at the bottom, she immediately shreds without reading.

The meeting was adjourned.

Submitted by: _____

City Clerk