

MINUTES OF A MEETING OF
THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON SEPTEMBER 11, 2003

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas, met in regular session on Thursday, September 11, 2003, at 7:30 p.m.

Roll Call: Present: Troy Hickman
Sunell Koerner
Kent Steward
Wayne Billinger
Henry Schwaller IV

Chairperson Hickman declared that a quorum was present and called the meeting to order.

2. MINUTES: There were no corrections to the minutes; they were approved as written.

3. CITIZEN COMMENTS: There were no comments.

4. CONSENT AGENDA: Henry Schwaller IV moved, Wayne Billinger seconded, that the following items be approved:

A. A Cereal Malt Beverage License for the Volga German Society for the annual Oktoberfest celebration.

B. A Park Lease Agreement for the Volga German Society to utilize North Frontier Park on October 1, 2003 through October 4, 2003, for the annual Oktoberfest celebration.

C. Resolution No. AR-15 and Resolution No. AR-16, expressing appreciation to Jamie Werth and John Lang, respectively, for establishing a new business in the City of Hays.

Vote: Ayes: Troy Hickman
Sunell Koerner
Kent Steward
Wayne Billinger

Henry Schwaller IV

UNFINISHED BUSINESS

5. TAXICAB LICENSE APPLICATION: This item was tabled.

NEW BUSINESS

6. PUBLIC HEARING FOR NUISANCE ABATEMENT: An inoperable vehicle nuisance exists at 307 East 5th Street. Staff has followed the necessary procedures to abate the situation and recommends immediate abatement of the nuisance. Michael LaRue, owner of the property, requested a public hearing.

Chairperson Hickman opened the public hearing.

Mr. LaRue voiced a complaint about the City of Hays forcing him to remove a car that is on his property. The car has been sitting in his driveway for ten years. He doesn't feel the car is a nuisance to anybody.

City Attorney John Bird stated the City ordinance states that junked, inoperable, untagged cars are considered public nuisances and can be removed by the City if the property owner does not remove the vehicle.

Henry Schwaller IV moved, Sunell Koerner seconded, that the public hearing be closed.

Vote: Ayes: Troy Hickman
Sunell Koerner
Kent Steward
Wayne Billinger
Henry Schwaller IV

Henry Schwaller IV moved, Sunell Koerner seconded, that Resolution No. 444, being a resolution authorizing the City of Hays or its designated agent to abate nuisances located on the property at 307 East 5th Street, Hays, Kansas, be approved.

Vote: Ayes: Troy Hickman

Sunell Koerner
Kent Steward
Wayne Billinger
Henry Schwaller IV

7. REPORT OF THE CITY MANAGER: City Manager Randy Gustafson commended City employees for the good work performed during the storm and flooding that occurred last evening.

8. COMMISSION INQUIRIES AND COMMENTS: Commissioner Schwaller requested staff investigate the possibility of having the left turn signal at 27th on Vine Street change from a left only to a left and yield when green.

Commissioner Schwaller commented that he appreciated the hard work and dedication of City employees during the storm last evening. He further commented that the City has made no significant investment or repair to the existing infrastructure since 1959 due to the cost of updating the storm sewer system which is estimated to be 10 million dollars. He requested that the City seriously consider instituting some sort of annual maintenance program for the infrastructure, particularly for the most stressed area in the main section of town. It is important to find a way to fund these improvements and maintenance costs. If necessary, a utility tax on each household could be assessed to reduce 50%-60% of the flooding that exists today.

Commissioner Schwaller also requested staff to review the City travel policy and make recommendations to the Commission about any changes.

Chairperson Hickman, Commissioners Billinger, Steward, and Koerner complimented City employees for their dedication and hard work during the storm.

9. EXECUTIVE SESSION: Wayne Billinger moved, Kent Steward seconded, that the Governing Body recess to executive session at 8:00 p.m. for 15 minutes to discuss preliminary negotiations regarding the acquisition of real estate for the Hall Street Project and for acquisition of real estate for the on-going improvements north of I-70. The executive session will include the City

Commission, the City Manager, the Assistant City Manager, the City Attorney, and the Director of Public Works.

Commissioner Schwaller stated he couldn't participate in the Hall Street discussion.

Chairperson Hickman recognized that the Hays Daily News objects to executive session.

Vote: Ayes: Troy Hickman
Sunell Koerner
Wayne Billinger
Kent Steward

Non-voting: Henry Schwaller IV

Chairperson Hickman called the meeting back to order at 8:27 p.m. He stated no action was taken during executive session.

Thereupon the Governing Body adjourned.

Submitted by: _____

Clerk of the Board