

City of Hays
City Commission
Work Session Notes
October 5, 2006

Present: Wayne Billinger, Barbara Wasinger, Henry Schwaller IV, Kent Steward, John Bird, Randy Gustafson

Absent: Troy Hickman

Ordinance Updates and Revisions for Chapters 15 and 17 (Sign Regulations)

Upon reviewing City ordinances to prepare for recodification, City staff has reviewed Chapters 15 and 17 with the Planning Commission and has recommended several changes and that the entire Chapter 15 be moved to Chapter 17.

The Commissioners will be requested to approve an ordinance adopting the recodification in December 2006.

Ordinance Updates and Revisions for Chapter 17 (Zoning Regulations)

Certain areas of Chapter 17 were modified slightly to prepare for the recodification of City ordinances. One area of change is the inclusion of model homes in new residential subdivisions. This has not been allowed in the past, and upon the recommendation of the Planning Commission and approval of the City Commission, model homes would be allowed in certain instances.

The Commissioners will be requested to approve an ordinance adopting the recodification in December 2006.

Ordinance Updates and Revisions for Chapter 16 (Subdivision Regulations)

Certain areas of Chapter 16 (Subdivision Regulations) were modified slightly to prepare for the recodification of City ordinances. Most areas of change were added or changed for clarification of existing regulations. The proposed changes were approved by the Planning Commission to go forward for approval by the City Commission.

The Commissioners will be requested to approve an ordinance adopting the recodification in December 2006.

Abatement of Dangerous Structures at 700 East 6th Street

The Commissioners will be requested to consider approving a resolution for structure abatement for property located at 700 East 6th Street (Cottonwood Park Inc.), lots 30, 34, 35, 55, 66, and 98 at the October 12, 2006 Commission meeting. The abated mobile homes will be demolished or removed from Cottonwood Park by a private contractor. All costs associated with removal will be charged to Cottonwood Park.

Abatement of Inoperable Vehicles at 600 East 8th Street

The Commissioners will be requested to consider approving a resolution for nuisance abatement on property located at 600 East 8th Street at the October 12, 2006 Commission meeting. Seventy-two inoperable vehicles are on the commercial property.

Abatement of Dangerous Structure at 414 East 16th Street

The property located at 414 East 16th Street is in violation of a dangerous structure and lack of property maintenance. Procedures were started July 18, 2006 regarding the dangerous structure. James Bollig, the owner of the property contacted Planning, Inspection, and Enforcement and implied that the work would be completed, but no action has been taken to date. Mr. Bollig did not file for an appeal within 30 days, nor did he apply for a

building permit to repair or demolish the structure within 60 days. The 60 day time limit for the work lapsed on September 12, 2006.

James Bollig appeared before the Commission to request a hearing regarding this issue. The Commissioners agreed to Mr. Bollig's request for a hearing, which will be held during the October 12, 2006 Commission meeting.

KDOT City/State Agreement – 41st Street

City staff applied for and received a KDOT Economic Development Grant towards the reconstruction of 41st Street from Home Depot east to Canterbury Drive to a 2-lane concrete roadway. It is required for the City to pass a resolution authorizing the Mayor and City Clerk to enter into an agreement with KDOT. The agreement details the terms of the grant, which includes KDOT paying 75% of the actual construction and inspections up to a maximum KDOT share of \$1,000,000. Carlson-Baughman was hired to prepare the plans and specifications. Acquisition of additional right-of-way will begin shortly. The project is scheduled to go out for bids in January 2008 with construction to follow shortly thereafter.

The Commissioners will be requested to formally approve the resolution at the October 12, 2006 Commission meeting.

Ordinance Revision for Planning Commission

City Attorney John Bird stated that Ellis County has now gone to county-wide zoning and has excluded the three mile area around Hays from their zoning regulations. It will be necessary to change an ordinance and a resolution that were passed in the 1970's. The amended ordinance and resolution will define the makeup and appointment of the members of the Planning Commission.

The Commissioners will be requested to approve the amended ordinance and resolution at a future Commission meeting.

ACCESS Transportation

Commissioner Schwaller stated that over the last 18 months he has been contacted by and spoken with administrators at the area nursing homes. There is a concern about the quality of service that is provided by ACCESS Transportation.

The City Manager suggested that the administrator of the ACCESS program appear before the Commission to discuss the concerns brought forth.

Other Items for Discussion

Commissioner Schwaller commented on the use of the Kansas Highway Patrol helicopter for overhead surveillance the evening of the Oktoberfest, September 29th. He requested that in the future, the Commissioners be made aware when a request like this is made. He questioned the usefulness of the helicopter. Commissioner Schwaller suggested a community review of the Oktoberfest celebration.

Chairperson Billinger requested permission to talk to the Kansas Historical Society about renovating Larks Park when he is in Topeka next week for the League of Kansas Municipalities annual meeting.

The Commissioners approved his request.

Executive Session

Barb Wasinger moved, Henry Schwaller IV seconded, that the Governing Body recess to executive session at 6:38 p.m. for 10 minutes to discuss personnel, union negotiations, water issues, and conferring with the City Attorney on matters that are covered by attorney-client privilege. The executive session included the Commissioners, the City Manager, the Assistant City Manager, and the City Attorney.

Vote: Ayes: Wayne Billinger
Barbara Wasinger
Henry Schwaller IV
Kent Steward

Chairperson Billinger called the work session back to order at 6:48 p.m.
He stated no action was taken during executive session.
The work session was adjourned.

Submitted by: _____

City Clerk