

**CITY OF HAYS COMMISSION MEETING
THURSDAY, JULY 9, 2015 – 6:30 P.M.
AGENDA**

1. Call to order by Chairperson.
2. **MINUTES:** Consider approval of the minutes from the regular meeting held on June 25, 2015. (PAGE 1)
3. **CITIZEN COMMENTS:** (non-agenda items).
4. **CONSENT AGENDA:** (Items to be approved by the Commission in one motion, unless objections are raised).

Mayoral Appointments for Approval: Fort Hays Municipal Golf Course Advisory Board, Hays Area Board of Zoning Appeals, Hays Area Planning Commission, Hays Beautification Committee, Hays Housing Authority Board and Hays Recreation Commission Board (PAGE 7)

UNFINISHED BUSINESS

(No business to review)

NEW BUSINESS

5. **HDR PROFESSIONAL CONTRACT AMENDMENT TO MEET SRF TERMS AND CONDITIONS OF SERVICE:** Consider approving the amendment to HDR's professional contract to meet SRF terms and conditions of service provided. (PAGE 19)
6. **RESOLUTION FOR SIGNATURE AUTHORIZATION FOR SRF LOAN APPLICATION/FORMS PERTAINING TO WASTEWATER FACILITY PROJECT:** Consider approving Resolution No. 2015-014 authorizing the City Manager to sign the SRF loan application and all other forms and documents associated with the wastewater plant project. (PAGE 25)
7. **SET PUBLIC HEARING DATE FOR WASTEWATER FACILITY PLAN REVIEW TO MEET SRF TERMS AND CONDITIONS:** Set a public hearing date of August 13, 2015 to review with the public the purpose and recommendations of the Wastewater Facility Plan. (PAGE 29)
8. **TALLGRASS ADDITION PHASE 5 – BENEFIT DISTRICT RESOLUTION:** Consider approving Resolution No. 2015-015 authorizing the creation of a special benefit district for infrastructure improvements for the development of 33 lots along East 17th Street, Tallgrass Drive, and Prairie Run Court within the Tallgrass Addition. (PAGE 33)

9. **TALLGRASS ADDITION PHASE 5 – AWARD OF BID:** Consider authorizing the City Manager to enter into a contract with J Corp for the construction of street, water, storm water and sanitary sewer improvements within the Tallgrass Addition, Phase 5, with the City share of sanitary sewer oversizing to be funded out of Water/Sewer Capital, and the City share for street oversizing to be funded out of the City Commission Capital Reserve. (PAGE 53)
10. **VEHICLE ABATEMENT – 1406 ALLEN:** Consider approving Resolution No. 2015-016 authorizing the City of Hays or its designated agent to abate the nuisance located on the property at 1406 Allen. (PAGE 71)
11. **VEHICLE ABATEMENT – 300 E. 24TH STREET:** Consider approving Resolution No. 2015-017 authorizing the City of Hays or its designated agent to abate the nuisance located on the property at 300 E. 24th Street. (PAGE 81)
12. **VEHICLE ABATEMENT – 300 E. 25TH STREET:** Consider approving Resolution No. 2015-018 authorizing the City of Hays or its designated agent to abate the nuisance located on the property at 300 E. 25th Street. (PAGE 91)
13. **REPORT OF THE CITY MANAGER**
14. **COMMISSION INQUIRIES AND COMMENTS**
15. **EXECUTIVE SESSION (IF REQUIRED)**
16. **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.

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON JUNE 25, 2015

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, June 25, 2015 at 6:30 p.m.

Roll Call: Present: Eber Phelps

Shaun Musil

James Meier

Henry Schwaller IV

Absent: Lance Jones

Chairperson Phelps declared that a quorum was present and called the meeting to order.

2. MINUTES: There were no corrections or additions to the minutes of the regular session held on June 11, 2015; the minutes stand approved as presented.

