

City of Hays  
City Commission  
Work Session Notes  
August 17, 2006

Present: Wayne Billinger, Henry Schwaller IV, Kent Steward, John Bird, Toby Dougherty

Absent: Troy Hickman, Barbara Wasinger

**Alley Improvement South of Fox Pavilion**

The owner of the Fox Pavilion, 1202 Main Street, has requested the City consider making repairs to a 10'X60" area of the concrete alley immediately south of their building. Repairs are being made to the building which involves, among other things, replacing the curb, sidewalk, and other concrete in front of the Fox. The owner would like to have the alley fixed in conjunction with these other repairs. The estimated cost of the repair is \$5,589, if contracted out. The owner has offered to pay for the demolition, reducing the cost to the City to \$2,839. City staff has estimated the total project cost, including demolition, to be \$2,556.

Commissioner Schwaller stated that in the past there have been several requests for alley repairs. The alley in question is in need of repair, as are many alleys in the downtown district, but he feels the City should first analyze which alleys are the worst and then determine a fair process for determining the order of repair.

Commissioner Steward stated he is in favor of doing the repair work. The cost is relatively small. It would be a small gesture by the City to assist in doing this in conjunction with the rest of the work that is going on at that location. He does think it is a good idea to look at all the alleys that are in need of repair and prioritize them to determine which ones to repair first.

Commissioner Schwaller questioned if there is something that could be acceptable in the short term, like millings or a temporary overlay of asphalt.

The problem is that other property owners have complained for many years about the condition of their alley. The City needs to take a very measured approach and see if there is something that could be worked out with the developer that would be temporary in nature.

Assistant Public Works Director John Braun stated that a five year plan is put together for street maintenance that looks at streets but not alleys. Dangerous potholes in concrete alleys are patched with asphalt.

Further discussion on this issue will take place at the August 24, 2006 Commission meeting.

### **Dog Picketing Ordinance**

City Attorney John Bird presented a draft ordinance of Chapter 6.08.250 (Picketing of Dogs) for the Commissioner's review. It has been difficult to enforce the current ordinance relating to the picketing of dogs, resulting in a request from the Commissioners to revise the current ordinance. The current ordinance makes it illegal to picket a dog for more than one continuous hour. The draft ordinance makes it unlawful to picket a dog entirely.

The Commissioners discussed the issue and decided to review it in one year before making any changes to the ordinance.

### **Sale of Hangar AA-2 at the Hays Regional Airport**

The Commissioners will be requested to formally approve the sale of Hangar AA-2 at the Hays Regional Airport from Dr. John Pokorny to Dr. Jeff Curtis at the August 24, 2006 Commission meeting. The City has first option to purchase the hangar, but declined to do so and staff recommended approval of the sale.

### **Regional Rescue Team Grant Application**

The Hays Fire Department (HFD) currently operates the regional hazardous materials team through an agreement with the state fire marshal.

The U.S. Department of Homeland Security has established a national standard for rescue teams. At this time, the HFD has the training and most of the special tools for a Type III rescue team. The HFD has applied for a grant from Regional Homeland Security to acquire an inventory of specialized tools, equipment and a vehicle to provide for a Type II rescue team. Normally, this type of grant is brought to the Commission for their approval before the application process begins, but time constraints prevented this from happening. Staff has been notified that this grant request has received approval of the Regional Homeland Security council's grant review committee.

The Commissioners will be requested to consider approving the HFD's request to continue the grant application to organize a regional Type II rescue team at the August 24, 2006 Commission meeting.

#### **Pre-annexation Agreement for Property at 2670 East 9<sup>th</sup> Street (Hess Services)**

The owner of the property located at 2670 East 9<sup>th</sup> Street has requested a pre-annexation agreement that would allow for the property to have City sanitary sewer service. The property is currently served by a private septic system. City sewer mains run through the property which would allow for easy tie in of the business known as Hess Services, Inc. to the sanitary sewer system. The property is currently served and will continue to be served by a private water well since no city water is available in the area.

The Commissioners will be requested to consider approving the Pre-annexation Agreement at the August 24, 2006 Commission meeting.

#### **East 27<sup>th</sup> Street Safety, 4-Way Stop at Indian Trail**

Commissioner Schwaller requested that the 4-way stop be removed at Indian Trail and 27<sup>th</sup> Street and that only Indian Trail have stop signs. This configuration was not recommended by the City's prior engineers, yet the City did it anyway hoping to slow down traffic. It has not done that. It has not eliminated the traffic problems at Broadway and Plaza. He feels it is important

that the City address this problem as it is only going to worsen with the increased construction in that area.

Chairperson Billinger stated he was not in favor of the 4-way stop. He is more inclined to consider a traffic light at 27<sup>th</sup> and Indian Trail. A light would create some gaps in the traffic, which may result in fewer accidents. He is not opposed to removing the 4-way stop and putting stop signs at Indian Trail.

Commissioner Steward said he thinks all the Commissioners agree that there need to be some major changes along that section of East 27<sup>th</sup> Street. If changes were to happen fairly soon, he feels it would be better to leave the 4-way stop as it is rather than change now and cause a lot of commotion. Before he makes a decision, he would like some sense of when a major overhaul would be done. If it is quite a way down the road, then he would favor eliminating the 4-way stop.

Further discussion on this topic will take place at the September 21, 2006 work session.

### **Hays-Ellis County Planning Commission**

City Attorney John Bird has reviewed state statutes regarding planning and zoning. He reported that the recent county-wide zoning will not have any bad effect on the City of Hays and the 3-mile zone. Ellis County has specifically excluded the 3-mile zone from county-wide zoning. The current joint Hays-Ellis County Planning Commission was established under existing law and adopted by both governing bodies. After Ellis County is done with its zoning, the City may want to review the membership of the Planning Commission.

### **Water Conservation**

Discussion was held on additional ways to conserve water.

Commissioner Schwaller recommended that the City encourage more conservation, particularly in watering yards. He also suggested that surcharge rates be reviewed.

City Attorney John Bird was directed to check with the Division of Water Resources as to what controls the City may have in determining when a homeowner with a private well can do outside watering.

The work session was adjourned.

Submitted by: \_\_\_\_\_

City Clerk