

(Summary First Published in the Haysville Sun-Times on the 24th day of June, 2021)

THE CITY OF HAYSVILLE, KANSAS

ORDINANCE NO. 1080

**AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 6, OF THE CODE OF THE CITY OF HAYSVILLE, KANSAS, REGARDING BOARDS AND COMMITTEES.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAYSVILLE, KANSAS:

**SECTION 1.** That Chapter 1, Article 6, of the Code of the City of Haysville is amended to provide as follows:

**ARTICLE 6.  
BOARDS AND COMMITTEES**

1-601. **PARK BOARD.** (a) The Park Board is hereby established as provided and authorized by the terms and provisions of K.S.A. 14-537, and designated as responsible for all trees on City owned property in conformance with the requirements of the Tree City USA standards, and to advocate for safe access to sidewalks, pathways, and/or roadways for bicyclists and pedestrians and shall be composed of five (5) members, one (1) of whom shall be the Mayor or councilmember appointed by the Mayor to serve as ex-officio chairperson of such Board. The other four (4) members shall be resident taxpayers of the City who shall be appointed by the Mayor with the consent of the governing body. Any reference to City Parks and Community Forestry Board within any chapter of this Municipal Code or otherwise within local ordinance or regulation shall be understood to refer to this Park Board.

(b) No member of the Park Board shall be related by blood or marriage to the mayor, to any member of the council or to any officer of the city government. The members of the Board shall serve without compensation.

(c) Upon creation of the Board, two members of the Board shall be appointed for an initial term of one year, and two members shall be appointed for an initial term of two years. Thereafter, all appointments shall be for two year terms, and all members shall be eligible for reappointment(s) at the discretion of the Mayor.

(d) In the event of death, resignation or other disqualification of any members of the Park Board, his or her successor shall be appointed by the mayor by and with the consent and approval of the council members of the city and such appointment shall be for the unexpired term only. The members of the Park Board may be removed by the Mayor for failure to attend meetings, training and workshops, neglect of duty, or malfeasance in office.

(e) The Board shall meet at least once each month and shall make its recommendations to the city council in writing at least six days prior to the next regularly scheduled city council meeting.

(f) The Park Board shall make an annual report of all its proceedings and of the condition of the parks of this city to the governing body during the month of January each year; provided, that any procedural rules and regulations established by the Board shall be subject to review and modification by the city council. A majority of the five members shall constitute a quorum for the transaction of business.

(g) Duties of the Park Board. The Board shall:

1. Develop a list of goals and objectives, to include needs and usage of the existing parks and open space; needs for additional park grounds; the size and types of park grounds to be considered; development of short and long range capital improvements required to develop current and proposed park grounds; and essential environmental concerns for the community and the surrounding planning and growth area;
2. Study, investigate, counsel and develop and/or update annually, and administer a written plan for the care, replacement, maintenance, and removal or disposition of trees and shrubs in the parks, along streets and in other public areas that will serve as the official comprehensive tree plan for the city;
3. Develop programs and review existing programs to encourage the usage of City parks and open space. When feasible, such programs should provide for joint use of land with other governmental entities to include the USD 261;
4. Develop initiatives to enhance the image of the community, both at the neighborhood level and city-wide, through beautification and preservation projects to include landscaping, tree planting, decorative lighting, and measures to reduce traffic, noise, sight and other types of pollution;
5. Develop and maintain a list of recommended tree species for planting anywhere within the city. Such list shall be available to residents of the city upon request to aid in the selection of trees for private properties. The list shall be updated annually by the Board to reflect new developments or species which have favorable characteristics for inclusion in the community forest; and
6. Plan for and carry out an annual Arbor Day Observance and Proclamation.
7. Promote the safe use of bicycling and walking for transportation, wellness, recreation, and environmental enhancement through various means of transportation, including bicycling and walking.

1-602. LIBRARY BOARD. (a) There is hereby created a city library board which shall be composed of seven (7) members as provided and authorized by the terms and provisions of K.S.A. 12-1222 who shall be residents of the city.

(b) Vacancies occasioned by removal from the city, resignation, or otherwise, shall be filled by appointment for the unexpired term. No person who has been appointed for two (2) consecutive four (4) year terms to the board shall be eligible for further appointment to such board until two (2) years after the expiration of the second term. Members shall receive no compensation for their services as such but shall be allowed their actual and necessary expenses in attending meetings and in carrying out their duties as members.

1-603. SENIOR PLANNING COMMITTEE. (a) The governing body deems it necessary, for the quality of life of the senior citizens of the City, to establish a board which shall be known as the Senior Planning Committee.

(b) This committee shall consist of eight (8) members, one (1) of whom shall be the Mayor or councilmember appointed by the Mayor to serve as ex-officio chairperson of such Board. The other seven (7) members shall be appointed by the Mayor with consent of the governing body to serve one (1) year terms.

1-604. HAYSVILLE HISTORIC COMMITTEE. (a) The governing body deems it necessary, for the quality of life of the citizens of the City, to establish a board which shall be known as the Haysville Historic Committee.