3. FINANCIAL STATEMENT: Finance Director Kim Rupp reviewed the financial summaries of the revenue and expenditure activities of the City of Hays for the month ended May 31, 2015. He reported that month-to-date general fund sales tax collections were at \$600,238 which is an increase of \$2,847 as compared to last year. Year-to-date general fund collections are at \$3,077,707 up \$119,434 or 4.04%.

The portfolio of certificates of deposit on May 31, 2015 totaled \$53,400,000 with a weighted average interest rate of .23%. The total balance of the Money Market account on May 31, 2015 was \$1,000,000 with a current yield of .20%. Total investments are up \$850,000 when compared to this time last year.

Shaun Musil moved, Henry Schwaller IV seconded, that the Financial Statement for the month of May 2015 be approved.

Vote: ayes: Eber Phelps
Shaun Musil
James Meier
Henry Schwaller IV

4. CITIZEN COMMENTS: There were no comments

5. CONSENT AGENDA: Chairperson Phelps presented the following proposed mayoral appointments which will be presented at the July 9, 2015 City Commission meeting for approval.

Fort Hays Municipal Golf Course Advisory Board

Patrick Lowry – three-year term to expire July 1, 2018 (1st term)

Kevin Schukman – three-year term to expire July 1, 2018 (1st term)

Hays Area Board of Zoning Appeals

Jerry Befort (resides in three-mile radius) – three-year term to expire May 1, 2018 (5th term)

Rich Sieker (resides in city limits) – unexpired term to expire May 1, 2016 (1st term)

Hays Area Planning Commission

Chris Crawford (resides in the three-mile radius) – three-year term to expire April 30, 2018 (1st term)

Hays Beautification Committee

Judy Dawson – three-year term to expire August 1, 2018 (2nd term)

Jim Strine – three-year term to expire August 1, 2018 (2nd term)

Doris Wing – three-year term to expire August 1, 2018 (2nd term)

Hays Housing Authority Board

Audra Brungardt – four-year term to expire February 14, 2019 (1st term)

Hays Recreation Commission Board

Nancy Jeter – four-year term to expire August 1, 2019 (5th term)

NEW BUSINESS

6. TEBO FIRST ADDITION FINAL PLAT: The owners of the property known as the proposed Tebo First Addition have submitted a final plat for consideration. The property is generally located at 43rd and General Hays/Vine St. The property being platted is currently one lot and will remain one lot after platting. This is merely a house-keeping item that needs to go through the process before the property can be developed. There is a sanitary sewer easement that crosses the property that is no longer in use that will be vacated with the plat. On May 18, 2015 the final plat was reviewed and approved (8-0 vote) by the Hays Area Planning Commission. Staff, as well as the Planning Commission, recommends approving this plat as submitted.

James Meier moved, Shaun Musil seconded, to approve Resolution No. 2015-013 accepting the final plat known as the Tebo First Addition.

Vote: ayes: Eber Phelps
Shaun Musil
James Meier
Henry Schwaller IV

7. COMMERCIAL INSURANCE RENEWAL – 2015/2016: The City's Commercial Insurance Policy with BRIT Insurance will expire on July 1, 2015. Arthur J. Gallagher provides for critical insurance oversight for the City as the Insurance Broker. Requested quotes to the incumbent carriers by Arthur J. Gallagher resulted in a responsive and responsible bid in the amount of \$187,023. The outcome of Gallagher's negotiation translates into a decrease of \$2,638. City staff recommends pursuing the 2015/2016 Commercial Insurance renewal with BRIT, Hartford, Old Republic, Hanover, and National Union Fire Insurance Companies as per the expiring policies.

Henry Schwaller IV moved, Shaun Musil seconded, to authorize the City Manager to renew the 2015/2016 insurance coverages with the incumbent

insurers for \$187,023 to be funded from the Intergovernmental Insurance and Surety line item.

