

City of Hays
City Commission
Work Session Notes
September 15, 2011

Present: Troy Hickman, Kent Steward, Henry Schwaller IV, Ron Mellick, John Bird, Toby Dougherty

Absent: Barbara Wasinger

Hays Arts Council Financial Request

Jennifer Sauer, 2011-2012 Hays Arts Council (HAC) President, made a request for a one-time allocation of \$35,000 to shore up a three-year projected Kansas Arts Commission grant loss of approximately \$51,000. The grant loss is due to Governor Brownback's elimination of state funding for the arts in Kansas. Brenda Meder, Dawn Gabel, Todd Sandoval, and Lexie Bartlett made comments regarding HAC programs and projects that serve the children and adults of our community and thanked the Commissioners for their consideration of this request.

HAC believes that in the next three years, they will have developed an avenue of self-sustaining support and that grassroots efforts taking place across the state will result in a return of state-wide funding of the arts.

Further discussion on this request will take place at the October 20th Commission work session. This will give the Commissioners more time to consider the criteria for funding non-essential, one-time requests which may come forth as a result of funding cuts from the state and federal government.

2012 Fireworks Ordinance

At the August 4, 2011 work session, Commissioners directed that a draft ordinance be prepared to address the dates of sale and discharge of fireworks and also allow the Mayor additional powers to suspend or modify the sale and

use of fireworks. Historically, the sale of fireworks is allowed June 27th through July 5th; a shorter timeframe can be selected if so desired. The recommended dates of discharge are July 2, 3, and 4th between the hours of 10:00 a.m. to midnight.

Commissioner Mellick stated he would not vote for any ordinance unless an enforcement clause for violation of the ordinance is included.

Police Chief Don Scheibler stated discussion has been held about being more pro-active and being more firm in enforcing the laws and holding people accountable.

City Manager Toby Dougherty stated he feels that making the police department's presence known and talking to people would help address the problem of enforcement.

Local fireworks vendors Roy Herrman, Dan Thyfault, and Mike Koerner made several suggestions about education, enforcement, and sale and use times.

The Commissioners will be requested to approve an ordinance amending current fireworks regulations at the September 22, 2011 Commission meeting.

46th Street 2nd Addition Annexation

The owners of the proposed 46th Street 2nd Addition have requested annexation of the subdivision into the city limits to facilitate the development of residential lots. The property is contiguous with the present city limits.

The Commissioners will consider approval of the annexation request at the September 22, 2011 Commission meeting.

46th Street 2nd Addition Final Plat

At the September 22, 2011 Commission meeting, the Commissioners will be requested to approve the Final Plat for the 46th Street 2nd Addition. The proposed plat contains 45 residential lots and approximately 12 acres of green space.

46th Street 2nd Addition Rezoning

The developer of the proposed 46th Street 2nd Addition submitted a request to rezone the property from A-L (Agriculture District) to R-3N (Two-Family Neighborhood District). The Commissioners will consider approval of the request at the September 22, 2011 Commission meeting.

Pre-annexation Agreement for Public Water Service at 2520 Canterbury Dr.

The City of Hays Development Policy allows connection to City utilities when the property lies outside the city limits, as long as the parties involved agree to a pre-annexation agreement. Due to a failing water well, the owner of 2520 Canterbury has requested a city water connection for a single-family dwelling. The owner has agreed to the terms of the standard pre-annexation agreement.

The Commissioners will be requested to approve the Pre-annexation Agreement at the September 22, 2011 Commission meeting.

Executive Session

Henry Schwaller IV moved, Ron Mellick seconded, that the Governing Body recess to executive session at 8:08 p.m. for 15 minutes to discuss possible property acquisition. The executive session included the Commissioners, the City Manager, the Assistant City Manager, and the City Attorney. K.S.A. 75-4319 authorizes the use of executive session to discuss property acquisition.

Vote: Ayes: Troy Hickman
Kent Steward
Henry Schwaller IV
Ron Mellick

Vice-chairperson Hickman called the work session back to order at 8:23 p.m.

Henry Schwaller IV moved, Ron Mellick seconded, that the Governing Body recess to executive session at 8:24 p.m. for an additional 4 minutes to discuss possible property acquisition. The executive session included the

Commissioners, the City Manager, the Assistant City Manager, and the City Attorney.

Vote: Ayes: Troy Hickman
Kent Steward
Henry Schwaller IV
Ron Mellick

Vice-chairperson Hickman called the work session back to order at 8:28 p.m. He stated no action was taken in either executive session.

The work session was adjourned at 8:28 p.m.

Submitted by: _____

City Clerk