

MINUTES OF A MEETING  
OF THE  
GOVERNING BODY OF THE  
CITY OF HAYS, KANSAS  
HELD ON SEPTEMBER 13, 2007

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas met in regular session on Thursday, September 13, 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 corrections or additions to the minutes of the regular session held on August 23, 2007; the minutes stand approved as written.

**3. CITIZEN COMMENTS:** Mike Wagoner, 2301 East 15<sup>th</sup> Street, appeared before the Commission to discuss the parking of his semi-trailer in front of his house. Mr. Wagoner hauls cattle in his semi-trailer. Complaints have been received; however, Mr. Wagoner was not doing anything illegal; he was parked in front of his house for a limited time, which is legal.

Police Chief Braun commented that state statutes state that any loads hauled in a semi must be prevented from dropping, leaking or otherwise escaping. If anything was dropped or leaked onto the street, Mr. Wagoner would be in violation of state statutes.

**4. CONSENT AGENDA:** There were no items on the Consent Agenda.

## **NEW BUSINESS**

**5. 2007 STANDARD TRAFFIC ORDINANCE:** The League of Kansas Municipalities publishes a revised Standard Traffic Ordinance (STO) on a yearly basis. The majority of the STO remains the same from year to year, with only a few changes made. Cities adopt the STO to insure that ordinances are uniformly enforced across the State.

Police Chief Jim Braun reviewed the changes with the Commissioners.

Allan Lytton moved, Barbara Wasinger seconded, that Ordinance No. 3734, being an ordinance regulating traffic within the corporate limits of the city of Hays, Kansas, incorporating by reference "The Standard Traffic Ordinance for Kansas Cities" Edition of 2007, providing certain penalties and repealing Ordinance No. 3707 of the Code of Ordinances of the City of Hays, Kansas, as passed September 14, 2006, and as published September 18, 2006, be approved.

Vote: Ayes: Troy Hickman

Barbara Wasinger

Ron Mellick

Christopher Channell

Allan Lytton

**6. 2007 UNIFORM PUBLIC OFFENSE CODE:** The League of Kansas Municipalities publishes a revised Uniform Public Offense Code (UPOC) on a yearly basis. The majority of the UPOC remains the same from year to year, with only a few changes made.

Barbara Wasinger moved, Ron Mellick seconded, that Ordinance No. 3735, being an ordinance regulating public offenses within the corporate limits of the city of Hays, Kansas, incorporating by reference "The Uniform Public Offense Code for Kansas Cities," Edition of 2007, and repealing Ordinance No. 3706 of the Code of Ordinances of the City of Hays, Kansas, as passed on September 14, 2006, and as published on September 18, 2006, be approved.

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

**7. ANNEXATION ORDINANCE – 22<sup>ND</sup> AND 41<sup>ST</sup> STREET RIGHT OF WAY:**

In order to bond the project costs for the construction of 22<sup>nd</sup> Street and reconstruction of 41<sup>st</sup> Street, the projects must be within the city limits of Hays. Therefore, the City Attorney has prepared an ordinance to annex the proposed right of way for both projects into the city limits.

Ron Mellick moved, Allan Lytton seconded, that Ordinance No. 3736, being an ordinance annexing land to the city of Hays, Kansas, be approved.

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

**8. RESOLUTION DECLINING STATE AID FOR THE 41<sup>ST</sup> STREET RECONSTRUCTION PROJECT:**

In 2004, the City received a KDOT Economic Development Grant for the reconstruction of 41<sup>st</sup> Street from the Home Depot east to Canterbury Drive. The KDOT grant for this project included KDOT paying 75% of the actual construction and inspection costs up to a maximum KDOT share of \$1,000,000. The projected City share would have been \$621,000. The project was scheduled to go out for bids in January 2008. The Commission has decided that it is not in the City's best interests to continue with the construction of the project at this time and has decided to decline the State Aid as set forth in the Economic Development Project Agreement No. 147-06. The City plans to do the project at some time in the future, therefore, the right of way along 41<sup>st</sup> Street has been annexed by Ordinance No. 3736, as documented in Agenda Item #7. It is necessary to approve a resolution declining the State Aid.

Christopher Channell moved, Allan Lytton seconded, that Resolution No. 2007-017, being a resolution relating to State Aid for the improvement of city connecting links on the State highway system, be approved.

Vote: Ayes: Troy Hickman

Barbara Wasinger

Ron Mellick

Christopher Channell

Allan Lytton

**9. REPORT OF THE CITY MANAGER:** City Manager Toby Dougherty reported that he has appointed Ross Wichman as the Municipal Judge effective September 17, 2007.

The City Manager reported that Mark Loughry, Director of Finance/City Clerk has been appointed to the position of Assistant City Manager effective September 17, 2007.

**10. COMMISSION INQUIRES AND COMMENTS:** Chairperson Hickman stated that he has signed a proclamation declaring September 17 – 23, 2007 as Constitution Week.

**11. EXECUTIVE SESSION:** There was no executive session.

The meeting was adjourned.

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

City Clerk