Vote: ayes: Eber Phelps
Shaun Musil
James Meier
Henry Schwaller IV

8. SET PUBLIC MEETING DATE FOR WASTEWATER FACILITY PLAN

DISCUSSION TO MEET SRF TERMS AND CONDITIONS: Planning is in motion for the upgrade and reconstruction of the Wastewater Facility. Preliminary estimates indicate the total cost to be \$28,000,000. The Kansas State Revolving Loan Fund (SRF) is the most cost effective option to fund this project. Given that fund includes federal dollars, there are many requirements to be met to file an application for the SRF.

One of the first requirements in applying for a State Revolving Loan is to hold a public meeting to communicate to the public the purpose of the Wastewater Facility Plan. City staff recommends the City Commission set the public meeting date of July 16, 2015.

Eber Phelps moved, Henry Schwaller IV seconded, to set a Public Meeting Date of July 16, 2015 to communicate to the public the purpose of the Wastewater Facility Plan.

Vote: ayes: Eber Phelps
Shaun Musil
James Meier
Henry Schwaller IV

9. PROGRESS REPORT: Assistant City Manager Paul Briseno presented a monthly report of city-related activities, services and programs.

10. REPORT OF THE CITY MANAGER: City Manager Toby Dougherty announced a change in the trash collection. He stated we are asking that all cardboard boxes be broken down and any packing material or waste be put in the trash. The City is now using a two-compartment recycling truck instead of

three compartments and if there is any trash inside the boxes, with the new truck, there is no place to put the non paper items.

He also recognized Assistant City Manager Paul Briseno, who is leaving for a job in Nebraska. He stated it has been a pleasure working with him and he will be missed.

11. COMMISSION INQUIRIES AND COMMENTS: Commissioner Meier commented that the joint city meeting with the Russell City Council on Tuesday went very well. He stated the water from the R9 Ranch in Edwards County is the best option moving forward for the City. He also wanted to clarify that we are not taking water from Edwards County that it ceased to be Edwards County water when the R9 Ranch was purchased in 1994.

Commissioner Musil thanked Assistant City Manager Paul Briseno for his assistance and service to the City of Hays.

Mayor Phelps commented that we are saying goodbye to a number of employees and recognized them for their service to the City: Paul Briseno, Assistant City Manager; ID Creech, Public Works Director; Ron Rounkles, Police Lieutenant; and Brian Hiller, Equipment Operator.

The meeting was adjourned at 7:08 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 4

MEETING DATE: 7-9-15

TOPIC:

Mayoral Appointments for Approval

ACTION REQUESTED:

Consider approving Mayor Phelps' proposed appointments to the Fort Hays Municipal Golf Course Advisory Board, Hays Area Board of Zoning Appeals, Hays Area Planning Commission, Hays Beautification Committee, Hays Housing Authority Board and Hays Recreation Commission Board.

NARRATIVE:

The following appointments were recommended at the June 25, 2015 City Commission meeting and are now being presented for approval.

Fort Hays Municipal Golf Course Advisory Board

Patrick Lowry – 3-year term to expire 7-1-18 (1st term)

Kevin Schukman – 3-year term to expire 7-1-18 (1st term)

Hays Area Board of Zoning Appeals

Jerry Befort (resides in 3-mile radius) – 3-year term to expire 5-1-18 (5th term)

Rich Sieker (resides in city limits) – unexpired term to expire 5-1-16 (1st term)

Hays Area Planning Commission

Chris Crawford (resides in the 3-mile radius) – 3-year term to expire 4-30-18 (1st term)

Hays Beautification Committee

Judy Dawson – 3-year term to expire 8-1-18 (2nd term)

Jim Strine – 3-year term to expire 8-1-18 (2nd term)

Doris Wing – 3-year term to expire 8-1-18 (2nd term)

Hays Housing Authority Board

Audra Brungardt – 4-year term to expire 2-14-19 (1st term)

