

City of Hays  
City Commission  
Work Session Notes  
November 5, 2009

Present: Ron Mellick, Christopher Channell, Barbara Wasinger, Henry Schwaller, Greg Schwartz, Toby Dougherty

Absent: Troy Hickman

**Community Improvement District Policy/Economic Development Policy**

During the 2009 legislative session, the Kansas legislature approved House Bill No. 2324 creating law to allow cities and counties to establish Community Improvement Districts (CID). CID's are created to finance certain projects within a defined boundary to include buildings, infrastructure, parks, security, maintenance, advertising, marketing and training. Financing can be done through special assessments, a special sales tax within the district, special obligation bonds, or full faith and credit general obligation bonds.

Finance Director Kim Rupp conferred with staff in the office of Gilmore and Bell, and reviewed similar policies from other cities to develop a policy that can be integrated into our existing Economic Development Policy. The Finance Director reviewed and discussed a draft version of the CID policy with the Commissioners. Several suggestions were made; the Commissioners will discuss the policy again at the November 19, 2009 work session.

**Pit Bull/Dangerous Dog Ordinances**

Per the direction of the City Commission, City Attorney John Bird and Police Chief James Braun made modifications to the current animal control ordinance in an attempt to address concerns about regulating Pit Bull dogs within the city limits. The proposed modifications address the placing of greater restrictions on owners choosing to possess a Pit Bull dog within the city limits

rather than banning the breed from the city completely. The Police Chief reviewed the proposed modifications with the Commissioners.

The Commissioners will consider approving ordinances relating to this issue at the November 12, 2009 Commission meeting.

### **2009 Uniform Plumbing Code**

At the November 12, 2009 Commission meeting, the Commissioners will be requested to consider approval of an ordinance adopting the 2009 Uniform Plumbing Code. Presently, the City of Hays is under the scope of the 2006 International Plumbing Code.

### **Proposed Change to Setback Regulations**

At the November 12, 2009 Commission meeting, the Commissioners will be requested to consider approval of several ordinances to clarify setback regulations along arterial and some collector streets. The overall intention of the ordinances is not changing; however, there needs to be some verbiage changes for clarification.

### **Heart of America First Addition – Award of Bid for Construction**

At the November 12, 2009 Commission meeting, the Commissioners will be requested to approve a bid, in the amount of \$301,929.05, submitted by APAC-Kansas, Inc., for improvements associated with the construction of approximately 480 feet of East 9<sup>th</sup> Street, lying just east of Commerce Parkway. The City has agreed to fund 100% of the cost of construction for the first 140 feet of improvements. The City' share of this project, including construction and engineering costs, will be \$130,479.40. The balance will be special assessed to the benefit district.

### **Amendment to Nuisance Ordinance to Allow for Stormwater Best Management Practices (BMP)**

At the November 12, 2009 Commission meeting, the Commissioners will be requested to approve an ordinance exempting landscaping designed and installed that follows engineered storm water best management practice criteria from the requirements of Chapter 26, Article V, when approved by the Director of Public Works.

### **National Pollutant Discharge Elimination System (NPDES) Update**

By federal law, the City of Hays is required to have a permit to discharge stormwater generated within the city limits into the receiving waters of Big Creek. In September 2004, the City received the first five-year permit from KDHE for such purpose. The permit details certain requirements the City needs to meet in order to be in compliance. While staff has attempted to meet the requirements of this unfunded mandate over the last five years, the programs and resources have not been in place to adequately accomplish the goals of the Clean Water Act and subsequent legislation.

Professional assistance is required to identify the deficiencies, identify the resources, develop the regulations, programs and procedures, and assist in implementation. Staff has solicited proposals for a stormwater utility study and plans to make a recommendation regarding the awarding of a contract with an engineering firm at the November 19, 2009 work session. Part of the scope of services for this study includes the technical support necessary to get the City up to speed on where the law requires the City to be in regards to its National Pollutant Discharge Elimination System permit.

### **Amendment to Winter Storm Traffic Emergency Ordinance – New Streets as Emergency Snow Routes**

At the November 12, 2009 Commission meeting, the Commissioners will be requested to approve an ordinance amending the emergency snow routes to

include 22<sup>nd</sup> Street from Canterbury Drive to Commerce Parkway and Vine Street from I-70 to 55<sup>th</sup> Street.

**Statement of Legislative Priorities**

City Manager Toby Dougherty discussed the 2010 Statement of Legislative Priorities with the Commissioners. The 2010 legislative goals for the City seek to preserve the funding, values, and self-determination that are essential to local governance. The 2010 agenda ensures that Hays remains a strong economic presence in Northwest Kansas as well as continues to meet the needs of its citizens.

The work session was adjourned.

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

City Clerk