(b) Members. The Haysville Historic Committee shall be composed of nine (9) members of which six (6) members shall be residents from within the corporate limits or property owners of the City of Haysville, Kansas. All of whom shall be appointed by the Mayor with consent of the governing body. The remaining three (3) positions shall consist of the planning commission chair, or his or her designee from the planning commission; the park board chair, or his or her designee from the park board; and the mayor, or his or her designee from the Governing Body.

(c) Terms. The term of office of all general members of the Committee shall be for two (2) years excepting the first committee which shall consist of three (3) members serving for three (3) years, and three (3) members serving for two (2) years. The positions on the committee reserved for the planning commission chair, the park board chair, and the mayor shall remain with the individual appointed or elected to such position, or their designee, for the term of such individual's appointment or election. All general members shall be eligible for reappointment(s) at the discretion of the Mayor. Upon expiration of a term, the position shall remain vacant until a successor is appointed.

(d) Duties of the Historic Committee. All of the powers and duties enumerated herein are subject to approval, denial or modification by the Governing Body. All funds necessary to carry out the purposes of this section shall be approved and appropriated according to the purchasing policy adopted by the Governing Body:

(1) To familiarize itself with the historic resources within the community and those which may be eligible for designation as historic resources, historic landmarks or historic districts and shall administer the identification, documentation and designation of such historic landmarks and historic districts.

(2) Make and adopt a historic preservation plan and review and update the plan as needed.

(3) Prepare and recommend to the Park Board for inclusion in the master park plan, a list of goals and objectives for the W.W. Hays Village Historic Park. Such list shall include:

- (a) Needs and usage of the existing buildings, improvements and open space.
- (b) Needs for additional buildings and improvements;

- (c) The size and types of buildings and improvements to be considered;
- (d) Development of short and long range capital improvements required to develop these goals and objectives.

1-605 PLANNING COMMISSION (a) The Haysville City Planning Commission is hereby ratified and continued as set forth herein (the "Planning Commission"). The Board shall adopt Bylaws for the transaction of business and hearing procedures.

(b) Members. The Planning Commission will be composed of seven (7) members of which five (5) members shall be residents of the City and two (2) members shall reside outside the City but within the City's Zoning area of influence.

(c) Appointment. The members of the Planning Commission shall be appointed by the mayor, by and with the consent of the City council, in all respects as required by law. Appointment to a vacancy caused by the death, incapacity, resignation or disqualification of any Member of the Planning Commission shall be made for that Member's unexpired term. Planning Commissioners may be removed by the Mayor for failure to attend meetings, training and workshops, neglect of duty, or malfeasance in office.

(d) Same; Term of Office. The term of office of the members of the Planning Commission shall be for three years. At the end of the three year term, the member may be reappointed with the approval of the City council. Vacancies shall be filled for unexpired terms only. Terms are to be staggered such that two members are appointed in one year, two members in the next, and three members in the next. The terms of the two members residing outside of the City's corporate limits must not expire within the same year. Members shall take office on the first meeting of the Planning Commission in July. After this ordinance takes effect, a new slate of members of the Planning Commission shall be appointed as provided for herein, and upon such appointments, the term of all previously serving members of the Planning Commission shall terminate.

1-606 BOARD OF ZONING APPEALS (a) The Planning Commission is hereby designated to also serve as the City's Board of Zoning Appeals, with all the powers and duties as provided for in K.S.A. 12-759

(b) Public records shall be kept of all official actions of the Board, which must be maintained separately from those of the Planning Commission. The Board shall keep minutes of its proceedings showing evidence presented, findings of fact, decisions and the vote on each question or appeal.

(c) Unless otherwise required by law, all actions by the Board of Zoning Appeals shall be taken by a majority vote of the members present and voting.

(d) Organization and responsibilities. The board shall adopt rules and/or regulations for the conduct of its business in accordance with the provisions of the Zoning Regulations of the City of Haysville, Kansas. Meetings of the board shall be held at the call of the chairperson

and at such other times as the board may determine. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings showing evidence presented, findings of fact by the board, decision of the board and the vote of each member upon each question or if absent or failing to vote, indicating such fact. Records of all official actions of the board shall be filed in its office and shall be public record. The board shall annually elect one of its members as chairperson and shall appoint a secretary who shall not be a member of the board but may be an employee of the city. The secretary shall have no vote in the matters before the board.

**SECTION 2.** This Ordinance shall be included in the Code of the City of Haysville and shall take effect as of the date of its publication in the official city newspaper.

**SECTION 3.** Should any section, clause, sentence or phrase of this ordinance be found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any remaining provision herein.

Passed and Approved by the Governing Body of the City of Haysville, Kansas this 14th day of June, 2021.

Approved by the Mayor this 15th day of June, 2021.

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Bruce Armstrong, Mayor

ATTEST:

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Angela Millsbaugh, City Clerk

Approved as to form:

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Joshua Pollak, City Attorney