

Memo

To: City Commission
From: Paul Briseno, Assistant City Manager
Date: 10-8-14
Re: October 16, 2014 Work Session

Please find the attached agenda and supporting documentation for the October 16, 2014 Work Session.

Item 2 – Rehabilitation of Manholes – Award of Bid

Please refer to the attached memorandum from Utilities Director Bernie Kitten regarding the rehabilitation of sewer system manholes. There are 1400 manholes in the city of Hays, and in the recent past, little, if any, effort has been given to rehabbing these structures. These structures are critical to the sanitary sewer collection system and will be very expensive to replace if left to deteriorate to that point. This is the first phase in a multi-year approach to rehab the manholes that are in the worst condition. Bernie will have more information at the work session on Thursday.

Item 3 – Vehicle Abatement at 418 West 11th Street

This item is self-explanatory. Please refer to the attached memorandum from Planning, Inspection and Enforcement Division Superintendent Jesse Rohr.

Item 4 – Creation of Commission Capital Reserve

Within the budget process, staff recommended the creation of a Commission Capital Reserve fund. Currently, the City Commission Financial Policy Projects is based on projections and, therefore, available funds for prioritized projects are subject to change. Furthermore, the current system over-inflates the budget. The new Commission Capital Reserve fund will present an accurate accounting of available funds for Commission use.

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**CITY OF HAYS
CITY COMMISSION WORK SESSION
THURSDAY, OCTOBER 16, 2014 – 6:30 P.M.
AGENDA**

1. **ITEM FOR REVIEW: [October 2, 2014 Work Session Notes \(PAGE 1\)](#)**
DEPARTMENT HEAD RESPONSIBLE: Kim Rupp, Director of Finance
2. **ITEM FOR REVIEW: [Rehabilitation of Manholes – Award of Bid \(PAGE 3\)](#)**
DEPARTMENT HEAD RESPONSIBLE: Bernie Kitten, Director of Utilities
3. **ITEM FOR REVIEW: [Vehicle Abatement at 418 West 11th Street \(PAGE 13\)](#)**
DEPARTMENT HEAD RESPONSIBLE: I.D. Creech, Director of Public Works
4. **ITEM FOR REVIEW: [Creation of Commission Capital Reserve \(PAGE 21\)](#)**
DEPARTMENT HEAD RESPONSIBLE: Kim Rupp, Director of Finance
5. **OTHER ITEMS FOR DISCUSSION**
6. **EXECUTIVE SESSION (IF REQUIRED)**
7. **ADJOURNMENT**

ANY PERSON WITH A DISABILITY NEEDING SPECIAL ACCOMMODATIONS TO ATTEND THIS MEETING SHOULD CONTACT THE CITY MANAGER'S OFFICE 48 HOURS PRIOR TO THE SCHEDULED MEETING TIME. EVERY ATTEMPT WILL BE MADE TO ACCOMMODATE ANY REQUESTS FOR ASSISTANCE.

City of Hays
City Commission
Work Session Notes
October 2, 2014 – 6:30 p.m.

Present: Henry Schwaller IV, Eber Phelps, Shaun Musil, Ron Mellick, Kent Steward, John Bird, Toby Dougherty

September 18, 2014 Work Session Notes

There were no corrections or additions to the minutes of the work session held on September 18, 2014; the minutes stand approved as presented.

Update on Stormwater Activities

Steven Walters, Stormwater Specialist, updated the Commissioners regarding stormwater utility projects (past, current, and future), new National Pollutant Discharge Elimination System (NPDES) permit conditions, and needed local regulations.

He also shared data from water samples taken throughout the area in Big Creek, Montgomery Ditch, and Chetolah Creek. He stated animal waste is the source of the problem causing elevated E. coli levels.

