

City of Hays
City Commission
Work Session Notes

Thursday, July 15, 2021 – 6:30 p.m.

Present: Sandy Jacobs, Mason Ruder, Michael Berges, Ron Mellick, Toby Dougherty, Kim Rupp, and John T. Bird

Absent: Shaun Musil

July 1, 2021 Work Session Notes

There were no corrections or additions to the minutes of the work session held on July 1, 2021; the minutes stand approved as presented.

Vehicle Abatement at 607 Elm Street

Collin Bielser, Assistant City Manager, reported for Jesse Rohr, Director of Public Works, that the abandoned vehicle located in the rear yard at 607 Elm Street has no current legal tag and is not road worthy; factors that deem the vehicle inoperable. Proper notification has been given to the owner of the property, James Davis, and to date no action has been taken. If the vehicle is removed by the City, all costs of abatement will be charged to the owner of the property. Staff has had 20 nuisance or inoperable vehicle cases on this property since 2013.

At the July 22, 2021 Commission meeting, Commissioners will be asked to approve a resolution to abate the vehicle located on the property at 607 Elm Street 10 days after the approval date.

Nuisance Abatement at 3312 Lincoln Drive

Collin Bielser, Assistant City Manager, reported for Jesse Rohr, Director of Public Works, that the property owner of 3312 Lincoln Drive has general nuisance items in violation of City ordinance. All proper notifications have been given to the owner of the property, and to date no action has been taken. Since

2012 staff has notified the owner of this property, Arden Kobler, of 10 nuisance and/or inoperable vehicle violations at three of his properties. This is the third nuisance case on this property in the last year. If all nuisance items are removed by the City, all costs of abatement will be charged to the owner of the property.

At the July 22, 2021 Commission meeting, Commissioners will be asked to approve the resolution to abate the nuisance items located on the property at 3312 Lincoln Drive, 10 days after the approval date.

Utility Type Vehicles

Collin Bielser, Assistant City Manager, stated that at the April 1, 2021, Work Session, the City Commission first discussed the possibility of allowing Utility Type Vehicles on City of Hays streets. When discussing the matter, the Commission seemed interested in allowing only two types of vehicles: work-site utility vehicles/utility task vehicles and micro utility trucks. The Commission favored a registration system for these types of vehicles, and after some discussion of specific requirements/restrictions, asked staff to provide more information for consideration.

At the June 17, 2021, Work Session City Staff presented a draft Ordinance for consideration. The draft Ordinance included the requested information provided by the Commission at the April 1, 2021, Work Session, but also contained provisions where staff sought further direction. Those areas included a fine structure for proof of insurance violation, suggested registration fee, a registration and license violation structure, location restrictions, time restrictions, and trailer towing capabilities. From that discussion, Commissioners agreed with Staff's proposed fine and fee structure and determined that UTV usage would not be limited to location, time, or trailer towing restrictions. UTV's also cannot operate on State highways other than to cross.

The draft ordinance includes a registration fee of \$100, which must be renewed annually. Proof of insurance violation fees include, a \$300 fine plus \$100 court costs. A three-tiered registration and license violation structure, with

finest established at \$150, \$300, and \$500 for violating the license and registration provisions.

Vice-Mayor Ruder asked if a vehicle is registered in the City of Hays, can this vehicle be driven in surrounding towns. Mr. Bielser stated he believes you would have to follow the laws within that community. City Manager, Toby Dougherty, stated a vehicle registered in Hays would specifically be for use in Hays.

Mayor Jacobs reiterated her desire to allow the use of golf carts as part of this ordinance as well. A handout was distributed to the Commissioners outlining state and local laws regarding golf carts. Mr. Dougherty stated if golf carts are included certain restrictions would need incorporated into this ordinance.

Vice-Mayor Ruder agreed with Mayor Jacobs and stated he feels that golf carts are being used now and if included they would have rules to follow. He noted as Mayor Jacobs has said bicycles, scooters, and motorcycles are allowed on the street now.

Mayor Jacobs stated she was asked to speak on Commissioner Musil's behalf and he stated he does not have a problem with including golf carts in the Ordinance.

Commissioner Mellick stated he is not in favor of allowing golf carts and he believes they would hinder traffic flow throughout the City.

