

City of Hays
City Commission
Work Session Notes
September 17, 2009

Present: Ron Mellick, Barbara Wasinger, Troy Hickman, Henry Schwaller IV,
John Bird

Absent: Christopher Channell, Toby Dougherty

Solicitors and Peddlers Regulation

The current regulations regarding solicitors and peddlers have been declared invalid by the U.S. Federal Court and are unenforceable. City Attorney John Bird recommended that the current ordinance be amended to reflect changes and/or additions as written in a model ordinance that the City Attorney obtained from the International Lawyers Municipal Association.

The Commissioners will be requested to consider approval of an amended ordinance regulating solicitors and peddlers at the September 24, 2009 Commission meeting.

Sexually Oriented Businesses

Mayor Mellick and Commissioner Hickman requested the Commissioners revisit the issue of regulating sexually oriented businesses. In 2003 and 2004, the Planning Commission held several discussions pertaining to the regulation of sexually oriented businesses through zoning and comprehensive planning. The Planning Commission recommended a model ordinance from Littleton, Colorado be used; however, the ordinance was not implemented at that time, per City Attorney John Bird's recommendation. He felt that if the ordinance was challenged in court, it would be extremely expensive to defend the ordinance; additionally it would not take care of the problem outside of the city limits.

Commissioner Schwaller stated that a lot has changed since 2003 when this was first discussed, due to the internet. From an economic standpoint, he did not feel that this type of business would probably set up shop in Hays. He does not mind regulating this type of business if necessary; however, there are some items in the Littleton ordinance that are not needed and can be deleted.

The City Attorney was directed to draft an ordinance that would reflect regulating sexually oriented businesses if one were to locate in Hays.

Signs/Billboards in City Limits

Concern has been expressed about large billboard signs and electronic LED signs that have started appearing in Hays. Current adopted regulations do not specifically address LED signs. Some minor changes and additions to the existing regulations may be necessary to address issues such as brightness, setbacks, etc.

Planning, Inspection and Enforcement Superintendent Jesse Rohr stated that KDOT has regulations for off-premise signs that abut state highways (U.S.183/Vine Street). Mr. Rohr felt that some of those regulations could be incorporated for on-premise signs as well.

Bruce Bandy, owner of Commercial Outdoor Signs, stated that KDOT has a very stringent set of rules regulating signage. His company has installed two billboard signs on Vine Street; they chose to not put up LED signs. His company tries to put up signs that are less intrusive.

Mr. Rohr was directed to take this issue to the Planning Commission for discussion and prepare some recommendations for the Commissioner's consideration.

Other Items for Discussion

Commissioner Schwaller requested that Public Works Director Brenda Herrman put some pressure on Great Lakes Airline about flight cancellations and/or delayed flights. He is very unhappy with recent events at the Hays Regional Airport.

The work session was adjourned.

Submitted by: _____

City Clerk