The City of Hays presently funds the stormwater utility through the assessment of a fee based on the Equivalent Residential Unit (ERU) methodology. Every residential unit within the city limits pays a single ERU while other properties pay based on the amount of impervious area located on a parcel. The current fee is \$3.62 per ERU. With the implementation of the stormwater utility fee the City of Hays has a dedicated funding source that allows the identification, planning, and construction of capital improvement projects.

Storm Sewer Structures Repair – Award of Bid

This project is in essence an extension of the rehabilitation of the aging storm sewer infrastructure started in 2011 and continuing through 2015. The

work has previously focused on the structural cementitious lining of storm sewer pipe and is now shifting to the rehabilitation of brick lined inlets and manholes. The storm sewer structures are generally in fair to good condition with some mortar cracking and bricks missing. The project would allow for the near complete rehabilitation of the storm sewer infrastructure in areas where storm sewer pipe has been lined.

At the October 23, 2014 Commission meeting, Commissioners will be requested to award the contract to the low bidder, Utility Solutions, LLC of Basehor, Kansas for storm sewer structure rehabilitation in the amount not to exceed \$50,000 to be funded from the Stormwater Utility line item.

Other Items for Discussion

There were no other items for discussion.

Executive Session

Ron Mellick moved, Kent Steward seconded, that the Governing Body recess to executive session at 7:15 p.m. for 15 minutes to discuss matters pertaining to attorney-client privileged communications. The executive session included the Commissioners, the City Manager, and the City Attorney. K.S.A. 75-4319 authorizes the use of executive session to discuss the topics stated in the motion.

Vote: Ayes: Henry Schwaller IV
Eber Phelps
Shaun Musil
Ron Mellick
Kent Steward

No action was taken during executive session.

The work session was adjourned at 7:30 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk

Commission Work Session Agenda

Memo

From: Bernie Kitten, Director of Utilities

Work Session: October 16, 2014

Subject: Rehabilitation of Manholes COH 2014-16

Person(s) Responsible: Bernie Kitten, Director of Utilities

Summary

The Utilities Department is asking City Commissioners to accept the Bid for up to \$30,000.00 from Utility Solutions, LLC, for the rehabilitation of manholes. This project will significantly lengthen the lifespan of these identified manholes through the application of 100% calcium aluminate cement material. This was a budgeted project for 2014 in the Other Contractual Services line item of the Utilities Department Wastewater Treatment and Collection Budget. Due to a variety of rehabilitation techniques on the market, a Request for Proposals was issued for this project and per foot prices were obtained.

Background

Manholes are a critical part of the wastewater collection system. They are required by law and allow for access to sewer pipes for maintenance and repair. Hundreds of manholes in Hays need rehabilitation due to various reasons of acidic environments, erosion, age, stormwater infiltration, and criticality to the functioning of the wastewater collection system. Manhole rehabilitation is a long-established process, used throughout the United States. An aggressive maintenance program of our sewer system is needed. The sewer inspection video program that began two years ago has assisted in strategically identifying key units for rehab. This program and staff inspections have allowed the creation of a priority list of repairs to be carried out over an extended number of years. A well-designed program will ensure the sewers and manholes will not fail and cause backups and other system maintenance issues.

The city hired Utility Solutions, LLC, in April 2013 to coat a structure at 33rd and Broadway that had deteriorated due to acidic conditions. A calcium aluminate product was used as a pilot test. Recent inspection found the product to be in excellent condition.

Discussion

Rehabilitation is generally considered to have a 50-year lifespan minimum when the right material is properly applied. This project focuses on manholes in acidic environments. Generally these are locations where Portland cements react with the acidity causing the structure to literally crumble away. Lining with 100% calcium aluminate cement is appropriate based on the pilot experience and reports from other cities that have

manholes in acidic environments. There are also cost advantages over polyurethane and epoxies methods.

Waiting to take action could result in the decay of the old concrete to a point that rehab by coating is not possible. The reconstruction of a 10-foot deep manhole will cost \$12,000 to \$15,000 to remove and replace in a paved area. Rehab with materials submitted in this RFP will cost \$970 for calcium aluminate. Some structures may need a new ring and cover. The RFP provides this as an option for \$290.00. This is still far less than a replacement manhole.

The RFP was meant to be multi-year project to gain the best possible price. Inflation factors and per award mobilization fees have been included. If the 2014 project is successful, Staff will review the list of rehab candidates and budget in 2015, and return to the Commission to seek approval to continue a second year.

Utility Solutions, LLC, provided the apparent low bid. It was substantially less than others. Staff verified the bid price and material. Utility Solutions, LLC, is competent and experienced in manhole rehabs. They have work for many cities, and references reflect good work. This initial year the target is to repair 19 each 48-inch diameter manholes that were found to have crumbling soft concrete. The estimated lineal footage is 247 feet. We also have allowed for 12 ring and lids to be replaced. Most of these are on Broadway Avenue and on Old 40 highway as shown on the attached map. The manholes on Broadway date to the 1960's and are constructed of precast Portland cement. Other precast manholes located on Old 40 are in similar poor condition.

Legal Consideration

There are no known legal obstacles to proceeding as recommended by City Staff.

Financial Consideration

This is a budgeted item in the 2014 Utilities Department Wastewater Treatment and Collection "Other Contractual Services" line item. The proposal is for up to \$30,000 and is within the budgeted amount. The proposal also has multi-year clauses with option to continue at a maximum 2% annual increase, pending Commission approval.

The upkeep of manholes will serve to lessen liabilities associated with their failure.

Options

The City Commission has the following options:

- Award the bid for rehabilitation of manholes to Utility Solutions, LLC.
- Give staff further direction.
- Reject all proposals.

Recommendation

Staff recommends awarding the bid for rehabilitation of manholes to Utility Solutions, LLC.

Action Requested

Award the bid for rehabilitation of manholes to Utility Solutions, LLC.

Supporting Documentation

Bid Tabulations COH 2014-16

Photo of damaged Manhole on Broadway

Map Manhole Location

Proposal “Rehabilitation of Manholes in Low pH Environments”

Addendum No. 1

Certificate of Liability Insurance

BID TABS COH 2014-16

Summary of Proposals - COH 2014-16, Manhole Rehab Project					
Compiled by Nicholas Willis, September 10, 2014					
Company	Utility Solutions, LLC	Mayer Specialty Services, LLC	Johnson Service Company	Mayer Specialty Services, LLC	Johnson Service Company
Material Proposed	1" Sewpercoat	1" Strong High Performance	1" Strong High Performance	Strong Profile + 125 mil Zebron Polyurethane	Strong Profile + 100 mil Raven 405 Epoxy
Mobilization	\$1,500	\$1,450	\$1,950	\$2,175	\$1,950
Price/vertical foot	\$97	\$150	\$203	\$275	\$260
Price/square foot	\$9.75	\$12.00	\$16.00	\$23.00	\$21.00
Install Ring/Cover	\$290	\$500	\$950	\$500	\$950
Install drop structure	\$475	\$1,400	\$1,055	\$1,400	\$1,055
Annual Cost Inflator	2%	2%	6%	2%	\$6



CITY OF HAYS
Sanitary Sewer Rehab
SEPT. 25, 2014

● Manholes



Title

Utility Solutions LLC

Company Name

14612 Parellel Ln
Bascher KS 66007

Hays, Kansas
ADDENDUM NO. 1
TO THE PROPOSAL

Rehabilitation of manholes in low pH environments
COH Project 2014-16

Proposals to be opened: September 10, 2014

The following changes/additions shall be made to the Contract Documents:

1. Addendum No. 1 reads "The contractor may submit proposals to rehabilitate manholes in low pH environments encompassing the following:
Lining of manholes with a minimum 1 inch thickness of the following cementitious materials with no subsequent topcoating:
The Strong Company, Inc. High Performance Mix
Korneos SewperCoat PG
Korneos SewperCoat 2000 HS
Or equivalent 100% pure fused calcium aluminate cement with fiber reinforcement
Any language in the Request for Proposals, COH Project 2014-16 related to disqualification of proposals of cementitious materials without topcoating is hereby modified to exclude all cementitious materials except for those allowed above. The city will reject any proposals for cementitious materials without topcoats if they are not one of the above-mentioned products. All other language regarding surface preparation, submittals, etc., remains unchanged."

Each proposer is required to acknowledge receipt of this Addendum by his or her signature affixed hereto and to file same with and attached to his or her bid. Any Proposal that is returned without all addenda signed and included in the Proposal can be considered an invalid Proposal.

August 19, 2014

Nicholas Willis
Assistant Director of Utilities
City of Hays

The undersigned acknowledges receipt of this Addendum and the bid submitted herewith is in accordance with the information, instructions, and stipulations set forth herein.

Date 9-9-14

Signature of Bidder


By Todd Brewer

Title Member



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
9/8/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Reilly Company LLC 608 Delaware St. P.O. Box 9 Leavenworth KS 66048-0009	CONTACT NAME: Janice Aaron	
	PHONE (A/C No. Ext): (913) 682-1234 FAX (A/C No): (913) 682-8136	
	E-MAIL ADDRESS: janice.aaron@reillyinsurance.com	
INSURED Utility Solutions, LLC 14612 Parallel Ln Basehor KS 66007	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Allied Group	00035
	INSURER B: American Alternative Ins Corp	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: Master 14 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			ACP 7216071595	5/21/2014	5/21/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC						
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS			ACP BAA 7216071595	5/21/2014	5/21/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Underinsured motorist \$ 1,000,000
	<input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS						
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE			ACP CAA 7216071595	5/21/2014	5/21/2015	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$
	DED <input checked="" type="checkbox"/> RETENTION \$ 0						
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N <input type="checkbox"/> N/A	W2A2WC0001036-01	5/21/2014	5/21/2015	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Leased/Rented			ACP 7216071595	5/21/2014	5/21/2015	\$50,000 ded \$1,000
A	Installation Floater			ACP 7216071595	5/21/2014	5/21/2015	25,000 ded \$1,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER Utility Solutions, LLC 14612 Parallel Ln Basehor, KS 66007	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Janice Aaron/JANICE <i>Janice A Aaron</i>

Commission Work Session Agenda

Memo

From: Jesse Rohr, PIE Superintendent

Work Session: October 16, 2014

Subject: Vehicle Abatement at 418 W. 11th

Person(s) Responsible: Toby Dougherty, City Manager
I.D. Creech, Director of Public Works

Summary

The abandoned vehicle located on the rear property at 418 W 11th has expired tags and missing parts therefore deeming it inoperable. Up to this point, all proper notification has been given to the owner of the property. To date, no action has been taken by the owner of the property. Personal or phone contact has been made several times with promises made by the owner or tenants to remove the vehicle, however the vehicle remains in place as of the date of this memo. If the vehicle is removed by the city, all costs of abatement will be charged to the owner of the property. Staff recommends approving the resolution allowing the vehicle located at 418 W 11th to be abated by the city.

Background

Staff initially started this case with multiple vehicles. Most were removed from the property with the exception of the remaining vehicle. The property belongs to Donald Fenwick and is a rental unit.

Discussion

Planning, Inspection, and Enforcement is requesting a resolution to abate the inoperable vehicle located on the property at 418 W 11th be placed on the agenda for formal action at the October 23, 2014 City Commission meeting. The property located at 418 W 11th is in violation of City Ordinance Chapter 26 Article II. The vehicle has no current and legal tags and has several missing parts, including the wheels, therefore deeming it inoperable. Letters have been sent per City of Hays Ordinance requirements. Personal or phone contact has been made several times with promises made to remove the vehicle, however the vehicle remains in place as of the date of this memo. No progress has been made on this vehicle. Staff is now moving forward for abatement of the vehicle since the owner of the property has not followed through accordingly.

Legal Consideration

The City is required to follow procedures established by the ordinance cited in the Discussion. Assuming those procedures were followed, the City is allowed to remove and dispose of the vehicle.

Financial Consideration

Any costs associated with the city removing these vehicles will be billed to the property owner. If not paid, an assessment will be placed on the tax rolls.

Options

Options include the following:

- Approve the resolution allowing for the vehicles to be removed
- Do not approve the resolution

Recommendation

Staff recommends approving this resolution allowing the vehicle located at 418 W 11th to be removed from the property.

Action Requested

Approve the resolution to abate the vehicle located on the property at 418 W 11th ten days after the approval date.

Supporting Documentation

Letters to Property Owner
Pictures
Resolution

AIRPORT DIVISION
VACANT, MANAGER
3950 E 8TH ST., HAYS, KS 67601

TEL 785-628-7370
FAX 785-628-7373

PLANNING, INSPECTION, & ENFORCEMENT DIVISION
JESSE ROHR, SUPT.
1002 VINE ST., HAYS, KS 67601

TEL 785-628-7310
FAX 785-628-7352



I.D. CREECH, DIRECTOR
JOHN BRAUN, ASSISTANT DIRECTOR
1002 VINE STREET, HAYS, KS 67601
TEL 785-628-7350, FAX 785-628-7352

GLENN SCHMIDTBERGER, SUPT.
1002 VINE ST., HAYS, KS 67601

MARVIN HONAS, SUPT.
1780 W. 55TH ST., HAYS, KS 67601

SERVICE DIVISION
TEL 785-628-7353
FAX 785-628-7352

SOLID WASTE DIVISION
TEL 785-628-7357
FAX 785-628-7352

PUBLIC WORKS DEPARTMENT
www.haysusa.com

Donald & Codi Fenwick
1174 Airflyte Drive
HAYS, KS 67601

August 15, 2014

RE: 418 West 11th

Dear Donald & Codi Fenwick:

It has come to our attention that a city code violation(s) exist at **418 West 11th**, Hays, Kansas (photo(s) are attached). The violation consists of **Inoperable Vehicles on Private Property**. Ellis County records indicate that you are the owner of the property. The item(s) listed are in violation of City Ordinance, **Sec. 26-40 (Inoperable Vehicles)**.

We request that you please correct the problem within the next 5 days. We sincerely appreciate your cooperation. Inspectors will revisit the site after **8/22/2014**, and it is our hope that corrective action will have been taken. If not, we will need to take further steps to resolve this issue.

If you have questions, please contact me at the Public Works Department Planning, Inspection, and Enforcement Division at (785) 628-7310. Thanks for working with us to keep Hays a safe, attractive and wholesome place to live.

Sincerely,

Chris Rorabaugh
Building Inspector/Code Enforcement Officer

Enclosed: Pictures

Cc: File
Resident (if applicable)

AIRPORT DIVISION
VACANT, MANAGER
3950 E 8TH ST., HAYS, KS 67601

TEL 785-628-7370
FAX 785-628-7373

PLANNING, INSPECTION, & ENFORCEMENT DIVISION
JESSE ROHR, SUPT.
1002 VINE ST., HAYS, KS 67601

TEL 785-628-7310
FAX 785-628-7352



I.D. CREECH, DIRECTOR
JOHN BRAUN, ASSISTANT DIRECTOR
1002 VINE STREET, HAYS, KS 67601
TEL 785-628-7350, FAX 785-628-7352

GLENN SCHMIDTBERGER, SUPT.
1002 VINE ST., HAYS, KS 67601

MARVIN HONAS, SUPT.
1780 W. 55TH ST., HAYS, KS 67601

SERVICE DIVISION
TEL 785-628-7353
FAX 785-628-7352

SOLID WASTE DIVISION
TEL 785-628-7357
FAX 785-628-7352

PUBLIC WORKS DEPARTMENT
www.haysusa.com

August 29, 2014

Donald & Codi Fenwick
1174 Airflyte Drive
HAYS, KS 67601

RE: 418 West 11th

VIA CERTIFIED MAIL:

Dear Donald & Codi Fenwick:

The violation located at 418 West 11th, Hays, Kansas still exists (photos attached). We wrote a letter to you on 8/15/2014 requesting that you abate the situation.

You have ten (10) days from the date of receipt of this letter to abate the violation. Failure to abate the violation within ten (10) days will result in the City or its authorized agent to file an abatement process for Inoperable Vehicles on Private Property on your property. The costs will be assessed to the owner or agent in charge of the property. Opportunity will be given to the owner to pay the assessment, and if not paid, it will be added to the property tax as a special assessment. Please note that you have ten (10) days from the receipt of this notice to file a written appeal, requesting a hearing before the governing body.

We ask again that you please resolve this situation immediately. If you have questions or need further explanation, feel free to contact me at (785) 628-7310.

Sincerely,

Chris Rorabaugh
Building Inspector/Code Enforcement Officer

Enclosed: Pictures

Cc: City Prosecutor
File



RESOLUTION NO. 2014-

A RESOLUTION AUTHORIZING THE CITY OF HAYS OR ITS DESIGNATED AGENT TO ABATE NUISANCE LOCATED ON THE PROPERTY AT 418 W 11th, HAYS, KANSAS.

WHEREAS, the City of Hays did enact Ordinance Chapter 26, Article 2, declaring certain matters as inoperable vehicles a violation of City Ordinance and providing for the removal or abatement of inoperable vehicles and further providing for the assessment of costs and penalties; and

WHEREAS, on August 15, 2014, August 28, 2014, and September 22, 2014, inspections of the property were conducted by the City of Hays, and said inspections determined the inoperable vehicle on the property at 418 W 11th was in violation of City Ordinance Chapter 26, Article 2; and

WHEREAS, on August 15, 2014, a letter was sent to the owner of the property at 418 W 11th, requesting that the owner abate the nuisance by removal of the inoperable vehicle within 5 days; and

WHEREAS, on August 29, 2014, a certified letter to the owner of the property at 418 W 11th was prepared giving said owner ten days, upon receipt, in which to abate the nuisance; and

WHEREAS, on September 2, 2014, the certified letter to the owner of the property at 418 W 11th was verified as received by said owner; and

WHEREAS, an inspection of the property done on September 22, 2014, revealed the inoperable vehicle was not abated from the property; and

WHEREAS, the Governing Body of the City of Hays desires that the inoperable vehicle on the property at 418 W 11th be abated by the City or its authorized agent.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HAYS, KANSAS, AS FOLLOWS:

Section 1. That the existence of the inoperable vehicle located at 418 W 11th is hereby found to be in violation of Ordinance Chapter 26, Article 2.

Section 2. That the owner of the property located at 418 W 11th was given proper notice to abate the nuisance condition located at 418 W 11th and has failed to abate the said nuisance.

Section 3. That the City of Hays or its designated agent is hereby authorized to abate the condition causing the violation at the end of ten days from the date of passage of this Resolution.

Section 4. That the cost incurred by the City shall be charged against the lot located at 418 W 11th as provided in Ordinance Chapter 26, Article 2.

PASSED by the City Commission on the 23rd day of October, 2014.

Henry Schwaller IV, Mayor

ATTEST:

Brenda Kitchen, City Clerk

Commission Work Session Agenda

Memo

From: Kim Rupp, Director of Finance

Work Session: October 16, 2014

Subject: Creation of Commission Capital Reserve

Person(s) Responsible: Kim Rupp, Director of Finance

Summary

City Commission Financial Policy Projects is based on budgeted projections and therefore the balance available is subject to change. It also over-inflates the budget adding an unnecessary layer of complexity. City staff recommends the creation of a Commission Capital Reserve to alleviate these concerns.

