

Memo

To: City Commission
From: Toby Dougherty, City Manager
Date: 3-3-14
Re: March 6, 2014 Work Session

Please find the attached agenda and supporting documentation for the March 6, 2014 Work Session.

Item 2 – Request to Address the City Commission by Resident Geoff Kuhn

At the February 27th Commission meeting, Mayor Steward asked that Mr. Kuhn be given an opportunity to address the Commission regarding the enforcement of noise and vandalism within his neighborhood and offer a possible solution. Mr. Kuhn lives near the University and, in the past, has been critical of PD's enforcement of the noise ordinance. In 2012, Chief Scheibler met with Mr. Kuhn to discuss his concerns. At that time, PD stepped up enforcement in the area. Without knowing Mr. Kuhn's specific concern, I am confident that we have attempted to address his past concern and are allocating adequate resources in the area.

Item 3 – Military/First Responder Memorial Project

Please refer to the attached information from Parks Director Jeff Boyle regarding the request of the Wild West Fest Committee to pursue a Military/First Responder Project in Memorial Park. Over the years the Wild West Festival Committee has invested in numerous improvements at Municipal Park. The group is requesting \$5,000 in matching funds to construct a Military/First Responder Memorial. Their proposal includes landscaping, panels that incorporate text and sponsor names, a new park sign, walking surfaces, one permanently lit flagpole and footing/sleeves for additional flags. Finally, they request to rename the park to Wild West Festival Park.

Annually funds are budgeted to match civic group projects that improve the park system. Staff recommends approval of the request which is consistent with Commission's newest plaque policy including recognition. A conceptual drawing is attached to staff's memo.

Items 4, 5 & 6 – Geist Addition – Annexation Ordinance, Rezoning and Final Plat

Items 4, 5 and 6 are self-explanatory.

Item 7 – Golden Belt Estates 5th Addition – Award of Bid

This item is self-explanatory.

Item 8 – Adoption of Green Plumbing Code

Please refer to the attached information from Stormwater/Water Conservation Superintendent Nick Willis regarding the Building Trades Board's recommended adoption of the 2012 Green Plumbing and Mechanical Code. The Green Plumbing and Mechanical Code will ensure new buildings are constructed using the most current water-saving technology with indoor plumbing and irrigation systems.

Item 9 – Water System Leak Detection Request for Proposals

Please refer to the attached memorandum from Stormwater/Water Conservation Superintendent Nick Willis regarding water distribution system leak detection. At this time, we are asking the City Commission's approval to request proposals for leak detections. This is something the City of Hays has not utilized in the past. Other cities have utilized the leak detection process quite successfully. If it is successful here, it could result in the identification of leaks that would previously have gone unnoticed and result in a significant savings of water.

Item 10 – Comprehensive Financial Management Policy Review – 2013

Please refer to the memorandum from Finance Director Kim Rupp regarding the review of the Comprehensive Financial Management Policy. This is something that is mandated by the City's Comprehensive Financial Management Policy. As you can see, we are in compliance with each category.

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

1. **ITEM FOR REVIEW: [February 4, 2014 Work Session Notes \(PAGE 1\)](#)**
DEPARTMENT HEAD RESPONSIBLE: Kim Rupp, Director of Finance

2. **ITEM FOR REVIEW: Request to Address the City Commission by Resident Geoff Kuhn**
PERSONS RESPONSIBLE: Geoff Kuhn
Mayor Steward

3. **ITEM FOR REVIEW: [Military/First Responder Memorial Project \(PAGE 5\)](#)**
DEPARTMENT HEAD RESPONSIBLE: Jeff Boyle, Director of Parks

4. **ITEM FOR REVIEW: [Proposed Geist Addition – Annexation Ordinance \(PAGE 15\)](#)**
DEPARTMENT HEAD RESPONSIBLE: I.D. Creech, Director of Public Works

5. **ITEM FOR REVIEW: [Geist Addition to the City of Hays – Rezoning \(A-L to C-O\) \(PAGE 23\)](#)**
DEPARTMENT HEAD RESPONSIBLE: I.D. Creech, Director of Public Works

6. **ITEM FOR REVIEW: [Geist Addition to the City of Hays – Final Plat \(PAGE 35\)](#)**
DEPARTMENT HEAD RESPONSIBLE: I.D. Creech, Director of Public Works

7. **ITEM FOR REVIEW: [Golden Belt Estates 5th Addition – Award of Bid \(PAGE 43\)](#)**
DEPARTMENT HEAD RESPONSIBLE: I.D. Creech, Director of Public Works

8. **ITEM FOR REVIEW: [Adoption of IAPMO 2012 Green Plumbing & Mechanical Code Supplement \(PAGE 51\)](#)**
DEPARTMENT HEADS RESPONSIBLE: Bernie Kitten, Director of Utilities
I.D. Creech, Director of Public Works

9. **ITEM FOR REVIEW: [Water Distribution System Leak Detection Request for Proposals \(PAGE 59\)](#)**
DEPARTMENT HEAD RESPONSIBLE: Bernie Kitten, Director of Utilities

10. **ITEM FOR REVIEW: [Comprehensive Financial Management Policy Review – 2013 \(PAGE 71\)](#)**
DEPARTMENT HEAD RESPONSIBLE: Kim Rupp, Director of Finance

11. **OTHER ITEMS FOR DISCUSSION**

12. **EXECUTIVE SESSION (IF REQUIRED)**

13. **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
February 4, 2014

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

Absent: Henry Schwaller IV

January 16, Work Session Notes

There were no corrections or additions to the minutes of the work session held on January 16, 2014; the minutes stand approved as presented.

41st Street Waterline – Developer Agreement

Covenant Land & Developing, Inc. has proposed a Developer Agreement for the extension of the water main along 41st Street adjacent to the King's Gate Addition. The engineer's estimate for total construction cost is \$85,000. The estimated City share of cost to upsize the waterline to 12" is \$17,800. The project is necessary at this time due to the proposed reconstruction of 41st Street.

Extending the waterline along 41st Street would provide the needed water service for future phases of the King's Gate Addition, and would complete the loop of the water main along 41st Street.

At the February 13, 2014 Commission meeting, the Commissioners will be requested to authorize the City Manager to enter into a Developer Agreement with Covenant Land & Developing, Inc. for the construction of waterline along 41st Street, with the City participating in the cost of over-sizing the waterline at a cost not to exceed \$17,800 to be funded out of Water/Sewer Capital.

Portable Shipping Containers

At the January 16th work session, the City Commission asked that portable shipping container and inoperable vehicle regulations for auto repair businesses be placed on a future work session for discussion.

In 2008 the City Commission adopted regulations regarding the use of portable shipping containers. It is estimated that we contact an average of five property owners per year who are in violation of this regulation and it is generally complaint driven.

Scott Simpson, owner of Best Radiator, would like this ordinance reconsidered for commercial and industrial properties. He stated Walmart often violates the rules regarding shipping containers.

Chairperson Steward would like to see City staff prepare a new ordinance that allows shipping containers in industrial and commercial zones with reasonable restrictions so they don't become unsightly. This item will be placed on a future work session.

Inoperable Vehicle Regulations for Auto Repair Businesses

At the January 16, 2014 work session, a local business owner voiced his displeasure at the requirements of the current zoning regulations as enforced by City staff regarding inoperable vehicles, specific to auto repair businesses.

Approximately 25 citizens attended the meeting and several people aired grievances about the rules governing inoperable vehicles.

Scott Simpson, owner of Best Radiator, would like to see an exemption for commercial and industrial zoned properties for inoperable vehicles.

Chris Miller, owner of Auto Tech, agreed and would like an exemption for those vehicles on commercial property since it is their business to repair those vehicles.

Commissioner Mellick does not feel this has been a problem in the past. He stated that if you communicate with Planning and Inspection and inform them of your situation they would work with you.

Chairperson Steward does not wish to act on this at this time, but is open to hearing concrete suggestions that take into consideration the general welfare as well as the situations the businesses are dealing with, but a total exemption is not acceptable.

It was the consensus of the Commission that no action be taken on this ordinance at this time.

Resolution of Intent to Develop R9 Ranch

Maintaining an adequate supply of water has been a priority since the 1950's. The City of Hays has addressed water shortcomings using conservation programs and efficiency measures. While successful in the short term, the measures are not significant enough to ensure the current sources will be adequate for a 50+ year planning horizon. After years of studying potential water sources, it has been determined that the R9 Ranch provides the most viable long-term option for Hays and the surrounding area.

City Manager Toby Dougherty stated the City of Hays is not in desperate need at this time, however, given the regulatory, design, and finance issues, it could easily take 15 years before water could be made available from the R9 Ranch.

Commissioners will be requested to approve the Resolution of intent to develop R9 Ranch at the February 13, 2014 Commission meeting.

The work session was adjourned at 8:02 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk

Commission Work Session Agenda

Memo

From: Jeff Boyle, Director of Parks

Work Session: March 6, 2014

Subject: Military/First Responder Memorial Project

Person(s) Responsible: Jeff Boyle, Director of Parks

Summary

The Wild West Festival Committee (WWF) has completed numerous park improvement projects over the years in Municipal Park. They are requesting Permission for another park improvement called the Military/First Responder Memorial Project which includes landscaping, panels with text and sponsor names, a new park sign, appropriate walking surfaces, one (1) large permanent lit flagpole for an American Flag and footings/sleeve requirements to place additional flags during holiday/special events. Furthermore they are asking for \$5,000 of matching funds and renaming the park to “Wild West Festival Park”.

City Staff recommends approval of their project as presented.

Background

For nineteen (19) years the Wild West Festival has been held in Municipal Park. This is one of the largest and most attended events in Hays on an annual basis. The Wild West Festival Committee has completed numerous park improvement projects over the years including two (2) shelterhouses, stage pad, parking lot, electrical and water utilities and tree plantings.

Discussion

Attached you will find a written request from the WWF to the City of Hays to complete another park improvement project called the Military/First Responder Memorial Project. Included with this memo is a conceptual drawing of how the memorial would look.

The proposal includes landscaping, panels with text including sponsor names at the bottom, a new park sign, appropriate walking surfaces, one (1) large permanent lit flagpole for an American Flag and footings/sleeve requirements to place additional flags during holiday/special events.

The WWF Committee is requesting approval for the project in general prior to committing additional time and resources towards the project. The final text for this project will be brought back to the City Commission for review prior to having the panels produced and installed. The estimated cost for this project is \$16,390.00. The WWF is requesting \$5,000 from the city with the remaining being paid for by the WWF and

sponsors. Specific items being requested at this time that require City Commission approval include:

- 1) Approval of the general concept and implementation
- 2) Use \$5,000 of “matching funds” from the Special Park and Recreation Budget to help fund the project
- 3) Place sponsor names (Eagle Communications, Nex-Tech, Nex-Tech Wireless and the City of Hays) at the bottom of each panel installed
- 4) Rename Municipal Park, the location of the proposed memorial project, to “Wild West Festival Park”. If approved, this new park name will be placed on the new sign as part of this project

City Staff believes this memorial project will be a nice addition to the park area. Furthermore, it will give citizens and visitors year-round access to an informative and beautiful feature.

Legal Consideration

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

Financial Consideration

Ongoing costs associated with the request, if approved, include a slightly higher electric bill from lighting the flag at night, periodic flag replacement costs and minor maintenance required of the landscape. The city budgets \$10,000 annually to match civic group projects within our park system.

Options

The City Commission has the following options:

- Approve the request as submitted.
- Approve portions of the request.
- Give staff further guidance
- Do nothing.

Recommendation

City Staff recommends approval of the Wild West Festival Committee request.

Action Requested

Approval of the Military/First Responder Memorial Project as requested by the Wild West Festival Committee.

Supporting Documentation

January 28, 2014 memorandum from the Wild West Festival Committee 1.2
Aerial photo identifying location proposed 1.3
Four (4) views of the proposed project 1.4-1.7
Estimated cost breakdown 1.8

January 28,2014

To: Jeff Boyle
Parks Director
City of Hays

From: Wild West Festival Committee

Ref: Military/First Responder Memorial Proposal

Enclosed are materials relating to our proposed memorial at Hays Municipal Park (south main) The Wild West Festival Committee is proposing a modest display that would recognize our United States Armed Forces and First Responders. As depicted in the pictorial rendering the memorial would consist of an American Flag (intended to be flown 24/7), two memorial plaques , a park identification plaque, and a provision to place additional flags during holiday events. An area bordering the park would contain appropriate plantings/groundcover.

Our proposal has evolved to its current state out of a West Fest sponsorship/partnership, with Eagle Communication, Nex-Tech, and Nex-Tech Wireless. As originally proposed, the aforementioned sponsors were approached about sponsoring a flag display/memorial in an area of the park we refer to as "front - of-house) during our event. For the primary reason that this proposed location was not readily accessible for a public display, the area in front of the Shelter House on south Main Street is being proposed.

As proposed, the memorial plaques are substantial aluminum panels suitable for routing text into the face of both sides of each panel. The goal of the memorial is to recognize the five branches of our United States Armed Forces on the left (facing memorial on Main Street) panel, and First Responders(EMS, Fire-Rescue, Law Enforcement) on the right panel.

Although the format/text to be included on the panels is not yet totally developed, significant efforts have been made to insure that the final product will be appropriate and acceptable for public display. To that end, Stan Dreiling, local businessman and respected veteran advocate, is providing input/support for the Armed Forces panel. The First Responder panel is being evaluated/reviewed by Kerry McCue, EMS Director, Chief, Gary Brown, Hays, Fire Department, and Chief Don Scheibler, Hays, Police Department. Once the format and text is developed, the City Commission will be asked for their endorsement and approval at a future meeting.

Additionally, the Wild West Festival Committee is requesting that the City Commission allow the placement of sponsor recognition at the base of each panel. The sponsors to be recognized are; Eagle Communication, Nex-Tech, Nex-Tech Wireless and the City of Hays.

The proposed memorial provides another opportunity. The Wild West Festival Committee is requesting that the City Commission formally recognize the park as "Wild West Festival Park". Although it is a serious request, our Committee is quite satisfied and will accept any name provided by the City Commission and include it on the ID panel.

The last element of our proposal is to formally request matching funds from your Special Park & Recreation Budget. It is our understanding that \$10,000.00 is available. We request \$5,000.00 to offset a portion of our project.

It is our understanding that if everything is in order, the City Commission will review our proposal at the February 20th regular City Commission Meeting. If approved, and subject to City Commission approval of text at a future meeting, we will provide any required specification/documentation necessary to commence with the project.

Should you have any question or comments regarding our request(s). Please contact Wild West Festival Committee member, Kent Laas at 785-623-0058 and/or klaas@eaglecom.net.

enc:

CC: Stan Dreiling
Kerry McCue
Gary Brown
Don Scheibler











1/30/14

Wild West Festival Memorial Cost Estimate

The quantities used to establish this cost estimate are based on the design that places the memorial at the edge of the existing sidewalk. If enough "in-kind" participation is procured the memorial will be setback from the sidewalk a short distance.

95 sq.ft Paver Brick @ \$6.00 per sq.ft.-----	\$	570.00
290 sq.ft. Sidewalk & Paved Area(base)@\$4.00 per sq.ft.-----		1,160.00
65 LF Limestone Edger @4.40 per sq.ft.-----		260.00
Planting Allowance -----		500.00
35 foot flagpole (Primary)-----		1,800.00
8 flagpole sleeves @ 50.00 each-----		400.00
Memorial Plaque Bases (including stone)-----		2,000.00
Park Sign Base (including stone) -----		1,200.00
Memorial Plaques-----		5,500.00
Park Plaque-----		2,000.00
Lighting Allowance-----		<u>1,000.00</u>
	Total	\$16,390.00

Commission Work Session Agenda

Memo

From: Jesse Rohr, PIE Superintendent

Work Session: March 6, 2014

Subject: Proposed Geist Addition Annexation

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

Summary

The current owners of this property known as the proposed Geist Addition have submitted a signed consent to request annexation of the property under K.S.A. 12-520a. The land is contiguous with the present City limits, and in fact is an island of un-annexed territory. Assuming annexation is approved, the owners intend to develop the property into commercial lots. The plat approval and rezoning request are being considered under separate agenda items. Staff recommends annexing this property due to its contiguous nature and plan for commercial growth along a major collector (22nd St.)

Background

The property has been in its current state as agricultural land/pasture ground long before the City was annexed around the property. This property, the proposed Geist Addition, is often on the front row when it comes to discussing City limits. It has been an island of un-annexed territory for many, many years creating a situation of property not under the jurisdiction of most City of Hays ordinances.

Discussion

The current owners of this property known as the proposed Geist Addition have submitted a signed consent to request annexation of the property under K.S.A. 12-520a. The property is currently in the platting stages as well as in the process of being rezoned. The land is contiguous with the present City limits. The owners intend to develop the property into commercial lots. Approval of the annexation will allow the property owner to receive full benefits of City services, including utilities and fire/police protection. The plat approval and rezoning request are being considered under separate agenda items.

Legal Consideration

Annexation requires the City to extend services to the area annexed within a reasonable time. There are no known legal obstacles to proceeding as recommended by City staff.

Financial Consideration

Annexing this property and allowing for its development will increase the property tax base for the City of Hays.

Options

The City Commission has the following options:

- Annex the property as requested
- Do not annex the property

Recommendation

Staff recommends annexing this property due to its contiguous nature and plan for commercial growth along a major collector (22nd St.)

Action Requested

Approve an ordinance for the annexation of the proposed Geist Addition as legally described within the ordinance.

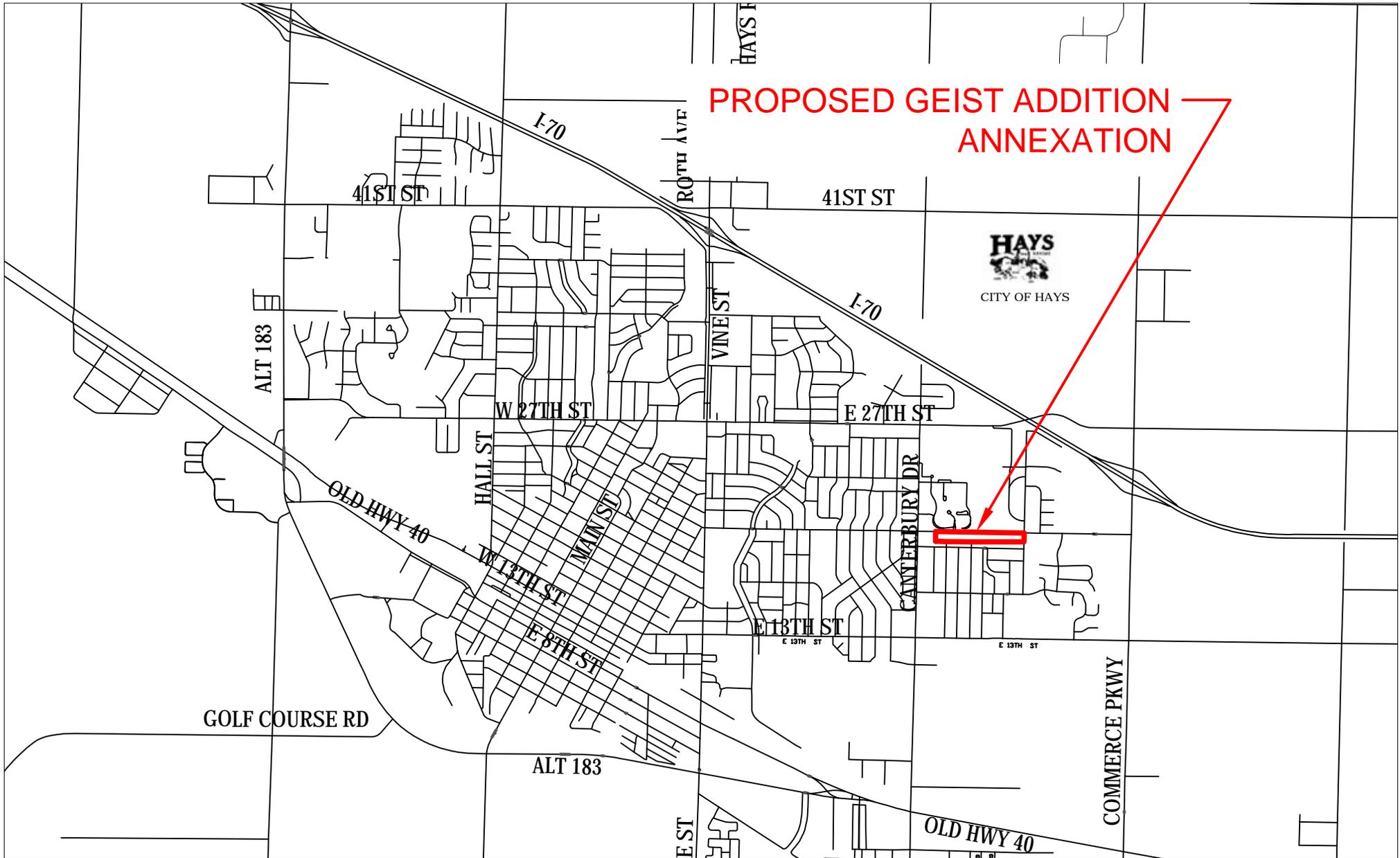
Supporting Documentation

Map of area being annexed
Signed Consent to Annex
Annexation Ordinance

Geist Development



PROPOSED GEIST ADDITION - ANNEXATION



CONSENT TO ANNEXATION

Alfred Geist is the owner of the real estate hereinafter described as follows, to-wit:

A Tract of Land in the SW Quarter (SW/4) of Section 35 () in Township Thirteen (13) South, Range Eighteen (18) West of the 6th P.M., Ellis County, Kansas described as follows:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 13 SOUTH, RANGE 18 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF HAYS, COUNTY OF ELLIS, STATE OF KANSAS, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S 01°14'29" W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 59.82 FEET; THENCE S 88°45'31" E A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 22ND STREET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 3 COURSES; THENCE S 89°06'25" E A DISTANCE OF 5.00 FEET; THENCE N 46°03'55" E A DISTANCE OF 35.46 FEET; THENCE S 89°06'25" E A DISTANCE OF 691.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 5 COURSES; THENCE S 89°06'25" E A DISTANCE OF 1097.21 FEET; THENCE S 29°06'19" E A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 95.00 FEET; THENCE N 29°06' 25" W A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 666.99 FEET TO THE WEST RIGHT-OF-WAY LINE OF WHEATLAND AVENUE; THENCE S 01° 18' 18" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 190.28 FEET TO THE NORTH LINE OF GOLDEN BELT EIGHTH ADDITION, A FINAL PLAT TO SAID CITY OF HAYS; THENCE N 89°04'30" W, ALONG THE NORTH LINES OF GOLDEN BELT EIGHTH ADDITION, GOLDEN BELT SEVENTH ADDITION, AND GOLDEN BELT SIXTH ADDITION, ALL FINAL PLATS TO THE CITY OF HAYS, A DISTANCE OF 1858.85 FEET TO THE CITY LIMITS LINE; THENCE N 01°12'07" E, ALONG SAID CITY LIMITS LINE, A DISTANCE OF 189.24 FEET TO THE POINT OF BEGINNING. CONTAINS 8.05 ACRES, MORE OR LESS,

And hereby consents to the annexation of such land by the City of Hays, Kansas.

Dated: 1-13, 2014.

By: [Signature]
as agent of owner
(OWNER) Alfred Geist

ATTEST:
[Signature]

ORDINANCE NO.

**AN ORDINANCE ANNEXING LAND TO THE CITY OF HAYS,
KANSAS.**

WHEREAS, the following described land adjoins the City of Hays, Kansas,

WHEREAS, written consent for annexation of the following described land, signed by all of the owners thereof, has been filed with the City of Hays, Kansas, pursuant to K.S.A. 12-520; and

WHEREAS, the governing body of the City of Hays, Kansas finds it advisable to annex such land.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAYS, KANSAS:

Section 1. Pursuant to K.S.A. 12-520(a)(7) the following described land is hereby annexed and made part of the City of Hays, Kansas:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 13 SOUTH, RANGE 18 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF HAYS, COUNTY OF ELLIS, STATE OF KANSAS, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S 01°14'29" W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 59.82 FEET; THENCE S 88°45'31" E A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 22ND STREET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 3 COURSES; THENCE S 89°06'25" E A DISTANCE OF 5.00 FEET; THENCE N 46°03'55" E A DISTANCE OF 35.46 FEET; THENCE S 89°06'25" E A DISTANCE OF 691.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 5 COURSES; THENCE S 89°06'25" E A DISTANCE OF 1097.21 FEET; THENCE S 29°06'19" E A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 95.00 FEET; THENCE N 29°06'25" W A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 666.99 FEET TO THE WEST RIGHT-OF-WAY LINE OF WHEATLAND AVENUE; THENCE S 01° 18' 18" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 190.28 FEET TO THE NORTH LINE OF GOLDEN BELT EIGHTH ADDITION, A FINAL PLAT TO SAID CITY OF HAYS; THENCE N 89°04'30" W, ALONG THE NORTH LINES OF GOLDEN BELT EIGHTH ADDITION, GOLDEN BELT SEVENTH ADDITION, AND GOLDEN BELT SIXTH ADDITION, ALL FINAL PLATS TO THE CITY OF HAYS, A DISTANCE OF 1858.85 FEET TO THE CITY LIMITS LINE; THENCE N 01°12'07" E, ALONG SAID CITY LIMITS LINE, A DISTANCE OF 189.24 FEET TO THE POINT OF BEGINNING. CONTAINS 8.05 ACRES, MORE OR LESS;

Section 2. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Hays, Kansas, this 13th day of March, 2014.

KENT STEWARD
Mayor

ATTEST:

BRENDA KITCHEN
City Clerk

(seal)

Commission Work Session Agenda

Memo

From: Jesse Rohr, PIE Superintendent

Work Session: March 6, 2014

Subject: Geist Addition Rezoning (A-L to C-O)

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

Summary

The developer of the proposed Geist Addition has submitted a request asking that the property be rezoned from Agricultural District (A-L) to Office and Institution District (C-O). A public hearing was conducted on February 17, 2014 at the regular meeting of the Planning Commission and it was recommended by a vote of 6-0 that the rezoning be approved. Examples of uses allowed by right in the C-O district are hospitals and other medical related offices/clinics, religious or educational institutions, professional office buildings, parks, libraries, nursing homes, and day care centers. Staff, as well as the Planning Commission, recommends approving this rezoning request from A-L to C-O as submitted.

Background

The property, located along 22nd St. south of Hays Medical Center, has remained vacant as zoned since it was open farm ground many years ago. There is currently one residential structure on the property. The owner now wishes to develop the property into viable commercial lots.

Discussion

The developer of the proposed Geist Addition has submitted a request asking that the property be rezoned from Agricultural District (A-L) to Office and Institution District (C-O). This property is contiguous with other C-O zoned property.

Uses within the C-O district, which are primarily institutional and professional service types of uses, are “*intended to be compatible with adjoining residential districts*” (excerpt from City Ord. Sec. 71-434). The property is contiguous along the south boundary with existing single-family and multi-family zoned districts. Examples of uses allowed by right in the C-O district are hospitals and other medical related offices/clinics, religious or educational institutions, professional office buildings, parks, libraries, nursing homes, and day care centers. Residential uses are not a use-by-right and are allowed ONLY with a special use permit issued by the Board of Zoning Appeals. The Comprehensive Plan identifies this area as medium-density residential, however the proposed use (Office and

Institution District) is as compatible to surrounding uses as the residential use identified in the comprehensive plan.

A public hearing was conducted on February 17, 2014 at the regular meeting of the Planning Commission. All adjacent property owners within 200' of the subject property were notified of the public hearing. The item was approved 6-0 and a recommendation was made by the Planning Commission to the City Commission to approve the rezoning.

Legal Consideration

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

Financial Consideration

None identified at this time.

Options

The City Commission has the following options:

- Approve the rezoning request from A-L to C-O as recommended by the Planning Commission and City staff
- Send the request back to the Planning Commission for further consideration with specific basis for further review
- Deny the rezoning request from A-L to C-O (Requires a 2/3 majority vote to overturn the P.C. recommendation)

Recommendation

Staff, as well as the Planning Commission, recommends approving this rezoning request from A-L to C-O as submitted.

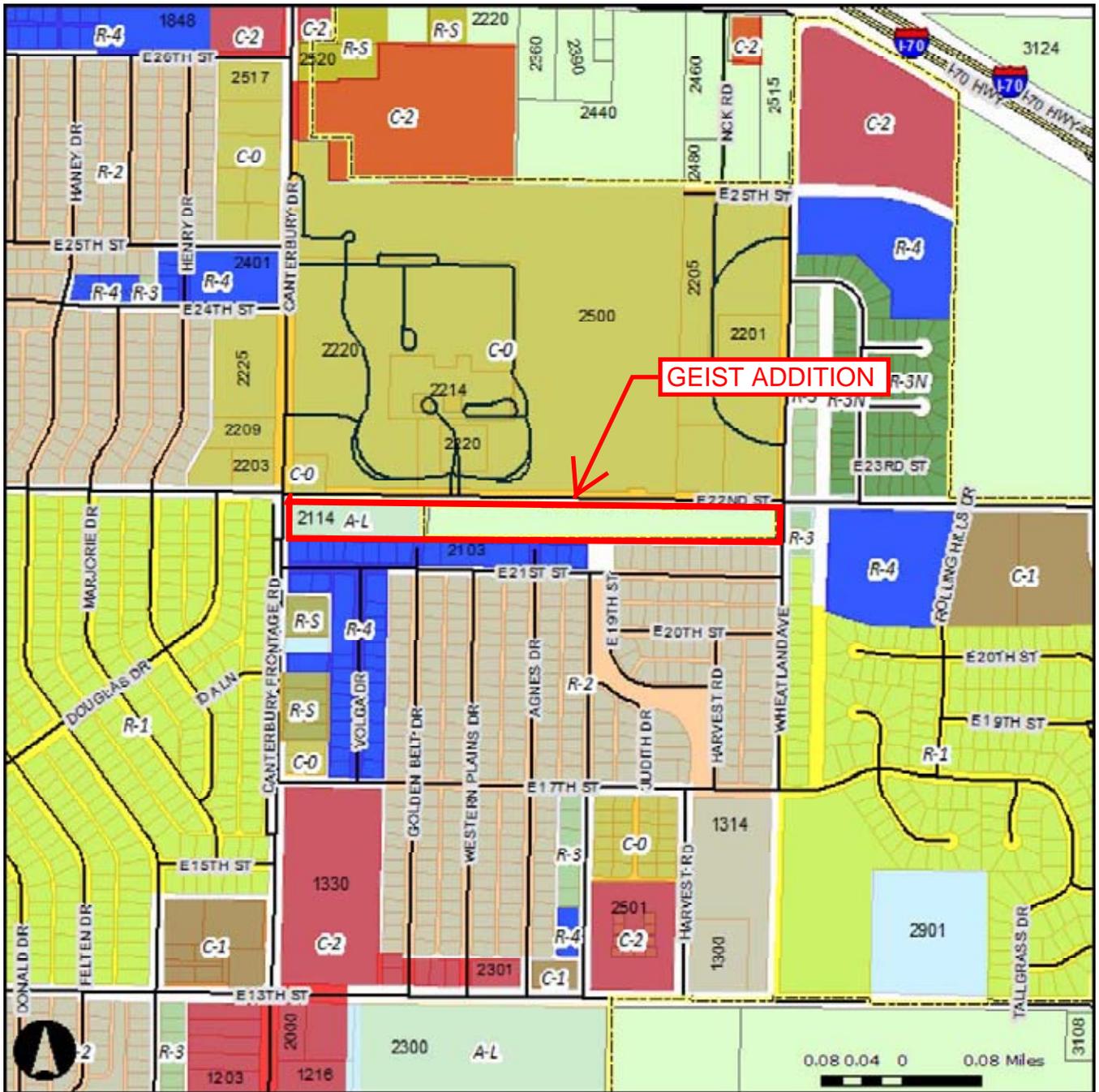
Action Requested

Approve an ordinance rezoning the subject property (proposed Geist Addition) from A-L to C-O as legally described within the ordinance.

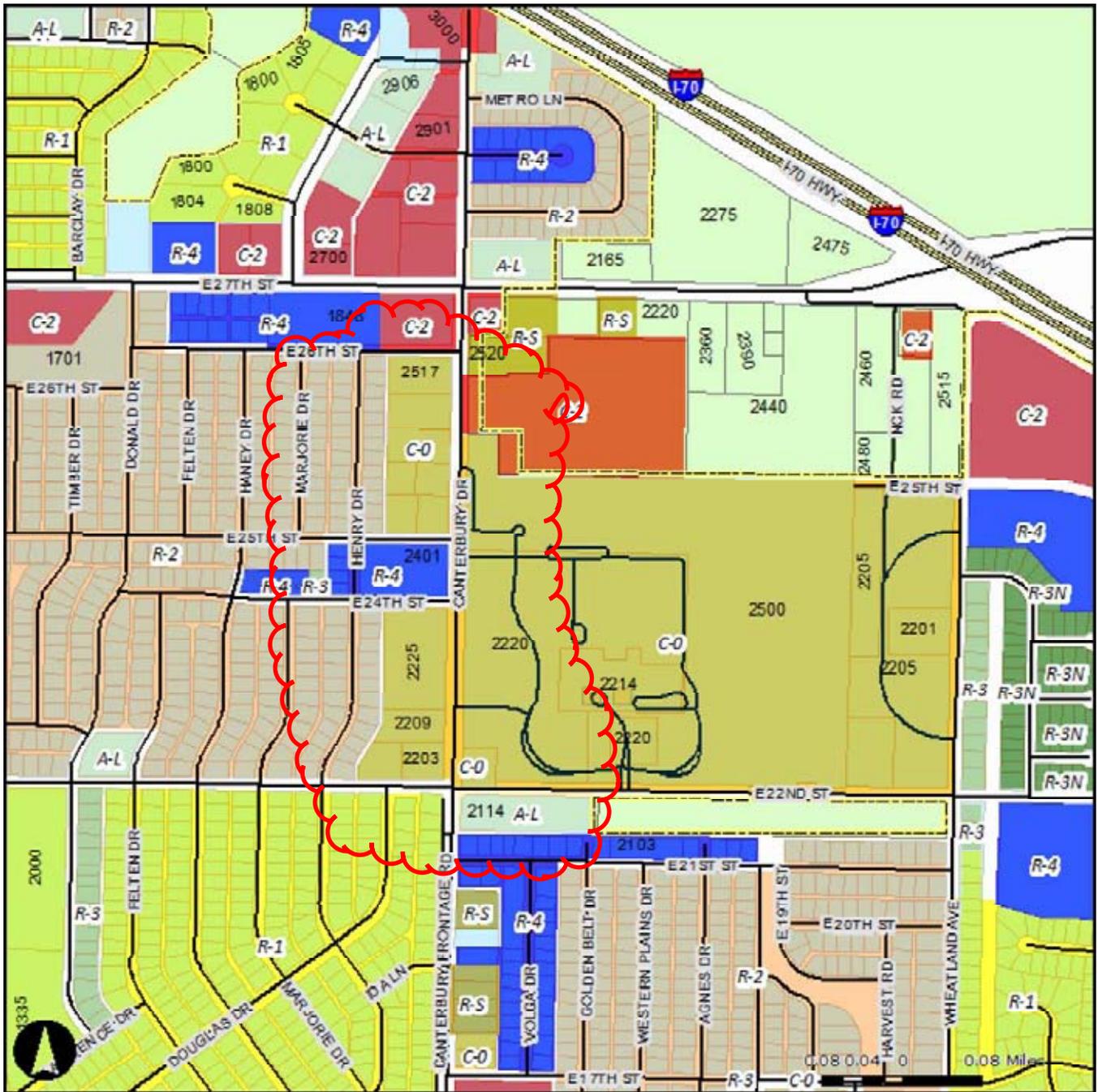
Supporting Documentation

Map(s)
Planning Commission Findings of Fact
Ordinance

Zoning



Zoning



This map shows other existing near-by property zoned as C-O and R-2, showing the compatibility of the two zoning districts. Historically it has worked very well to have these two zoning districts abut one another. The C-O district has the lowest intensity of use of any commercial zoning district.

PLANNING COMMISSION FINDING OF FACT

1. CASE NO.: **14-01Z** FILING FEE PAID: **Publication Fee of \$140.00**
 2. DATE FILED: **01-13-2014**
 3. DATE ADVERTISED FOR HEARING: **01-24-2014**
 4. PUBLIC HEARING DATE: **02/17/2014**
 5. APPLICANT'S NAME: **Alfred Geist**
 6. LOCATION OF PROPERTY: **South of 22nd between Canterbury Drive and Wheatland Avenue**
 7. DESCRIPTION OF PROPERTY: **Tract in the Southwest Quarter of Section 35-T13S-R18W, Ellis County, Kansas.**
 8. PRESENT USE OF PROPERTY: **Agriculture**
 9. PRESENT ZONING: **"A-L"** REQUESTED ZONING: **"C-O"**
-

1. CHARACTER OF THE NEIGHBORHOOD:
DIRECTION

NORTH: **Office & Institution District (Hays Medical Center)**

SOUTH: **Multi-family & Single Family**

EAST: **Two-Family & Single-Family**

WEST: **Single Family**

2. THE ZONING OF SURROUNDING PROPERTY:
DIRECTION

NORTH: **"C-O"**

SOUTH: **"R-4" & "R-2"**

EAST: **"R-3"**

WEST: **"R-1"**

3. CONSIDERATION OF THE RECOMMENDATIONS OF PERMANENT PROFESSIONAL STAFF: **The Area is identified as medium density residential in the current adopted Comprehensive Plan; although with Office and Institution Zoning classification to the north, the property would be well suited for Office and Institution Zoning Land Uses. It is surrounded on the other three sides with residential zoning classifications ranging from single-family to multi-family uses. Staff recommends approval of the rezoning request.**

A. DEDICATION OR RESERVATION NEEDED FOR:

1. DRAINAGE: **Provided**

2. STREETS: **Yes**

3. UTILITY EASEMENTS:

a. ELECTRICITY: **Yes**

b. GAS: **Yes**

c. SEWERS: **Yes**

d. WATER: **Yes**

4. SHOULD PLATTING BE REQUIRED: **In the Platting Process**

B. TRAFFIC CONDITIONS:

1. CLASSIFICATION OF STREET ON WHICH PROPERTY FRONTS:
Collector/Commercial

2. RIGHT-OF-WAY WIDTH: **70'**

3. SIGHT DISTANCE: **OK**

4. TURNING MOVEMENTS: **OK**

5. COMMENTS ON TRAFFIC: **Local/Commercial**

4. THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED: **The property is an island of un-annexed territory that should be brought into the City Limits for orderly development to occur. With the area being located adjacent to a collector street, this is an area of projected/anticipated commercial growth.**

5. THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTY: **Removal of the agricultural designation should not have a negative affect on nearby properties.**

6. THE LENGTH OF TIME THE SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED: **With the exception of agricultural uses, the property has been in its current state since the adoption of 3-mile zoning regulations – 40 plus years.**

7. THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY, AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE NEIGHBORING PROPERTY, AS

COMPARED TO THE HARDSHIP IMPOSED ON THE INDIVIDUAL LANDOWNER:
Neighboring property values should tend to increase as development takes place. The impact of the rezoning, if approved, should not be destructive to neighboring property and should actually enhance the surrounding area as development occurs

8. THE CONFORMANCE OF THE REQUESTED CHANGE TO THE ADOPTED OR RECOGNIZED MASTER PLAN BEING UTILIZED BY THE CITY: **The property in question has been identified on the adopted Comprehensive Plan as medium density residential; although with the Commercial and Office Institution zoning classification to the north, the zoning makes it fitting for the development. The proposed C-O district is defined as being compatible with adjacent residential districts.**

The request for the Commercial and Office district zoning classification as presented does fit the overall scheme of the adopted Comprehensive Plan and staff does recommend approval of the zoning request.

ORDINANCE NO.

AN ORDINANCE REZONING A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP THIRTEEN (13) SOUTH, RANGE EIGHTEEN (18) WEST OF THE 6TH P.M. IN ELLIS COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S 01°14'29" W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 59.82 FEET; THENCE S 88°45'31" E A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 22ND STREET AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 7 COURSES; THENCE S 89°06'25" E A DISTANCE OF 5.00 FEET; THENCE N 46°03'55" E A DISTANCE OF 35.46 FEET; THENCE S 89°06'25" E A DISTANCE OF 1789.15 FEET; THENCE S 29°06'19" E A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 95.00 FEET; THENCE N 29°06'25" W A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 666.99 FEET TO THE WEST RIGHT-OF-WAY LINE OF WHEATLAND AVENUE; THENCE S 01°18'18" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 190.28 FEET TO THE NORTH LINE OF GOLDEN BELT EIGHTH ADDITION, A FINAL PLAT TO SAID CITY OF HAYS; THENCE N 89°04'30" W, ALONG THE NORTH LINES OF GOLDEN BELT EIGHTH ADDITION, GOLDEN BELT SEVENTH ADDITION, AND GOLDEN BELT SIXTH ADDITION, ALL FINAL PLATS TO THE CITY OF HAYS, A DISTANCE OF 2580.92 FEET TO THE EAST RIGHT-OF-WAY LINE OF CANTERBURY DRIVE; THENCE N 01°14'29" E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 163.83 FEET TO THE POINT OF BEGINNING. CONTAINS 11.17 ACRES, MORE OR LESS.

FROM "A-L" AGRICULTURAL DISTRICT TO "C-O" OFFICE AND INSTITUTION DISTRICT.

WHEREAS, the Hays Area Planning Commission, after due and legal notice published in the Hays Daily News, the official city newspaper, on January 24, 2014, and after a public hearing held in conformity with such notice on February 17, 2014, did, on the last-mentioned date, recommend to the Governing Body of the City of Hays, Kansas, the re-zoning of the following-described real estate:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP THIRTEEN (13) SOUTH, RANGE EIGHTEEN (18) WEST OF THE 6TH P.M. IN ELLIS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

DISTRICT COMMENCING AT THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S 01°14'29" W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 59.82 FEET; THENCE S 88°45'31" E A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 22ND STREET AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 7 COURSES; THENCE S 89°06'25" E A DISTANCE OF 5.00 FEET; THENCE N 46°03'55" E A DISTANCE OF 35.46 FEET; THENCE S 89°06'25" E A DISTANCE OF 1789.15 FEET; THENCE S 29°06'19" E A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 95.00 FEET; THENCE N 29°06'25" W A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 666.99 FEET TO THE WEST RIGHT-OF-WAY LINE OF WHEATLAND AVENUE; THENCE S 01°18'18" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 190.28 FEET TO THE NORTH LINE OF GOLDEN BELT EIGHTH ADDITION, A FINAL PLAT TO SAID CITY OF HAYS; THENCE N 89°04'30" W, ALONG THE NORTH LINES OF

GOLDEN BELT EIGHTH ADDITION, GOLDEN BELT SEVENTH ADDITION, AND GOLDEN BELT SIXTH ADDITION, ALL FINAL PLATS TO THE CITY OF HAYS, A DISTANCE OF 2580.92 FEET TO THE EAST RIGHT-OF-WAY LINE OF CANTERBURY DRIVE; THENCE N 01°14'29" E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 163.83 FEET TO THE POINT OF BEGINNING. CONTAINS 11.17 ACRES, MORE OR LESS,

from "A-L" AGRICULTURAL DISTRICT to "C-O" OFFICE AND INSTITUTION DISTRICT;

WHEREAS, upon due consideration, it appears that the best interests of the City of Hays, Kansas, will be subserved by the following recommendation of the Hays Area Planning Commission,

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAYS, KANSAS:

Section 1. That the following-described real estate, to-wit:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP THIRTEEN (13) SOUTH, RANGE EIGHTEEN (18) WEST OF THE 6TH P.M. IN ELLIS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

DISTRICT COMMENCING AT THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S 01°14'29" W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 59.82 FEET; THENCE S 88°45'31" E A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 22ND STREET AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 7 COURSES; THENCE S 89°06'25" E A DISTANCE OF 5.00 FEET; THENCE N 46°03'55" E A DISTANCE OF 35.46 FEET; THENCE S 89°06'25" E A DISTANCE OF 1789.15 FEET; THENCE S 29°06'19" E A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 95.00 FEET; THENCE N 29°06'25" W A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 666.99 FEET TO THE WEST RIGHT-OF-WAY LINE OF WHEATLAND AVENUE; THENCE S 01°18'18" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 190.28 FEET TO THE NORTH LINE OF GOLDEN BELT EIGHTH ADDITION, A FINAL PLAT TO SAID CITY OF HAYS; THENCE N 89°04'30" W, ALONG THE NORTH LINES OF GOLDEN BELT EIGHTH ADDITION, GOLDEN BELT SEVENTH ADDITION, AND GOLDEN BELT SIXTH ADDITION, ALL FINAL PLATS TO THE CITY OF HAYS, A DISTANCE OF 2580.92 FEET TO THE EAST RIGHT-OF-WAY LINE OF CANTERBURY DRIVE; THENCE N 01°14'29" E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 163.83 FEET TO THE POINT OF BEGINNING. CONTAINS 11.17 ACRES, MORE OR LESS,

From "A-L" AGRICULTURAL DISTRICT to "C-O" OFFICE AND INSTITUTION DISTRICT.

Section 2. This ordinance shall take effect upon its publication in the Hays Daily News, the official city newspaper.

PASSED by the Governing Body on the _____ day of _____, 2014.

Kent Steward, Mayor

ATTEST:

Brenda Kitchen, City Clerk

(SEAL)

Commission Work Session Agenda

Memo

From: Jesse Rohr, PIE Superintendent

Work Session: March 6, 2014

Subject: Geist Addition Final Plat

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

Summary

The owners of the proposed Geist Addition have submitted a final plat for consideration. The plat is comprised of 4 lots slated for commercial development. All public utilities are in place allowing for development of this property including public water and sewer. All required and necessary areas of right-of-way and/or easements are being dedicated with this plat as requested by staff and the Planning Commission. Staff has reviewed the proposed plat which has also been reviewed by the Utility Advisory Committee. On February 17, 2014 the final plat was reviewed and approved (6-0 vote) by the Hays Area Planning Commission. Staff, as well as the Planning Commission, recommends approving this plat as submitted.

Background

The property has been in its current state as agricultural land/pasture ground long before adjacent property was annexed into the City.

Discussion

The owners of the proposed Geist Addition have submitted a final plat for consideration. The property is adjacent to previously platted property and has become an island of undeveloped property. Approval of this plat will allow for development of the property. The plat is comprised of 4 lots slated for commercial development. The plat does include a dedication of twenty foot of right-of-way along Canterbury Dr. as required by City ordinance. All other necessary right-of-way and/or easements are already in place or being dedicated with this plat.

All public utilities are in place allowing for development of this property including public water and sewer. The existing drainage way, which is also 100-year flood plain, has been dedicated as such and will be preserved through the platting process. This drainage area will be maintained by the City along with the remainder of the drainage area already being maintained by the Parks Dept. Staff from the Parks Department has been apprised of this proposed development and agrees with the proposal as submitted.

Access to the platted lots will be controlled per the access requirements and restrictions of the current Development Policy. This will be handled as proposals for the development of specific lots are submitted for review. Certain access restrictions are in place and denoted on the plat.

Staff has reviewed the proposed plat which has also been reviewed by the Utility Advisory Committee. On February 17, 2014 the final plat was reviewed and approved (6-0 vote) by the Hays Area Planning Commission.

Legal Consideration

Upon being presented with proof that the owners of the property to be platted are the owners of record and that the existing plat has been vacated, there are no known legal obstacles to the proposed action.

Financial Consideration

This action has no known negative financial effect on the City at large.

Options

The City Commission has the following options:

- Approve the plat as submitted
- Do not approve the plat

Recommendation

Staff, as well as the Planning Commission, recommends approving this plat as submitted.

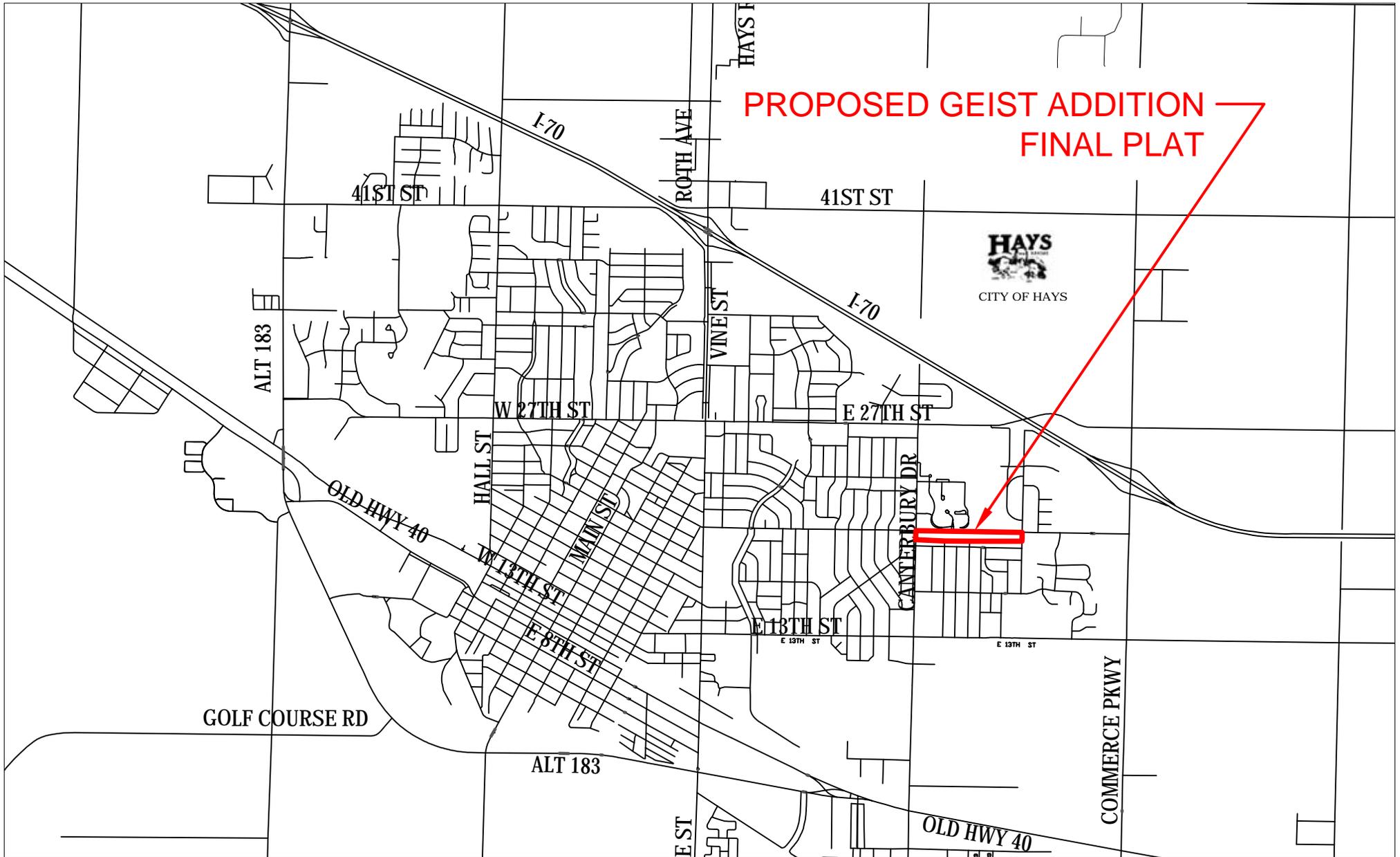
Action Requested

Approve the resolution accepting the final plat known as Geist Addition.

Supporting Documentation

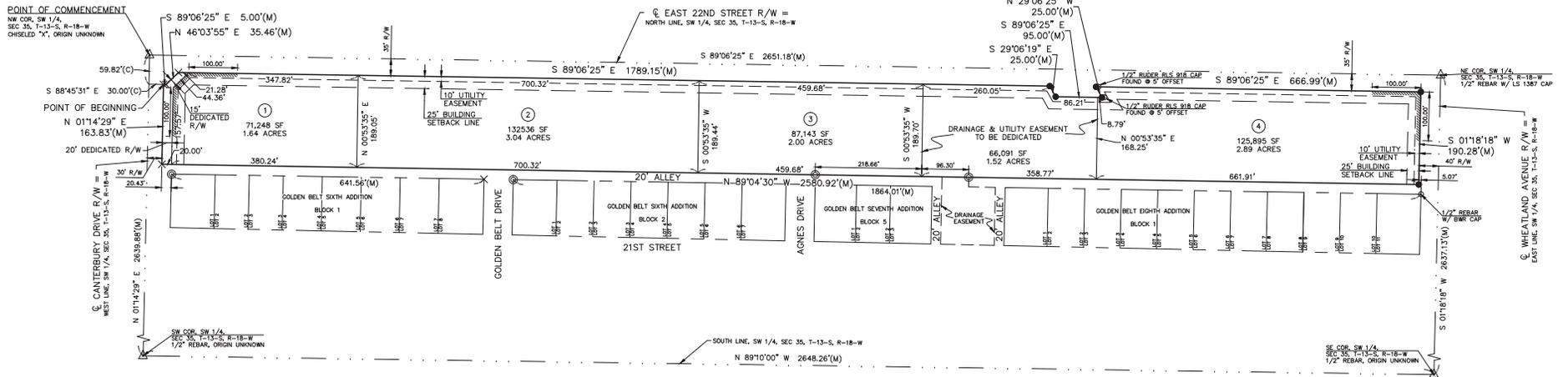
Final Plat
Resolution

PROPOSED GEIST ADDITION - PLATTING



PROPOSED GEIST ADDITION





LEGEND

- △ SECTION CORNER FOUND
- MONUMENT FOUND
- ⊙ 1/2" BAR FOUND, ORIGIN UNKNOWN
- 1/2"x24" REBAR W/KVE CLS 20 CAP SET
- ✕ CHISELED "X" SET
- (M) MEASURED
- ▬ ACCESS CONTROL

PROPERTY DESCRIPTION:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 13 SOUTH, RANGE 18 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF HAYS, COUNTY OF ELLIS, STATE OF KANSAS, BEING DESCRIBED AS FOLLOWS:

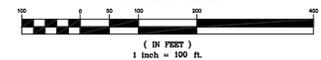
COMMENCING AT THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S 01°14'29" W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 59.82 FEET; THENCE S 88°45'31" E A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 22ND STREET AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 7 COURSES: THENCE S 89°06'25" E A DISTANCE OF 5.00 FEET; THENCE N 46°03'55" E A DISTANCE OF 35.46 FEET; THENCE S 89°06'25" E A DISTANCE OF 1789.15 FEET; THENCE S 29°06'19" E A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 95.00 FEET; THENCE N 29°06'25" W A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 666.99 FEET TO THE WEST RIGHT-OF-WAY LINE OF WHEATLAND AVENUE; THENCE S 01°18'18" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 190.28 FEET TO THE NORTH LINE OF GOLDEN BELT EIGHTH ADDITION, A FINAL PLAT TO SAID CITY OF HAYS; THENCE N 89°04'30" W, ALONG THE NORTH LINES OF GOLDEN BELT EIGHTH ADDITION, GOLDEN BELT SEVENTH ADDITION, AND GOLDEN BELT SIXTH ADDITION, ALL FINAL PLATS TO THE CITY OF HAYS, A DISTANCE OF 2580.92 FEET TO THE EAST RIGHT-OF-WAY LINE OF CANTERBURY DRIVE; THENCE N 01°14'29" E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 163.83 FEET TO THE POINT OF BEGINNING.

END OF DESCRIPTION

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY WAS AN ASSUMED BEARING OF S 89°06'25" E ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 13 SOUTH, RANGE 18 WEST OF THE 6TH PRINCIPAL MERIDIAN, ELLIS COUNTY, KANSAS.

GRAPHIC SCALE



FINAL PLAT

GEIST ADDITION

TO

CITY OF HAYS, ELLIS COUNTY, KANSAS

KAW VALLEY ENGINEERING, INC.

2319 NORTH JACKSON | PO BOX 1304
JUNCTION CITY, KANSAS 66441

(785) 762-5040 | FAX (785) 762-7744

kw@kve.com | www.kve.com

JUNCTION CITY, KS | KANSAS CITY, MO | LENEXA, KS | SALINA, KS

DATE OF PREPARATION: FEBRUARY 3, 2014 PROJECT NO. A13_6718 SHEET 1 OF 2

KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER SURVEYING SERVICES BY KANSAS STATE CERTIFICATE OF AUTHORIZATION NO. LS-20. EXPIRES 12/31/14

**HAYS AREA
PLANNING COMMISSION CERTIFICATE**

STATE OF KANSAS }
 COUNTY OF ELLIS } SS
 THIS PLAT OF GEIST ADDITION
 HAS BEEN SUBMITTED TO AND APPROVED BY THE HAYS AREA PLANNING COMMISSION
 THIS ____ DAY OF _____,
 HAYS AREA
 PLANNING COMMISSION BY _____ CHAIRMAN, LARRY GOULD
 _____ SECRETARY, PAM REIN

CERTIFICATE OF REGISTER OF DEEDS

STATE OF KANSAS }
 COUNTY OF ELLIS } SS
 THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE ON THE ____ DAY
 OF _____, AT _____ IN BOOK _____ PAGE _____
 _____ DEPUTY REGISTER OF DEEDS, PAM PFANNENSTIEL REGISTER OF DEEDS, REBECCA HERZOG
 ENTERED ON TRANSFER RECORD THIS ____ DAY OF _____, _____.
 _____ COUNTY CLERK, DONNA J. MASKUS

REVIEW SURVEYOR'S CERTIFICATE

STATE OF KANSAS }
 COUNTY OF ELLIS } SS
 I HEREBY CERTIFY THAT THE REVIEW OF THIS PLAT WAS FOUND TO BE IN COMPLIANCE WITH THE REQUIREMENTS OF
 K.S.A. 58-2005.
 APPROVED THIS ____ DAY OF _____, _____.
 _____ REVIEW SURVEYOR

SURVEYOR'S CERTIFICATE

STATE OF KANSAS }
 COUNTY OF GEARY } SS
 I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF KANSAS, WITH
 EXPERIENCE AND PROFICIENCY IN LAND SURVEYING; THAT THE HERETOFORE DESCRIBED PROPERTY WAS SURVEYED
 AND SUBDIVIDED BY ME OR UNDER MY DIRECT SUPERVISION; THAT ALL SUBDIVISION REGULATIONS OF THE
 CITY OF HAYS, KANSAS, HAVE BEEN COMPLIED WITH IN THE PREPARATION OF THIS PLAT; THAT THIS PLAT AND THE
 SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE KANSAS MINIMUM STANDARDS FOR BOUNDARY
 SURVEYS, AND THAT ALL THE MONUMENTS SHOWN HEREIN ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY
 SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF.
 GIVEN UNDER MY HAND AND SEAL AT JUNCTION CITY, KANSAS, THIS ____ DAY OF _____, 20____.
 DATE OF SURVEY: DECEMBER 17, 2013
 _____ LAND SURVEYOR, JASON R. LOADER
 REGISTRATION NO. 1462

OWNER'S CERTIFICATE

STATE OF _____ }
 COUNTY OF _____ } SS
 THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE PLAT HE HAS CAUSED
 THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON FOR THE USES AND PURPOSES THEREIN SET
 FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.
 ALL STREET RIGHTS-OF-WAY AS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. AN EASEMENT OR
 LICENSE TO THE PUBLIC TO LOCATE, CONSTRUCT, AND MAINTAIN OR AUTHORIZE THE LOCATION, CONSTRUCTION, AND
 MAINTENANCE OF POLES, WIRES, CONDUITS, WATER, GAS AND SEWER PIPES OR REQUIRED DRAINAGE CHANNELS OR
 STRUCTURES UPON THE AREA MARKED FOR EASEMENTS ON THIS PLAT IS HEREBY GRANTED. THE DRAINAGE &
 UTILITY EASEMENT DEDICATION IS HEREBY DEDICATED TO THE PUBLIC FOR DRAINAGE & UTILITY EASEMENT PURPOSES.
 GIVEN UNDER MY HAND AT HAYS, KANSAS THIS ____ DAY OF _____, 20____.
 _____ ALFRED GEIST

NOTARY CERTIFICATE

STATE OF _____ }
 COUNTY OF _____ } SS
 BE IT REMEMBERED THAT ON THIS ____ DAY OF _____, _____ BEFORE ME A NOTARY PUBLIC IN AND FOR SAID
 COUNTY AND STATE, CAME _____ ALFRED GEIST
 TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND
 DULY ACKNOWLEDGED THE EXECUTION OF SAME, IN TESTIMONY WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED
 MY NOTORIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.
 _____ NOTARY PUBLIC
 MY COMMISSION EXPIRES: _____

CERTIFICATE OF CITY COMMISSION

STATE OF KANSAS }
 COUNTY OF ELLIS } SS
 THE DEDICATIONS SHOWN ON THIS PLAT ARE HEREBY ACCEPTED BY THE CITY COMMISSION OF THE CITY OF HAYS, KANSAS
 THIS ____ DAY OF _____
 ATTEST:
 _____ CITY CLERK, BRENDA KITCHEN MAYOR, KENT STEWARD

 THE ABOVE AND FOREGOING PLAT IS APPROVED BY THE CITY ATTORNEY OF THE CITY OF HAYS, KANSAS
 THIS ____ DAY OF _____
 _____ JOHN BIRD

FINAL PLAT
GEIST ADDITION
 TO
 CITY OF HAYS, ELLIS COUNTY, KANSAS
 KAW VALLEY ENGINEERING, INC.
 2319 NORTH JACKSON | PO BOX 1304
 JUNCTION CITY, KANSAS 66441
 (785) 762-5040 | FAX (785) 762-7744
 j@kveeng.com | www.kveeng.com
 JUNCTION CITY, KS | KANSAS CITY, MO | LENEXA, KS | SALINA, KS

DATE OF PREPARATION: FEBRUARY 3, 2014 PROJECT NO. A13_6718 SHEET 2 OF 2

KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER SURVEYING SERVICES BY KANSAS STATE CERTIFICATE OF AUTHORIZATION NO. LS-20. EXPIRES 12/31/14

RESOLUTION

GOVERNING BODY OF THE CITY OF HAYS, KANSAS, TO THE PUBLIC:

WHEREAS, Alfred Geist, an individual, has presented to the Governing Body of the City of Hays, Kansas, a certain plat of GEIST ADDITION situated within the corporate limits of the City of Hays, Kansas, being lots, streets, alleys comprising the following described real estate, to-wit:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP THIRTEEN (13) SOUTH, RANGE EIGHTEEN (18) WEST OF THE 6TH P.M. IN ELLIS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

DISTRICT COMMENCING AT THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S 01°14'29" W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 59.82 FEET; THENCE S 88°45'31" E A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 22ND STREET AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 7 COURSES; THENCE S 89°06'25" E A DISTANCE OF 5.00 FEET; THENCE N 46°03'55" E A DISTANCE OF 35.46 FEET; THENCE S 89°06'25" E A DISTANCE OF 1789.15 FEET; THENCE S 29°06'19" E A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 95.00 FEET; THENCE N 29°06'25" W A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 666.99 FEET TO THE WEST RIGHT-OF-WAY LINE OF WHEATLAND AVENUE; THENCE S 01°18'18" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 190.28 FEET TO THE NORTH LINE OF GOLDEN BELT EIGHTH ADDITION, A FINAL PLAT TO SAID CITY OF HAYS; THENCE N 89°04'30" W, ALONG THE NORTH LINES OF GOLDEN BELT EIGHTH ADDITION, GOLDEN BELT SEVENTH ADDITION, AND GOLDEN BELT SIXTH ADDITION, ALL FINAL PLATS TO THE CITY OF HAYS, A DISTANCE OF 2580.92 FEET TO THE EAST RIGHT-OF-WAY LINE OF CANTERBURY DRIVE; THENCE N 01°14'29" E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 163.83 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 11.17 ACRES, MORE OR LESS,

to be known as GEIST ADDITION to the City of Hays, Kansas; and,

WHEREAS, the said plat has been examined and considered by the Hays Area Planning Commission of the City of Hays, Kansas; and,

WHEREAS, the City Attorney of the City of Hays, Kansas, has found that the proposed plat conforms to the requirements of the statutes in such matters made and provided;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HAYS, KANSAS, that the City of Hays, Kansas, hereby approves the plat of GEIST ADDITION to the City of Hays, Kansas, and the City Clerk is instructed to endorse such approval on said plat.

Passed and adopted by the Governing Body of the City of Hays, Kansas, this 13th day of March, 2014.

Kent Steward - Mayor

ATTEST:

BY _____
Brenda Kitchen - City Clerk

Commission Work Session Agenda

Memo

From: John Braun, Assistant Director of Public Works

Work Session: March 6, 2014

Subject: Golden Belt Estates 5th Addition – Award of Bid

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

Summary

Western Plains Service Corporation has petitioned the City for street, water, and sanitary sewer improvements to an area containing 34 lots within Blocks 1 and 2 of the Golden Belt Estates 5th Addition, and resolutions authorizing those improvements were previously approved by the City Commission. Bids were opened on February 19, 2014 for the construction of the improvements, the J Corp being the low bidder. Pavement was bid with options for concrete or asphalt, with concrete being the lowest cost option. City staff recommends authorizing the City Manager to enter into a contract with J Corp in the amount of \$548,715.20 for the construction of concrete street, water, and sanitary sewer improvements within the Golden Belt Estates 5th Addition to be funded through assessments to the special benefit district.

Background

This particular plat was approved in June 2013 with 34 single family residential lots on two cul-de-sacs: Jagger Court and Danby Lane. All infrastructure has been designed Ruder Engineering and will be constructed to City Standards. The City will take over maintenance responsibilities upon completion of this project. There are no over-sizing costs to the City for this project.

This is a continuation and the final phase of the Golden Belt Estates Addition being developed by Western Plains Service Corporation.

Discussion

Bids for this project were opened on February 19, 2014 with bids coming from APAC and J Corp. Bids were structured to allow for either asphalt or concrete pavement. J Corp submitted the low bid in the amount of **\$548,715.20** for concrete pavement. J Corp did not submit an asphalt option. APAC submitted bids for both asphalt and concrete; however both options from APAC were higher than the bid from J Corp. All bids were below the engineer's estimate of \$697,639. The tabulation of bids is attached.

Legal Consideration

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

Financial Consideration

The developer is financing the improvements through the establishment of a special benefit district. 100% of the costs will be assessed to the 34 lots, per an agreement from January 27, 2005 pertaining to the Golden Belt Estates Addition.

There is no over sizing or other costs to be funded otherwise.

Options

The City Commission has the following options:

- Award contract as recommended by staff
- Provide alternate direction to City Staff
- Do nothing

Recommendation

Staff recommends entering a contract with the low bidder as presented.

Action Requested

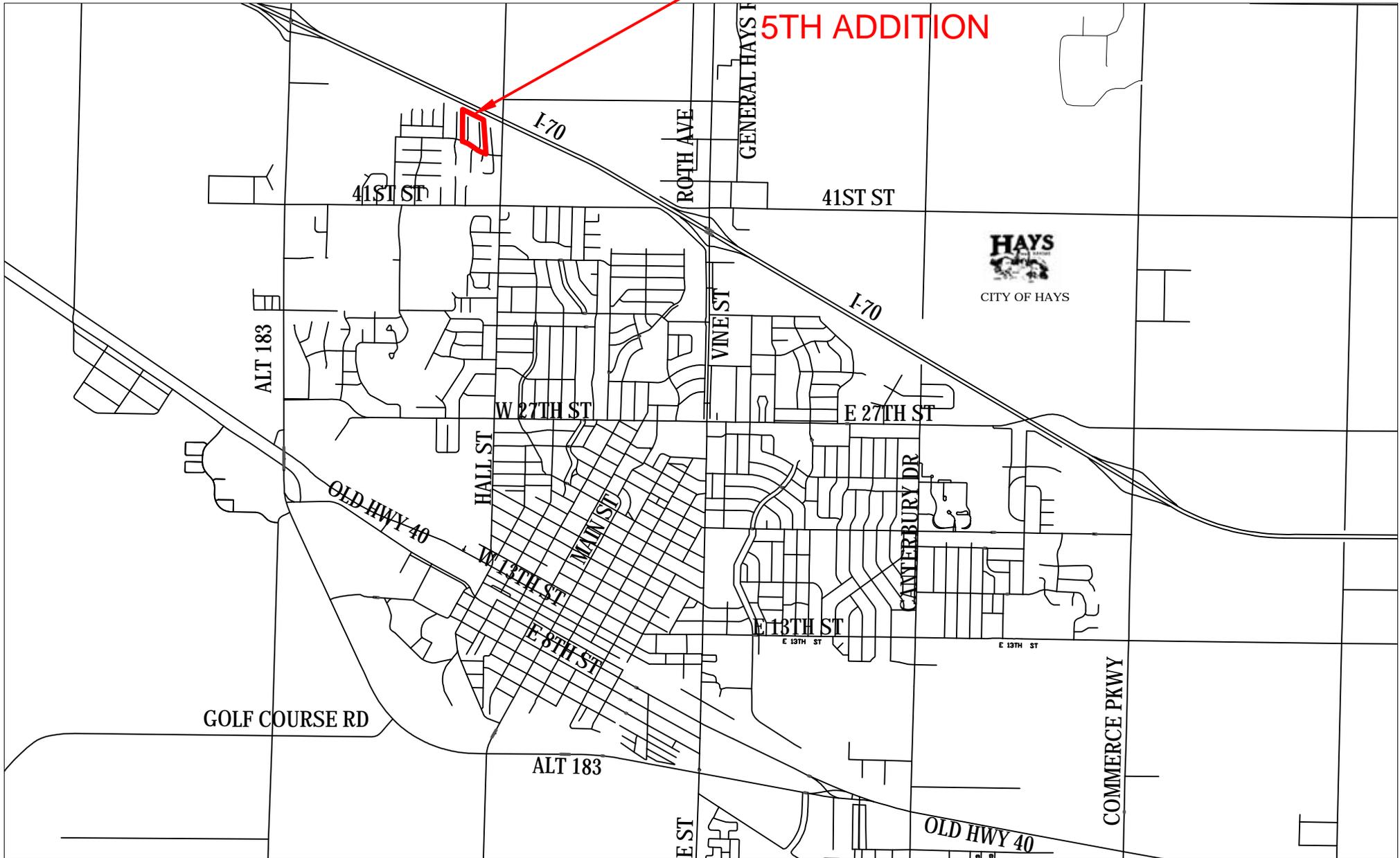
Authorize the City Manager to enter into a contract with J Corp in the amount of **\$548,715.20** for construction of street, water, and sanitary sewer improvements within the Golden Belt Estates 5th Addition to be funded through assessments to the special benefit district.

Supporting Documentation

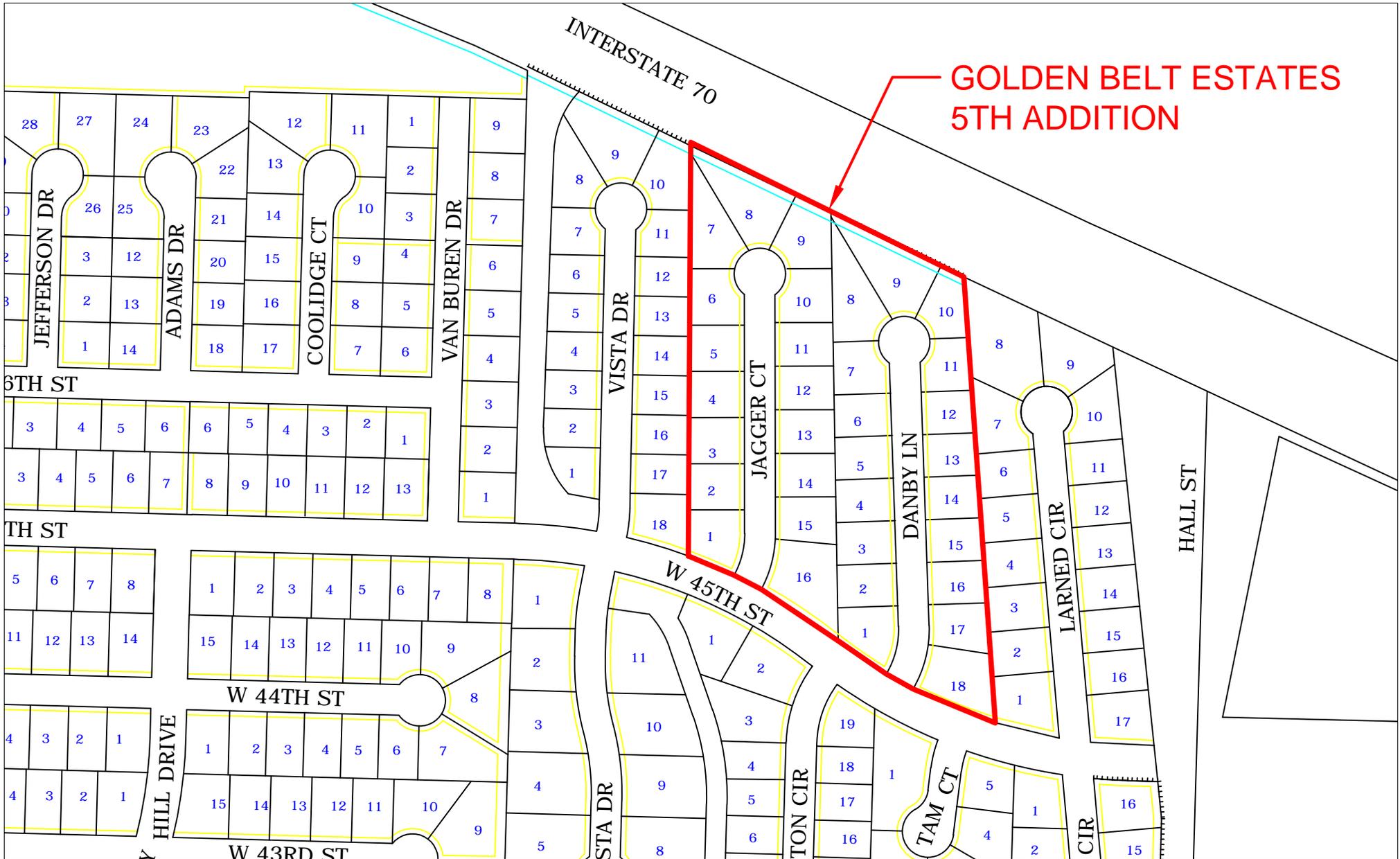
Location Maps
Bid Tabulation

GOLDEN BELT ESTATES 5TH ADDITION - DANBY LANE & JAGGER COURT

**GOLDEN BELT ESTATES
5TH ADDITION**



GOLDEN BELT ESTATES 5TH ADDITION - DANBY LANE & JAGGER COURT



GOLDEN BELT ESTATES 5TH ADDITION - DANBY LANE & JAGGER COURT



BID TABULATION
 CITY OF HAYS, KANSAS
 GOLDEN BELT ESTATES FIFTH ADDITION SANITARY SEWER, WATER AND STREET IMP.
 CITY OF HAYS PROJECT NO. 2013-13

BIDS RECEIVED February 19, 2014, AT 3:00 PM

DATE: 2-19-14

			ENGINEER'S ESTIMATE		APAC-KANSAS, INC. P.O. BOX 190 HAYS, KS 67601		BRYANT & BRYANT 703 MCNAIR HALSTEAD, KS 67056		J CORP 1707 E. 10TH HAYS, KS 67601			
ITEM NO.	DESCRIPTION	QUANTITY & UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
<u>SANITARY SEWER</u>												
1	Mobilization	1.0 LS	\$12,000.00	\$12,000.00	\$13,820.00	\$13,820.00			\$7,000.00	\$7,000.00		
2	Traffic Control	1.0 LS	\$2,000.00	\$2,000.00	\$1,000.00	\$1,000.00			\$500.00	\$500.00		
3	Construction Staking	1.0 LS	\$800.00	\$800.00	\$800.00	\$800.00			\$900.00	\$900.00		
15	Trenching 10'-12'	290.0 LF	\$18.00	\$5,220.00	\$20.00	\$5,800.00			\$15.00	\$4,350.00		
16	Trenching 12'-14'	979.0 LF	\$20.00	\$19,580.00	\$22.00	\$21,538.00			\$15.00	\$14,685.00		
17	Connect to Existing Sewer Line	2.0 EA	\$3,000.00	\$6,000.00	\$3,100.00	\$6,200.00			\$2,000.00	\$4,000.00		
18	Type I Manhole	5.0 EA	\$3,400.00	\$17,000.00	\$4,200.00	\$21,000.00			\$2,850.00	\$14,250.00		
19	Extra Depth Type I Manhole	33.4 LF	\$325.00	\$10,855.00	\$285.00	\$9,519.00			\$200.00	\$6,680.00		
20	4" Sanitary Sewer	1,796.0 LF	\$55.00	\$98,780.00	\$60.00	\$107,760.00			\$31.50	\$56,574.00		
21	8" Sanitary sewer	1,269.0 LF	\$24.00	\$30,456.00	\$16.00	\$20,304.00			\$15.00	\$19,035.00		
22	8" x 4" Wye	2.0 EA	\$150.00	\$300.00	\$110.00	\$220.00			\$160.00	\$320.00		
23	8" x 4" Combination Tee/Wye	32.0 EA	\$150.00	\$4,800.00	\$110.00	\$3,520.00			\$165.00	\$5,280.00		
24	4" Cap (Sanitary Sewer)	34.0 EA	\$100.00	\$3,400.00	\$65.00	\$2,210.00			\$40.00	\$1,360.00		
25	Silt Fence Barrier	1,340.0 LF	\$4.00	\$5,360.00	\$3.60	\$4,824.00			\$3.00	\$4,020.00		
TOTAL SANITARY SEWER IMPR.				\$216,551.00		\$218,515.00				\$138,954.00		
<u>WATER</u>												
1	Mobilization	1.0 LS	\$4,000.00	\$4,000.00	\$7,500.00	\$7,500.00			\$5,400.00	\$5,400.00		
2	Traffic Control	1.0 LS	\$2,000.00	\$2,000.00	\$550.00	\$550.00			\$250.00	\$250.00		
3	Construction Staking	1.0 LS	\$800.00	\$800.00	\$800.00	\$800.00			\$900.00	\$900.00		
26	3" Water Line (Polyethylene)	460.0 LF	\$16.00	\$7,360.00	\$18.50	\$8,510.00			\$16.00	\$7,360.00		
27	4" Water Line (C900 PVC)	786.0 LF	\$22.00	\$17,292.00	\$17.00	\$13,362.00			\$18.00	\$14,148.00		
28	6" Water Line (DIP)	10.0 LF	\$50.00	\$500.00	\$60.00	\$600.00			\$35.00	\$350.00		
29	8" Water Line (C900 PVC)	536.0 LF	\$26.00	\$13,936.00	\$23.00	\$12,328.00			\$21.00	\$11,256.00		
30	4" x 4" Tee	2.0 EA	\$600.00	\$1,200.00	\$400.00	\$800.00			\$240.00	\$480.00		
31	8" x 6" Tee	2.0 EA	\$600.00	\$1,200.00	\$495.00	\$990.00			\$500.00	\$1,000.00		
32	3" x 4" Reducer	2.0 EA	\$300.00	\$600.00	\$225.00	\$450.00			\$150.00	\$300.00		
33	4" x 8" Reducer	2.0 EA	\$300.00	\$600.00	\$270.00	\$540.00			\$175.00	\$350.00		
34	8" Bend, 22.5 Degree	2.0 EA	\$600.00	\$1,200.00	\$330.00	\$660.00			\$275.00	\$550.00		
35	4" Cap (Water)	2.0 EA	\$300.00	\$600.00	\$230.00	\$460.00			\$60.00	\$120.00		
36	Connect to Existing Fitting	2.0 EA	\$800.00	\$1,600.00	\$680.00	\$1,360.00			\$1,250.00	\$2,500.00		
37	4" Gate Valve	2.0 EA	\$1,200.00	\$2,400.00	\$850.00	\$1,700.00			\$900.00	\$1,800.00		
38	6" Gate Valve	2.0 EA	\$1,500.00	\$3,000.00	\$1,000.00	\$2,000.00			\$1,070.00	\$2,140.00		

BID TABULATION (CONT.)		ENGINEER'S ESTIMATE		APAC-KANSAS, INC. P.O. BOX 190 HAYS, KS 67601		BRYANT & BRYANT 703 MCNAIR HALSTEAD, KS 67056		J CORP 1707 E. 10TH HAYS, KS 67601 (CONCRETE PVMT.)			
GOLDEN BELT FIFTH ADDITION											
ITEM NO.	DESCRIPTION	QUANTITY & UNIT	UNIT PRICE	TOTAL	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
<u>WATER (cont.)</u>											
39	Fire Hydrant	2.0 EA	\$2,600.00	\$5,200.00	\$2,400.00	\$4,800.00		\$3,300.00	\$6,600.00		
40	Meter Set	34.0 EA	\$1,000.00	\$34,000.00	\$1,150.00	\$39,100.00		\$1,000.00	\$34,000.00		
41	Service Connection (1")	34.0 EA	\$200.00	\$6,800.00	\$190.00	\$6,460.00		\$225.00	\$7,650.00		
42	Service Saddle (1"x 4")	21.0 EA	\$200.00	\$4,200.00	\$170.00	\$3,570.00		\$175.00	\$3,675.00		
43	Service Saddle (1"x 8")	13.0 EA	\$200.00	\$2,600.00	\$190.00	\$2,470.00		\$210.00	\$2,730.00		
44	Service Line (1")	1,487.0 LF	\$10.00	\$14,870.00	\$7.00	\$10,409.00		\$13.00	\$19,331.00		
TOTAL WATER IMPROVEMENTS				\$125,958.00		\$119,419.00			\$122,890.00		
<u>STREETS</u>											
1	Mobilization	1.0 LS	\$10,000.00	\$10,000.00	\$12,400.00	\$12,400.00		\$7,500.00	\$7,500.00		
2	Traffic Control	1.0 LS	\$2,000.00	\$2,000.00	\$550.00	\$550.00		\$500.00	\$500.00		
3	Construction Staking	1.0 LS	\$4,100.00	\$4,100.00	\$2,500.00	\$2,500.00		\$2,600.00	\$2,600.00		
4	Seeding & Mulching	8.5 AC	\$1,200.00	\$10,200.00	\$1,200.00	\$10,200.00		\$1,000.00	\$8,500.00		
5	Common Excavation	2,350.0 CY	\$6.00	\$14,100.00	\$4.60	\$10,810.00		\$7.00	\$16,450.00		
6	Embankment	205.0 CY	\$5.00	\$1,025.00	\$4.60	\$943.00		\$5.00	\$1,025.00		
7	Fly Ash	330.0 Tons	\$70.00	\$23,100.00	\$65.00	\$21,450.00		\$77.00	\$25,410.00		
8	Water (Fly Ash)	132.0 Mgal	\$12.00	\$1,584.00	\$12.00	\$1,584.00		\$12.00	\$1,584.00		
9	Manipulation (Fly Ash)	5,554.0 Tons	\$4.00	\$22,216.00	\$3.60	\$19,994.40		\$3.00	\$16,662.00		
13	Layback Curb & Gutter (AE)	2,751.9 LF	\$25.00	\$68,797.50	\$21.00	\$57,789.90		\$18.00	\$49,534.20		
14	Sidewalk, 6" (AE)	250.0 SF	\$12.00	\$3,000.00	\$6.00	\$1,500.00		\$4.40	\$1,100.00		
TOTAL STREET IMPROVEMENTS				\$160,122.50		\$139,721.30			\$130,865.20		
<u>ALTERNATE NO. 1</u>											
10	Concrete Pavement, 6" (AE)	4,333.5 SY	\$50.00	\$216,675.00	\$42.40	\$183,740.40		\$36.00	\$156,006.00		
TOTAL ALTERNATE NO. 1				\$216,675.00		\$183,740.40			\$156,006.00		
<u>ALTERNATE NO. 2</u>											
11	Bituminous Surface Course, 2"	4,333.5 SY	\$16.00	\$69,336.00	\$12.70	\$55,035.45			No Bid		
12	Bituminous Base Course, 4"	4,333.5 SY	\$29.00	\$125,671.50	\$25.10	\$108,770.85			No Bid		
TOTAL ALTERNATE NO. 2				\$195,007.50		\$163,806.30			\$0.00		
TOTAL PROJECT w/ALT 1				\$719,306.50		\$661,395.70			\$548,715.20		
TOTAL PROJECT w/ALT 2				\$697,639.00		\$641,461.60			No Bid		

Commission Work Session Agenda

Memo

From: Nicholas Willis, Stormwater/Water Conservation Supt.
Jesse Rohr, Planning, Inspection & Enforcement Supt.

Work Session: March 6, 2014

Subject: Adoption of IAPMO 2012 Green Plumbing &
Mechanical Code Supplement

Person(s) Responsible: Bernie Kitten, Director of Utilities
I.D. Creech, Director of Public Works

Summary

City staff is recommending adoption of portions of the International Association of Plumbing and Mechanical Officials 2012 Green Plumbing & Mechanical Code Supplement. Adoption of this code will mean, in general, that all water using fixtures in new construction and remodels must be at least 20% more efficient than federal standards and also places restrictions on water uses where there are no state, federal or local rules, for example car washes and industrial cooling systems.

Background

In reviewing usage records, it was found that newer properties have much higher water usage than existing properties. Staff believes this is primarily driven by larger and more water needy landscaping than the average property in town. At the same time, there is no code to ensure that inside uses of water are as efficient as they can be. The adoption of this code as recommended covers most all uses of water and will help ensure Hays' water supplies are being used in an efficient manner as the city grows and properties are remodeled. The recommendation presented is the result of three meetings of the Building and Trades Board related to this issue. Staff's recommendation to the Building and Trades Board was slightly different from what the Board recommended for the City Commission to adopt. Staff is supportive of the Building and Trades Board recommendation and is bringing it forward to the City Commission as recommended.

Discussion

Adopting the portions of the green code will help to ensure that landscape irrigation components and design are more efficient than current requirements (as of this writing, there are no requirements for design and installation of a sprinkler system outside of installation of a suitable backflow device). Additionally, the green code will require efficient best practices for numerous items found in homes and businesses, such as toilets, faucets, showerheads, etc. Portions of the code covering mechanical and HVAC systems are not being recommended for adoption at this time.

In general, most requirements of this code save at least 20% over what is allowed under federal law. In some cases, such as car washes, types of restaurant equipment and irrigation systems, there are no federal, state or local standards, thus there is no existing restriction on water usage. As water is supplied by the City and is quantity-limited, there is a strong nexus for regulation of its usage via code adoption.

Staff believes this is one of the most important, cheapest and easiest changes the City can make for long-term water security for the City of Hays. As this is the first known adoption of this (or a similar) code on water use in Kansas, it again sets Hays out as a leader in water management.

There are a few amendments which have been recommended for adoption by the Building and Trades Board. These include deletions referring to requirements surrounding water softening. Staff recommended this change as Hays' potable water supplies are right at the threshold of where regulations in the code would be applicable. Hays' potable water supplies also vary in hardness to some degree depending upon how the wellfields are being operated. It seemed simpler to avoid confusion in this matter.

Other amendments include an increase in the amount of water between a water heater and the furthest fixture. Most homes should be able to meet this standard with upfront planning. Low flow emitters are being required in oddly shaped and narrow irrigation systems based upon the recommendations of Andy Veatch, a certified irrigation auditor and designer out of Wichita. His recommendation (accepted by the Building and Trades Board) to change the minimum width required for non-low-flow emitters from 4 to 12 feet is due primarily to high winds.

The Building and Trades Board recommended not requiring, at this time, all hot water lines to be insulated. They desired more information on costs, savings and installation techniques prior to making a final decision. If they recommend pipe insulation at a later date, the recommendation will be brought to the City Commission.

Legal Consideration

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

Financial Consideration

Beyond publication costs and changing permit application forms, there are no significant costs expected to fall on the City as a result of this code adoption. Most requirements of the code are cost neutral (such as toilets, faucets, etc.) with materials and equipment being readily available. Expected cost increases in plumbing systems are negligible and should have quick cost recovery to the building owner through lower water, sewer and energy costs. Costs will increase for irrigation systems to meet controller, sensor, spray head efficiency and design requirements. Expected cost increases for controllers and sensors are in the \$500 per system range, while costs for spray heads may increase 20-50%. A total system cost increase will depend largely upon size of the system and type of landscaping to be installed. Pool costs will increase marginally as covers are required to reduce evaporation from pool surfaces.

Just as important is the fact that conservation and efficiency can serve to keep water expenses down for everyone through delay in upgrades to meet peak demands and delay in the development of new supplies.

Options

The City Commission has the following options:

- Adopt the code as recommended by the Building and Trades Board
- Reject the code as recommended and provide staff further direction.

Recommendation

Staff recommends adopting this Green Code as recommended by the Building and Trades Board.

Action Requested

Pass the enclosed ordinance adopting this code.

Supporting Documentation

Memo from Building and Trades Board Chairman recommending adoption Ordinance adopting code.

Memo

To: Hays City Commission

From: Jerry Sonntag, Chairman of the Hays Building and Trades Board

Date: January 27, 2014

Re: Adoption of IAPMO 2012 Green Plumbing & Mechanical Code Supplement

By a vote of 5-0, the Hays Building and Trades Board recommends the adoption of the following parts, with exceptions as noted in this memorandum, of the IAPMO 2012 Green Plumbing & Mechanical Code Supplement. This action will help to ensure sustainable water supplies necessary for residences, businesses and commerce in the future.

The Board recommends adopting the following Chapters and Appendices in their entirety.

Chapter 1: Administration

Chapter 2: Definitions

Chapter 3: General Regulations

Chapter 5: Alternate Water Sources for Non-Potable Applications

Chapter 9: Installer Qualifications

Chapter 10: Swimming Pools, Spas, and Hot Tubs

Chapter 11: Referenced Standards

Appendix A: Method of Calculating Water Savings

Appendix B: Potable Rainwater Catchment Systems

The Board recommends adopting the following Chapters, with modifications, as noted:

Chapter 4: Adopt the entire Chapter, with the following changes:

Deletion of Section 405.2.

Modify Section 413.8 as follows:

413.8 Narrow or Irregularly Shaped Landscape Areas.

Narrow or irregularly shaped landscape areas, less than 4 feet (1219 mm) 12 feet (3658 mm) in any direction across any opposing boundaries shall not be irrigated by any irrigation emission device except low flow emitters.

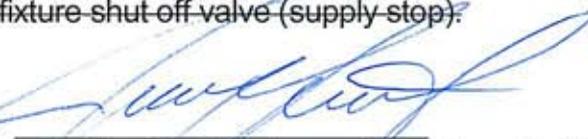
Chapter 6: Adopt the entire Chapter, with the following changes:

Deletion of Section 601.2, 602.5, and 602.6

Modify Section 602.7.1 as follows:

602.7.1 Maximum Volume of Hot Water Without Recirculation or Heat Trace.

The maximum volume of water contained in the hot water distribution pipe between the water heater and any fixture shall not exceed ~~32 ounces (oz) (946 mL)~~ 64 ounces (oz) (1892 mL). ~~Where a fixture fitting shut off valve (supply stop) is installed ahead of the fixture fitting, the maximum volume of water is permitted to be calculated between the water heater and the fixture shut off valve (supply stop).~~

BY: 

Jerry Sonntag, Chairman of the Hays Building and Trades Board

cc: Jesse Rohr
Members of the Hays Building and Trades Board

ORDINANCE NO. xyz

AN ORDINANCE AMENDING CHAPTER 11 OF THE CITY OF HAYS, KANSAS, MUNICIPAL CODE, BY MODIFYING ARTICLE IV, DIVISION 2, SECTION 11-209, SUBSECTION (c) REGARDING THE 2012 GREEN PLUMBING & MECHANICAL CODE SUPPLEMENT

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

Section 1. Chapter 11, Article IV, Division 2, Section 11-209, Subsection (c) of the City of Hays, Kansas Municipal Code is hereby amended as follows:

CHAPTER 11

BUILDINGS AND BUILDING REGULATIONS

ARTICLE IV. PLUMBING, MECHANICAL AND GAS CODE

DIVISION 2. PLUMBING, GAS, AND MECHANICAL CODE

Sec. 11-209. Uniform Plumbing Code, and Uniform Mechanical Code - adopted by reference; amendments.

- (c) For the purpose of establishing the minimum standards for the efficiency of water usage of any work defined as “plumbing” in this division, there is adopted the 2012 Green Plumbing & Mechanical Code Supplement, as adopted by the International Association of Plumbing and Mechanical Officials, copies of which have been and are now filed in the office of the city clerk, which is incorporated in this division by reference, including appendices, as though set out in full in this division, excepting Sections 405.2, 601.2, 602.5, 602.6, Chapters 7 and 8, Appendix C and amending the following Sections to read as follows:

413.8 Narrow or Irregularly Shaped Landscape Areas.

Narrow or irregularly shaped landscape areas, less than 12 feet (3658 mm) in any direction across any opposing boundaries shall not be irrigated by any irrigation emission device except low flow emitters.

602.7.1 Maximum Volume of Hot Water Without Recirculation or Heat Trace.

The maximum volume of water contained in the hot water distribution pipe between the water heater and any fixture shall not exceed 64 ounces (oz) (1892 mL).

Section 2. Chapter 11, Article IV, Division 2, Section 11-209, Subsection (b) of the City of Hays, Kansas Municipal Code, is hereby adopted.

ORDINANCE NO. xyz
Page 2

Section 3. The ordinance shall take effect and be in force from and after its passage and publication in the Hays Daily News, the official city newspaper.

PASSED by the Commission on March 13, 2014.

KENT STEWARD
Mayor

ATTEST:

BRENDA KITCHEN
City Clerk

(SEAL)

ORDINANCE NO. xyz

Page 3

S:\GBBS Client Files\City of Hays\Ordinances\Amendment (Sec. 11-209) (12-21-10) (final).doc

Commission Work Session Agenda

Memo

From: Nicholas Willis, Stormwater/Water Conservation Superintendent

Work Session: March 6, 2014

Subject: Leak Detection Request for Proposals

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

Summary

Staff is requesting permission to publish a Request for Proposals for leak detection services in Hays' buried potable distribution lines and raw water collection system. This is an item which was included in the 2014 budget at \$50,000 and is considered a best practice for utilities with limited water supplies. While water savings are inherently unknown until after a leak detection survey is completed and repairs are made, saving 2% of the approximately 2,000 acre-feet Hays annually pumps is 40 acre feet of savings. At a cost of \$30,000/acre foot to develop new supplies, this represents a potential capital savings of \$1.2 million.

The request for proposals will be issued after city commission approval during the work session. Staff will bring a recommendation forward for a formal award of contract once the proposals have been reviewed.

Background

Unaccounted for water, which entails water lost to evaporation at the treatment plant, slow meter readings, leaks in the collection system between the wells and treatment plant, theft and other untracked fire hydrant uses, and leaks in the potable water distribution system, typically account for 7-12% of Hays' water usage. While any number below 15% is generally considered pretty good, 10% loss does mean that well over one month's of use is lost yearly.

Discussion

The technology employed in this service is acoustic leak detection. Trained technicians use microphone technology to listen for leaks occurring in the water distribution system. Components rising above ground, primarily valves and fire hydrants, are the main points of contact. The sound from leaking pressurized water occurs at a unique frequency, when combined with the various points of contact, including customer water meters, leaks can be pinpointed with a fairly high degree of accuracy. Based upon the volume and specific frequency, good estimates of the leak rates can be made as well.

As leaks are detected, city staff will be notified. If leaks are repaired by city staff while the service provider is still in town, the location of the leak will be rechecked to see if other leaks are still occurring, as locations with multiple leaks may not show up until

Utilities similar to Hays have experienced good success by employing leak detection services. Salina found leaks, primarily in older fire hydrants, of about 180,000 gallons per day. Most utilities utilizing these services do so periodically. For Hays, it appears that the best value may be to engage these services for the majority of the distribution system on a 3-4 year frequency.

This award of contract should be on the April 17, 2014 work session.

Legal Consideration

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

Financial Consideration

\$50,000 has been budgeted for these services in 2014. Staff believes this is enough to provide leak detection services to the majority of the potable water and raw water collection systems.

Depending upon the amount and size of leaks detected, this could be a very costly (lots of little leaks) or relatively high value (a few big leaks) proposition. In general, finding and removing leaks is cost effective, as the expense to treat the water to potable quality is never recovered for water lost to leaks. Certain high liability events, such as road damage from major leaks, can be minimized if a leak is caught early. More importantly, at this time, conservation of water resources is the over-riding concern.

Options

The City Commission has the following options:

- Direct staff to issue the Request for Proposals
- Reject proposed Request for Proposals
- Provide further direction

Recommendation

Staff recommends proceeding with issuing the Request for Proposals.

Action Requested

Direct staff to send out Request for Proposals as included with this memorandum.

Supporting Documentation

Request for Proposals for Leak Detection Services

***City of Hays, Kansas
Request for Proposals***

***COH Project 2014-05
Water Distribution System Leak Detection Services
And Water Loss Management***

***Date of Issue: March 7, 2014
Proposal Due Date: April 1, 2014***

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1. Introduction

The City of Hays, Kansas Department of Utilities (hereinafter called “the City”) is soliciting Request for Proposals for professional services to conduct a comprehensive Water Distribution System Leak Detection Survey. The purpose of this survey is to reduce the capital and operating costs of water treatment and minimize any secondary damage which could result from leaks. All services performed by the selected party (“firm”, “submitter”, or “contractor”) shall comply with AWWA M36 Manual, Alliance for Water Efficiency and other applicable industry standards, as well as any specific requirements of State and Federal agencies.

2. Rules of Preparation

The submitted proposals must follow the rules and the format established within this RFP. Adherence to these rules will ensure a fair and objective analysis of all proposals. Failure to comply with any portion of this request may result in the rejection of a proposal.

3. Proposer Inquiries

The Utilities Department of the City of Hays has prepared this RFP and has designated the Storm Water/Water Conservation Superintendent, Nicholas Willis, as project manager. Please direct questions or comments concerning either the administrative or technical requirements of this RFP to:

Nicholas Willis
Stormwater/Water Conservation Superintendent
City of Hays Utilities Dept.
1002 Vine Street
Hays, Kansas 67601
(785) 628-7350 office
(785) 628-7352 fax
nwillis@haysusa.com

To ensure a timely response, questions requiring a response should be faxed or e-mailed to the Project Manager at the specified number or address above.

4. Submission of Proposals

Please prepare and submit original plus two (2) copies of the proposal. Completed proposals should be clearly marked "RFP for Water System Leak Detection" and be submitted no later than 5:00 P.M. **April 1, 2014** to the project manager at the address in section 3.

Proposals received after the above date and time will be considered late and will not be accepted. Any late proposals will be returned unopened to the firm.

The City of Hays will not pay costs incurred in the proposal preparation including the costs for printing, demonstration, negotiation process, etc. All costs for the preparation of the proposal shall be borne by the proposing firm.

5. Notification of Withdrawal of Proposal

Proposals may be modified or withdrawn by an authorized representative of the firm or by formal written notice prior to the final due date and time specified for proposal submission. Submitted proposals will become the property of the City of Hays after the proposal submission deadline.

6. Scope of Services

The City of Hays, Kansas, is a community of 20,000 located along I-70 in west central Kansas. The city's service area covers approximately 6 square miles.

At a minimum, the services to be provided by the selected firm are to include, but not limited to, the following:

- a) Conduct a water leak detection survey on approximately 130 miles of water distribution mains and approximately 47 miles of raw water transmission lines, ranging in size from 2" to 20" in diameter. The distribution pipe material consists of cast iron (CI), ductile iron (DI), polyvinyl chloride (PVC), and asbestos-cement (AC, e.g. Transite). The system consists of approximately 8,000 residential, commercial, and industrial service connections. Water distribution mains are buried from 4 to 5 feet and the pressure varies from 45 to 90 PSI. City staff, in conjunction with the firm, will prioritize areas of concern, with a primary focus on older lines.
- b) Based on the firm's prior experience on jobs of similar scope, the firm will provide a percentage estimate on the amount of distribution and raw water transmission mains that can be tested given our budgeted amount. The Hays City Commissioners budgeted \$50,000 for this project during the 2014 budgetary process. The City understands this percentage will be an estimate and in-field conditions will dictate the amount of survey completed.
- c) The firm shall include with his proposal a description of all leak detecting and locating equipment to be used to perform the professional services. This equipment should incorporate a variety of methods including, but not limited to, sonic listening, data loggers, hydrophones, computer-based leak sound correlators, and ground phones.
- d) Listening distances should not exceed 300 feet of separation between listening points where possible, i.e. valves, hydrants, meters, and flush valves.
- e) Conduct daily meetings with City utility department staff for updates on leak detection reports and setup the following day's testing schedule. The leak report provided by the firm to the City should include an estimate on the size of each leak located (in gallons per day), as well as a detailed location of the leak.
- f) Locate identified leaks with City crews and assist in prioritizing the repair schedule based on leak severity. Whenever the City repairs any leak detected by the firm prior to completion of the survey field work, the firm shall, without additional compensation, resurvey that particular section of the system.

7. Contents of Proposal

Each proposal will include the following:

- a) A cover page containing the firm's legal name, address, and contact information.
- b) A description of the capability of experienced personnel to perform the requested services, including experience in water system leak detection and development of water loss reports.
- c) Identification of dedicated staff of the firm proposed to be assigned, including qualifications of each of the professional personnel to be assigned (resumes, work experience may be attached).

- d) Approach to activities to be performed. **Included in the proposal will be specifics on the firm's methodology of performing leak detection on both water distribution mains and raw water transmission lines.**
- e) Documents that demonstrate the firm's deliverables during and after project completion, including sample leak reports and project summaries.
- f) A list and description of related experience on similar services performed for municipal/public utility clients that demonstrate the firm's competence and ability to perform the required services, including the name and contact information of a representative of the firm's client(s) who are knowledgeable of the firm's work.
- g) Attach a copy of the firm's proposed contract and fees.
- h) Obligations of the City regarding mapping, resources, personnel, and traffic control measures. If a City utility representative is required on a full-time basis during the survey, please indicate in the proposal.

8. Contractual Obligations

The successful firm will be required to enter an Agreement for Professional Services with the City of Hays in which the firm will undertake certain obligations. These obligations include, but are not limited to, the following:

Inclusion of Proposal: The proposal submitted in response to this RFP will be incorporated as part of the Agreement for Professional Services.

Insurance: The Contractor shall secure, and maintain throughout the duration of this Contract, insurance of such types and in such amounts as may be necessary to protect himself against all hazards or risks of loss as hereinafter designated and specified. The form and limits of such insurance, together with the underwriter thereof in each case, shall be approved by the Owner but, regardless of such approval, it shall be the responsibility of the firm to maintain adequate insurance coverage at all times. Failure of the firm to maintain such coverage shall not relieve him of any contractual responsibility or obligation.

If a part of the Contract work is to be sublet, the firm shall:

- a) Cover any and all subcontractors in his insurance policies, or
- b) Require each subcontractor not so covered to secure insurance, which will protect said subcontractor against all applicable hazards or risks of loss designated herein.

Satisfactory certificates of insurance shall be filed with the Owner prior to starting any work for or in connection with this Contract. Said certificates shall state that ten (10) day's written notice will be given the Owner before any policy covered thereby is changed or cancelled.

Workmen's Compensation and Employers' Liability Insurance: This insurance shall protect the Contractor against any and all claims brought under the Workmen's Compensation Law for the state or states involved in work performed under this Contract. It shall also protect the Contractor against claims for injury to, disease or death of workmen engaged in work under this Contract which, for any reason, may not fall within the provisions of the Workmen's Compensation Act.

Workmen's Compensation

Statutory

Employers' Liability	\$100,000 each person per accident
	\$100,000 each person for disease
	\$500,000 aggregate for disease

Comprehensive General Liability Insurance: This insurance, to be on the comprehensive form, shall protect the Contractor against any and all claims arising from injuries to members of the public or damage to property of others arising out of any act or omission of the Contractor, his agents, employees or subcontractor, in connection with the operation or performance of the work for and in connection with this Contract. In addition, this general liability insurance policy shall specifically insure the contractual liability of the Contractor assumed under the foregoing Paragraph, "Defense of Suits".

The property damage liability coverage under this policy shall contain no exclusion relative to damage to underground property.

Liability limits for general liability insurance coverage under this policy shall be not less than \$500,000 combined single limit per occurrence.

Comprehensive Automobile Liability Insurance: This insurance, to be on the comprehensive form, shall protect the Contractor against any and all claims for injuries to members of the public and damage to property of others arising from the use of automobiles and trucks in connection with the performance of work under this Contract, and shall cover the operation on or off the site of the work of all motor vehicles licensed for highway use, whether they are owned, non-owned, or hired by the Contractor. The policy shall include an "all states" endorsement.

Liability limits for automobile liability insurance coverage under this policy shall be not less than the following:

Bodily Injury	\$100,000 each person
	\$300,000 each accident
Property Damage	\$300,000 each accident

9. Right of the City of Hays to Reject Proposals

The City of Hays reserves the right to reject any and all proposals or any part of any proposals, to waive minor defects or technicalities, or to solicit new proposals on the same project or on a modified project which may include portions of the originally proposed project as the City of Hays may deem necessary in its best interest. The City also reserves the right to negotiate with any firm, all or part of any proposal that is in the best interest of the City.

10. Evaluations

The committee evaluating the proposals will base the evaluation on the proposal that will best serve the City of Hays most economically.

11. Non-limitations to RFP

The format of the RFP must be followed and all requested information must be submitted as indicated; however, the City of Hays is receptive to any additional suggestions pertaining to services development, additional related capabilities, and any alternative methods for providing related services. Any exceptions to the RFP terms and conditions must be included in writing in the proposal.

12. Interpretations and addenda

No interpretation made to any respondent as to the meaning of the RFP shall be binding on the City of Hays unless repeated in writing and distributed as an addendum by the City of Hays. Interpretations and/or clarification shall be requested in writing from the contact person listed in Section 3.

13. Projected Schedule of Events

<u>Release of RFP Document</u>	<u>March 7, 2014</u>
<u>Pre-proposal Conference</u>	<u>None</u>
<u>Last day to submit proposals</u>	<u>April 1, 2014</u>
<u>Staff Recommendation to City Commission</u>	<u>April 24, 2014</u>
<u>Anticipated Notice to Proceed</u>	<u>May 1, 2014</u>

14. Proposal Response Format

In order to facilitate the analysis of responses to this RFP, firms are required to prepare their proposal in accordance with the instructions outlined in sections 4 and 7.

Proposals should be prepared as simply as possible and provide a straightforward, concise description of the firm's capabilities to satisfy the requirements of the RFP. Expensive bindings, color displays, promotional material, etc., are not necessary or desired.

15. Confidentiality of Documents

All responses to the RFP submitted by firms shall be deemed public documents at the time opened by City of Hays. The RFP is intended to be worded in a manner so as not to elicit proprietary information from the firm. If proprietary information is submitted as part of the proposal, such information is to be labeled proprietary and be accompanied with a request that the information is to be returned by the City of Hays to the submitter. Any proposal that is submitted with a blanket statement or limitation that would prohibit or limit such public inspection shall be considered non-responsive and shall be rejected.

16. Legal Notice

Required Contractual Provisions: Unless specifically waived in its request for bids or request for proposals, or included as alternate provisions to be bid or proposed, the City of Hays, Kansas, shall not award contracts nor let bids to individuals or entities unless the vendor, contractor or individual agrees to indemnify and hold the City of Hays, Kansas, harmless from any and all losses, damages or expenses of any kind arising out of any and all claims, demands, or causes of action initiated against the City of Hays, Kansas, by competing entities bidding on the project which is the subject of the contract.

Prohibited Contractual Provisions: Unless specifically waived in its request for bids or request for proposals, or included as alternate provisions to be bid or proposed, the City of Hays, Kansas, shall not award contracts nor let bids to individuals or entities which attempt to do any of the following or include any of the following in the proposed contract:

- a) Any diminishment of the common law or statutory standard of care, limitation of liability, or other attempt to reduce responsibility for mistake, error, or negligence of any type on the part of the vendor, contractor or individual.

- b) Attempts to limit liability for breach of contract or negligent performance to the amount of the payment to the contractor by the city.
- c) Attempt to claim ownership of intellectual property created during the performance of the contract with the city.
- d) Arbitration agreements.
- e) Provision for damages for breach by owner contrary to common law or statute including, but not limited to, any attempt to provide for attorney fees as part of recoverable damages.
- f) Attempt to designate any forum or venue for resolution of disputes other than Ellis County District Court, Kansas.
- g) Any other attempted reallocation of risk contrary to common law or statute.
- h) Any attempt to eliminate the city's ability to collect consequential, exemplary or punitive damages, or any other measure of damages permitted by law, in an action against the vendor, contractor or individual for breach of contract.

Prohibited Acts: Unless specifically permitted to do so by the request for bids or request for proposals, no vendor, contractor or individual submitting proposals or bids to the City of Hays, Kansas, shall attempt to insert any of the contractual provisions prohibited by Section 2-577 into any contracts or agreements proposed to the City of Hays, Kansas.

Penalty for Violation of Article: Any vendor, contractor or individual who, without the express permission of the City Manager of the City of Hays, Kansas, proposes to enter into or enters into a contract with the City of Hays, Kansas, which omits any of the contract provisions required by Section 2-576 of this article or contains any of the contract provisions barred by Section 2-577 of this article, may be found by the City Manager of the City of Hays, Kansas, to be in violation of this article and vendors, contractors or individuals found to be in violation of this article may be barred from bidding on future contracts with the City of Hays, Kansas.

Conflict Between Article and Contract: To the extent any contract entered into by or on behalf of the City of Hays, Kansas omits any of the contract provisions required by Section 2-576 of this article, the article will prevail and the required contract provisions will be read into the contract. To the extent any contract entered into by or on behalf of the City of Hays, Kansas contains any of the contract provisions barred by Section 2-577 of this article, the article will prevail and the offending provisions shall be null and void and shall be unenforceable as to the City of Hays, Kansas.

The City of Hays expects a professional job, done commensurate with the standards and practices of the profession/or business. All persons awarded and/or entering into purchase orders with the City of Hays shall be subject to and required to comply with all applicable City, State and Federal provisions.

The City of Hays has an affirmative action program. Any firm will be required to include the following statement in any contract with the City of Hays: "Contractor shall not discriminate in the employment of persons engaged in the performance of this Agreement on account of race, color, national origin, ancestry, religion, sex, marital status, physical handicap, or medical condition, in violation of any federal or state law. Contractor shall comply with all requirements of the City of Hays pertaining to affirmative action with regard to employment while this Agreement is in effect."

At any time, the City may elect to abandon the project. At that time, the consultant would be compensated for all items previously completed.

Rights to intellectual property developed, utilized, or modified in the performance of services shall remain the property of the City of Hays.

This contract is subject to the provisions of Part II, Chapter 2, Article XI of the City of Hays, Kansas Code of Ordinances.

All parties doing business with the City of Hays should familiarize themselves with the provisions of Chapter 2, Article XI, Sections 2-576 through 2-580, prior to proposing any contract to the City of Hays.

Memo

To: Toby Dougherty, City Manager
Cc: Paul Briseno, Assistant City Manager
From: Kim Rupp, Director of Finance
Date: February 24, 2014
Re: Comprehensive Financial Management Policy Review - 2013

The City of Hays Comprehensive Financial Management Policy consists of thirteen categories. The thirteenth category is policy review and states that "The City Manager shall provide the City Commission a written status report concerning the City's compliance with the thirteen categories on an annual basis". Overall, staff is comfortable that every attempt was made to comply with the Policy and after review submits the following highlights:

Category I

Fund Balances and Reserves

Reserves protect the City's essential service programs during periods of economic downturn, which may temporarily reduce actual resources. The City was able to fulfill the requirement in 2013 of maintaining a 10% unreserved fund balance and a 25% budget stabilization fund for the General Fund. No Unreserved Fund Balances were used to support operating expenditures. Expenditures were fully supported by the year's revenue in each fund. The City was also able to maintain adequate contingencies for funds that statutorily cannot carry a fund balance in excess of 5% from the previous year. This provides for funding flexibility when faced with unanticipated needs or emergencies.

Category II

Budgeting

One of the things required in this area is that officials and department heads are required to monitor revenues and control expenditures to prevent exceeding the amount of expenditures budgeted for their department. This went well this year evidenced by the fact that total operating expenditures ended the year some \$1,352,038 under budget. This included \$2,416,703 set aside by the City Commission to pay for the 13th Street (Main to Milner) reconstruction, supplement for paving in connection with water line upgrades along Fort Street, and the 13th Street mill and overlay from Vine to Canterbury.

This category also recommends that any General Fund unreserved fund balance in excess of 10% should be used for either non-recurring capital expenditures or to buy down the Bond and Interest levy. In the 2013 budget, \$75,000 was transferred to Bond and Interest for levy stabilization.

Category III

Revenues

It is necessary that the City maintain a diversified and stable revenue system to shelter it from short-term fluctuations in any one revenue source. In this section it was determined that the City establish all user charges and fees to support their respective activity. Once again this was accomplished in 2013 and in fact those funds were able to support General Fund services they received by establishing transfers to reimburse for those activities. Water sales and sewer service charges are a big portion of the City's revenue stream. A 3% fee increase in water and sewer charges did go into effect January 1. This change was needed in 2013 to help provide services and meet operational needs.

Category IV

Capital Improvement Program and Fixed Assets

Staff updates the City CIP plan on a regular basis throughout the year, and reviews it annually with the Commission during the budget process. City staff is committed to implementing the City's Capital Improvement Plan to protect its capital assets and minimize future maintenance and replacement costs.

Category V

Debt Management

The City continued its practice of pay-as-you-go financing of capital projects given the substantial amount of idle funds available and the poor investment rates being received. If needed in the future those funds are then reimbursed through bond funding when projects are at or near completion. General obligation and revenue bonds are sold in a competitive sale format to produce the best results for the City as it relates to term, call provisions, bidder availability, and interest rates. A review of current debt obligations was conducted again this year to determine if any bonds were ready for call. Staff did take advantage of a refunding opportunity for 2013. For what is believed to be the first time, the City of Hays received a respectable AA- rating from Standard and Poor's Ratings Services on this issue.

Category VI

Cash Management and Investment

Staff continues to utilize a competitive bid process for investment of idle funds. Staff also uses a "just in time" procedure for maturity dates to ensure that the funds earn as much interest as possible before needed. Staff was pleased during 2013 having received bids from several banks in town on numerous occasions.

Category VII

Enterprise Fund Management

Water and sewer rates were once again reviewed by staff during the 2013 budget process. This revealed a need for a rate increase of 3%. This is an annual process conducted since the resolution on such was approved by the City Commission Jan 1, 2008. This practice ensured that the City is able to continue to maintain all enterprise funds on a self-sustaining basis, with no support from property tax or general fund sales tax revenues.

Category VIII

Accounting, Auditing and Financial Reporting

The City follows all governmental requirements for reporting and auditing. The City's auditing firm completed the 2012 audit of the financials of the City of Hays and reported there were no significant findings.

Category IX

Risk Management

The services provided by the City's risk management broker include risk management assessment and policy evaluation. The current broker, Insurance Planning of Hays, has performed well and we are pleased with their response to claims and issues as they arise.

Category X

Procurement

Staff has continued to follow the purchasing policy as updated and improved in 2008. The purchasing policy allows for the city to obtain supplies, equipment and services as economically as possible. This is fostered by the purchasing system and procedures in place as outlined in the policy. A full launch of the Visa Procurement Cards in 2010 have allowed for streamlined efficiencies of the requisition, balancing and invoicing process.

Category XI

Intergovernmental Revenues

No grants were used in 2013 to meet service delivery needs. Grants received during 2013 from the State of Kansas or Federal Government did not create City overhead or indirect costs.

Category XII

Economic Development

The Economic Development Policy is under continual review. A section on Rural Housing Improvement Districts was created in 2013.

Category XIII

Policy Review

This section requires staff annually review the Comprehensive Financial Management Policy and report to the City Commission the level of compliance the City attained the previous year. This memo hopefully meets that requirement.