Commissioner Berges stated the Commission has worked through the UTV Ordinance and would like the golf carts to be considered as a separate issue at a future meeting.

At the July 22, 2021 Commission meeting, Commissioners will be asked to consider approving the Ordinance as presented.

2022 Budget Review

The 2022 Budget was presented to the Commission at the July 1, 2021 Work Session. Toby Dougherty, City Manager, stated he would stand for any questions regarding the proposed budget and asked the Commission for a consensus on the outside agency funding requests.

Mr. Dougherty reviewed the allocations for outside agency funding. He stated that included in the 2022 Budget is \$100,000 for the FHSU Scholarship Program and \$180,000 for Grow Hays.

Mayor Jacobs and Vice-Mayor Ruder agreed to those funding requests.

Commissioner Mellick stated he is not against funding Grow Hays the full amount, but feels there needs to be some kind of accountability. He would like to see their proposed budget and their financial statements.

Doug Williams, Executive Director of Grow Hays, stated a 2021/2022 Operations Plan was presented to the Commission and it did include a budget with 2022 estimates. He stated he would provide a financial statement as well.

Mr. Dougherty stated there are five outside agency requests with four of them being within the City Manager's spending authority. The Commission can change any allocation as they see fit. The one agency outside of his spending authority is Downtown Hays Development Corp. (DHDC). DHDC has requested \$54,000 and the draft Budget includes \$51,300, which was last year's requested amount.

Mayor Jacobs stated she is in favor of fully funding the requested amount of \$54,000, particularly given the pandemic and the revenue losses of last year. She feels they are doing great things. Commissioner Ruder agreed.

Commissioner Mellick stated DHDC was funded fully last year due to the pandemic and it was discussed to reduce future funding. He stated that since 2004, the City of Hays has given DHDC \$950,000. He noted that he spoke with former Commissioners and at the time the City gave this money as seed money to get DHDC going. He added that it seems like they keep coming back and this has changed from seed money to entitlement money. He stated that Big Creek Crossing asked the City to approve a Community Improvement District (CID) which allows for an extra tax to be collected for improvements. The City did not give them funds directly. He believes DHDC needs to start looking at self-funding. He stated they have had 20 years to show the downtown businesses why they should be funded. He feels it's time for them to grow up and fund themselves.

Commissioner Berges stated he would stick with the public comments he made last year that DHDC needs to come to us with a reduction in the requested funding amount. He agreed to fund them at the reduced amount of \$51,300 as presented.

Mayor Jacobs stated she is not going to change how she feels about this funding. She added that she sees the things that are happening in our downtown because of what DHDC does, along with the Convention and Visitors Bureau, to make sure the City of Hays is a destination. It is not just sales tax that is generated from downtown businesses, but they also bring many events and activities to our community. She noted that DHDC is looking at two other funding mechanisms; a Business Improvement District (BID) and a Community Improvement District (CID).

Commissioner Mellick and Commissioner Berges would like to see the funding for DHDC reduced. Mayor Jacobs and Vice-Mayor Ruder would like to see them funded at their requested amount of \$54,000. Mr. Dougherty stated the amount will remain the same for now as there was not a consensus to change it.

Mayor Jacobs stated she is always in favor of recycling and asked if the market for recyclables is improving. Mr. Dougherty stated the recycling program is not self-sufficient, but it is costing the City less to get rid of co-mingled recyclables and the market is better to get rid of the paper recycling. He added that last year the City bought a roll-off truck and began hauling co-mingle recycling to Hutchinson rather than paying for it to be hauled which gives the city some flexibility.

Mr. Dougherty stated the Commission will be able to review the Budget at the next two Work Sessions on August 5, 2021 and August 19, 2021.

Vice-Mayor Ruder stated he was asked by a citizen if there are plans to increase the number of cart sheds at the Fort Hays Municipal Golf Course. He has heard there is a two to three year waiting list to get a golf cart shed. City Manager, Toby Dougherty, said they are very limited on space and in order to add cart sheds they would have to use the space designated for parking. He stated he will discuss possible options with the Parks Director.

Other Items for Discussion

There were no other items for discussion.

The work session was adjourned at 7:14 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk