

City of Hays
City Commission
Work Session Notes
December 16, 2010

Present: Barbara Wasinger, Troy Hickman, Henry Schwaller IV, Ron Mellick, Kent Steward, John Bird, Toby Dougherty

Bleacher Purchase for the Bickle-Schmidt Sports Complex

The Bickle-Schmidt Sports Complex will contain eight softball/baseball fields when completed. At the time money was budgeted for the purchase of bleachers, only six fields were proposed for construction, allowing for the purchase of 12 bleachers. In order to provide adequate seating for all the fields, it will be necessary to purchase 16 bleachers. The original estimate for 12 bleachers is \$31,800. Parks Department staff recommended purchasing 16 bleachers from Seating Constructors for an amount of \$40,480 using available Sports Complex contingency funds to pay the difference of \$8,680.

The Commissioners will be requested to approve the bid at the December 21, 2010 Commission meeting.

American Legion Addition Final Plat

A new final plat known as the American Legion Addition has been submitted to the City for review and consideration. The plat is comprised of six lots, one of which is Veterans Park, one lot contains the American Legion Hall, and the remaining four lots could be used for either residential or commercial development.

Chairperson Wasinger recused herself from discussion due to a conflict of interest.

Darrell Christen, Advanced Land Surveying and Lambert Staab Commander of American Legion Post #173, discussed the right-of-way along Canterbury Drive and 13th Street. There is only 30-33 feet of right-of-way from

center in these areas as opposed to the 50 feet from center required to be dedicated by the subdivision regulations. The Planning Commission recommended that the City Commission make an exception to minimize the amount of right-of-way dedicated on this plat.

The Commissioners will be requested to approve the American Legion Addition Final Plat at the December 21, 2010 Commission meeting.

Vehicle Abatement at 2202 Canterbury Drive

The property owner has taken care of the two abandoned vehicles located on the property at 2202 Canterbury Drive. No further action is necessary.

Repeal of Ordinance Section 11-422 – Uniform Code for the Abatement of Dangerous Buildings

Since January 1, 2007, the City of Hays has used the 2006 International Property Maintenance Code for dealing with dangerous structures/abatement issues. Prior to that time, enforcement of dangerous structures was handled through the 1997 Uniform Code. Earlier this year, it was discovered that both codes were still on the books and could create a conflict situation if there is ever a challenge.

At the December 21, 2010 Commission meeting, the Commissioners will be requested to approve an ordinance repealing the 1997 Uniform Code for the Abatement of Dangerous Buildings.

Ordinance Section 11-482 – Architectural/Engineering Requirements

Currently, the City of Hays does not require sealed architectural/engineering drawings to be submitted for review prior to the issuance of a commercial building permit. It is very difficult for City staff to review plans not drawn by a professional, and very few have the ability to draw plans that meet the standard requirements for plan submittal. Current ordinance allows staff to make a case-by-case determination as to whether or not sealed architectural plans are required for a particular project. This is very ambiguous,

puts undue burden on staff, and does not automatically make known the expectation for contractors/owners/developers that are submitting construction documents for review.

Staff recommended utilizing a system set in place by the Kansas State Board of Technical Professions to ensure that a design professional is licensed to practice in the State of Kansas. Additionally, a plan check and inspection process would be followed that is more complete and will adequately address relevant code issues. To do this, it will be necessary to modify Chapter 11 – Section 482 of the City Code of Ordinances.

Commissioners discussed various scenarios that could prove to be onerous or burdensome to contractors/owners/developers if they were required to present sealed architectural plans in order to remodel commercial structures. Planning, Inspection and Enforcement Superintendent Jesse Rohr was directed to discuss this issue further with the Building Trades Board and report back at a future work session.

Ordinance Sections 11-231 and 11-341 – On-site Supervision Requirements

Currently, the City of Hays issues licenses to Master Certificate holders for the electrical, plumbing and mechanical trades. Over the years the on-going problem of unlicensed contractors performing work illegally has continued to be a serious problem and directly impacts licensed contractors. Current ordinances do not require on-site supervision by a Journeyman or Master Tradesman. The Trade Board members, who represent the licensed trades for the City of Hays, have recommended that our ordinances be modified to require that anyone that does not hold a Master or Journeyman certification, such as an apprentice, be required to be directly supervised (on-site) by a Master or Journeyman of the respective trade.

Discussion was held and it was decided that the ordinance did not need to be changed. Planning, Inspection and Enforcement will handle this internally through set procedures.

Adoption of the 2009 Uniform Mechanical Code

Unlike the general building codes, which are published solely by the International Code Council, there are actually two different publications of the mechanical code, those being the International Mechanical Code (IMC) and the Uniform Mechanical Code (UMC). Due to recent updates of the UMC, it is now a more comprehensive and complete code than the IMC. The Buildings Trade Board and City staff recommended adoption of the 2009 UMC effective January 1, 2011.

At the December 21, 2010 Commission meeting, the Commissioners will be requested to approve an ordinance adopting the 2009 Uniform Mechanical Code.

Pavement Condition Assessment Award of Bid

In 2005, Public Works staff prepared a 5-year Street Maintenance Program, which has been used to develop and execute street maintenance projects over the past 5 years. Prior to developing this program, City staff performed a survey of city streets to determine the condition of the pavement. The effort required to perform a comprehensive and standardized inspection of all the city streets proved to be more than staff had expected. The program was developed with the best information available from staff's inspection of the streets. As the current 5-year plan reaches its end, it is necessary to reevaluate the condition of the streets and reprioritize the City's plan for continued improvements.

The quickest and most efficient means of acquiring the necessary data to develop the next 5-year program is to hire a professional firm to perform the automated data collection and road system analysis. Staff solicited proposals for automated data collection and recommended entering an agreement with Infrastructure Management Services (IMS) of Tempe, AZ, in an amount not to exceed \$48,000. The 2011 budget includes \$50,000 for this project to be funded from Special Highway.

Assistant Public Works Director John Braun stated IMS would drive over every street at normal traffic speeds collecting data, which would then produce reports that would be integrated into the City's current infrastructure management software. The automated data collection and road system analysis would assess the condition of every street.

Commissioner Schwaller feels this work can be done in-house and that it is not necessary to spend \$48,000.

Commissioner Steward stated he would like to have more information before he makes a decision on whether or not to spend the money.

Staff will gather more information and present it at a future work session.

Selection of Professional Auditing Services

The City of Hays Comprehensive Financial Management Policy requires that the City select a firm for auditing services through the Request for Proposal (RFP) process every five years. RFP's for auditing services for the audit year 2010, with the option for the four subsequent years, were received from three firms. Staff recommended the lowest responsive and responsible bid from Berberich Trahan & Co. of Topeka, KS be accepted, in the amount of \$32,500 for the 2010 Audit, with total cost of \$177,480 for years 2010 through 2014.

Ken Beran and Melissa Romme, from Adams, Brown, Beran & Ball, addressed the Commissioners about their proposal, which totals \$199,100 for the five year period. Their firm has provided auditing services to the City since 1977.

Russell Shipley and Stacey Hammond, from Berberich Trahan & Co., addressed the Commissioners about their proposal and presented a company profile.

The Commissioners will be requested to consider approval of the low bid at the December 21, 2010 Commission meeting.

2010 Boundary Resolution

At the December 21, 2010 Commission meeting, the Commissioners will be requested to approve a resolution re-defining the entire boundary line of the

city. This is necessary due to the annexation of two pieces of property into the city limits in 2010.

Schedule Conflict – Work Session/Chamber Banquet Scheduled for February 3, 2011

The Hays Chamber of Commerce will hold its annual banquet on Thursday, February 3, 2011, which is also a City Commission work session date. Staff recommended moving the work session to Tuesday, February 1, 2011. The Commissioners agreed to the change.

Economic Development – City Commission Expectations

At the request of Commissioner Steward, this item was placed on the work session agenda.

The City has contributed to economic development through the Ellis County Coalition for Economic Development (ECCED) budget. This year the funds were specified for Economic Development, without specifying an organization. Discussion was held about the City's expectations of the services performed by the ECCED.

City Manager Toby Dougherty stated that during the selection process for a new director, some short-term goals and requirements of board members will be used to develop the candidate profile.

Commissioner Mellick mentioned that during the December 15, 2010 board meeting, the ECCED agreed to add another City and County representation seat in addition to making some changes to their executive committee. The board is very interested in doing a new strategic plan with input from officials from Ellis County and the cities of Hays, Ellis, and Victoria.

A draft document will be presented at the next work session outlining the expectations of the Commissioners.

Discussion on League of Kansas Municipalities Membership

At the last work session, the City Manager was directed to contact other cities and find out if they were experiencing issues with the League of Kansas Municipalities.

City Manager Toby Dougherty stated the purpose of the League is to provide information to its membership, provide training services and networking, and advocate for cities legally and legislatively. The City Manager stated that since he came to Hays in 2005, there were several issues that the League did not advocate for cities when he feels they should have. He does not feel the League presents itself well; they can be adversarial and confrontational.

City Attorney John Bird stated that over the years, the City of Hays has had limited success on anything pro-active from them; a lot of things are found out after the fact when it is too late to do anything. They do not keep cities very well advised. On the positive side, when they want to help, they can be very helpful.

The City Manager stated he called several cities throughout the state. Not one city was willing to drop out of the League. Even though there may be some areas they are not happy with, everyone sees a need for the League. Most of the cities are not happy with the advocacy role the League plays or the current leadership, however, they are not going to say that in public. He recommended the City of Hays not drop out of the League, but he feels they should be aware of his findings.

The Commissioners directed the City Manager to put his findings in writing; the Commissioners will review the draft document before it is sent to the League.

The work session adjourned at 8:21 p.m.

Submitted by: _____

City Clerk