Background

Policy 1.01 of the City of Hays Comprehensive Financial Management Policy provides that the City shall achieve and maintain a minimum Unreserved Fund Balance of 10% of the General Fund's annual operating expenditures. This practice continues to be accomplished each year and any excess total available funds going back into the budget shown as an expenditure called City Commission Financial Policy Projects (CCFPP).

This CCFPP served as a vehicle each year with which the Commission could dedicate excess revenues to prioritized endeavors they felt necessary. Taking advantage of sound financial practices the Commission utilizes CCFPP in two of the three-pronged approach to limit impact on property taxes:

- **Maintain 25 Mill Levy** – Over seven years \$1.9 million in excess cash has reduced the mill levy
- **Paying cash for large projects** – Used \$8.3 million excess cash to ensure no new general debt
- **Cap employee health insurance since 2010** - \$9,500 average per employee

While this process has proven effective over the years it has led to some confusion as to the balance available in CCFPP. True available funds are not realized until the close of the year. It is therefore difficult to give advice to Commission of available funds for prioritized projects. The CCFPP also over-inflates the City's general fund budget.

Discussion

City staff recommends the creation of the commission capital reserve for a more efficient accounting of available funds. Monies typically carried forward in the CCFPP line item

will be transferred to the CCR. Furthermore any excess funds from completed projects will be transferred as well.

Going forward once audited numbers are received, the actual amount will be transferred to the CCR. This practice will allow the commission to see the actual balance set aside for the expenditures they deem necessary and alleviates the over inflation of true expenditures.

A report similar to the attachment will be given to the commissioners on a periodic basis to track progress and assist in determining what projects are eligible to be paid out of the CCR.

Legal Consideration

There are no known legal obstacles to proceeding as recommended by City Staff.

Financial Consideration

There is no financial cost to the City in setting up the reserve account. A report can be inserted in the budget as audited numbers become available very similar to what is illustrated for budget stabilization and solid waste reserves.

If approved the attached City Commission Available Cash would be current.

This recommendation does not affect the unreserved fund balance (2015 - \$1.2) and reserved fund balance for budget stabilization (2015 - \$3.2).

Options

The City Commission has the following options:

- Approve the staff recommendation to create a Commission Capital Reserve
- Do nothing
- Provide staff with other direction

Recommendation

Staff recommends the creation of a Commission Capital Reserve.

Action Requested

Approve staff recommendation to create a Commission Capital Reserve.

Supporting Documentation

City Commission Available Cash

CITY COMMISSION AVAILABLE CASH		
Commission Capital Reserves		
\$	2,559,837	2014 Transfer to Commission Capital Reserves <i>2014 Audited Excess</i>
\$	(270,276)	2015 Budgeted Levy Transfer to Offset Levy
\$	(1,200,000)	Future Levy Transfer to Offset (4 years)
\$	(25,000)	2015 Budgeted Airport Marketing
\$	1,064,561	TOTAL AVAILABLE CASH

ITEMS DISCUSSED OR IDENTIFIED FOR FUNDING		
\$	(205,000)	13th Street Staff Recommendation
\$	(205,000)	TOTAL

PRIORITY PROJECTS / OPPORTUNITIES		
\$	(600,000)	Bond Pay Off - NO \$162,000 Annual PMT from Levy
\$	(1,500,000)	8th Street Replacement Milner to Vine
\$	(3,500,000)	Allen Street Replacement 13th to Vine
\$	(250,000)	Additional Annual Street Maintenance Funding
\$	(50,000)	Vine Street Signal Upgrades (KDOT \$180,000)
\$	(30,000)	22nd & Canterbury Signal Upgrade (KDOT \$90,000)
\$	(486,540)	13th Street - All Other Opt but Add Curb, Sidewalk & Parking
\$	(6,416,540)	TOTAL