Hays Recreation Commission Board

Nancy Jeter – 4-year term to expire 8-1-19 (5th term)

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mayor Phelps

ADMINISTRATION RECOMMENDATION:

N/A

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Applications

CITY OF HAYS
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE

Email: plowry@dailynews.net

Date: 6/15/2015

Name: Patrick Lowry

Address: 2403 Ash St., Hays

Day Time Phone Number: (785) 628-1081

Evening Phone Number: (785) 628-3914

Place of Employment: The Hays Daily News

How long have you been a Resident of Hays: 11 years

Name of Board(s) you are interested in serving on: Fort Hays Municipal Golf Course Advisory Board

How much time could you devote per month: Whatever is necessary.

Are you related to anyone who is currently serving on a Board/Committee?: No

If Yes, Explain: n/a

Briefly describe why you are interested in serving on a Board/Committee for the City of Hays: I believe the golf course is a strong community asset and would like to do my part to keep it that way.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: Served on the board of directors for: Hays Area Chamber of Commerce, Ellis County Coalition for Economic Development, Big Brothers/Big Sisters of Ellis County and Hays Arts Council. Also served on the USD 489 Facilities Needs Committee.

CITY OF HAYS
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE

Email: schukman@aol.com

Date: 6/18/2015

Name: Kevin Schukman

Address: 503 West 35th

Day Time Phone Number: 785-623-0540

Evening Phone Number: 785-623-0540

Place of Employment: Eagle Communications, Inc.

How long have you been a Resident of Hays: 60 yrs.

Name of Board(s) you are interested in serving on: Golf Course advisory board

How much time could you devote per month: 4 - 8 hrs.

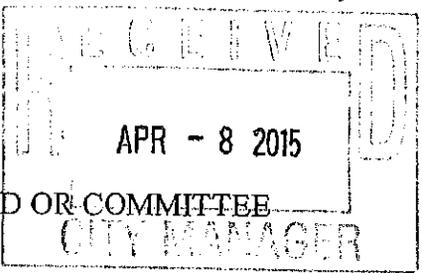
Are you related to anyone who is currently serving on a Board/Committee?: No

If Yes, Explain:

Briefly describe why you are interested in serving on a Board/Committee for the City of Hays: I enjoy golfing at the Hays Municipal Golf Course and I am interested in the future success of the course.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: Hays Kiwanis Club - Past President and Treasurer / Current Board Member Hays Chamber of Commerce - Past Treasurer Big Brothers and Big Sisters - Past Treasurer

3-mile



CITY OF HAYS
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE

NAME: Jerry Befort

ADDRESS: 1892 Highway 40, Hays, Kansas 67601

DAY TIME PHONE NUMBER: 785-259-5009 EVENING PHONE NUMBER: 785-625-5153

E-MAIL ADDRESS: jbbefort@eaglecom.net

PLACE OF EMPLOYMENT: Self Employed

HOW LONG HAVE YOU BEEN A RESIDENT OF HAYS? Lifetime

NAME OF BOARD(S) YOU ARE INTERESTED IN SERVING ON: Board of Zoning Appeals

HOW MUCH TIME COULD YOU DEVOTE PER MONTH? As Needed

ARE YOU RELATED TO ANYONE WHO IS CURRENTLY SERVING ON A BOARD/COMMITTEE? No

IF YES, EXPLAIN: _____

BRIEFLY DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMITTEE FOR THE CITY OF HAYS. _____

Help Develop Growth & Progress In The City Of Hays: _____

PLEASE LIST ANY GROUPS OR ACTIVITIES THAT YOU PARTICIPATE IN, OR HAVE PREVIOUSLY PARTICIPATED IN, THAT DEMONSTRATE YOUR INVOLVEMENT IN THE COMMUNITY. _____

Past Member Of The Hays Planning Commission & Board of

Zoning Appeals:

SIGNATURE: *Jerry Befort* DATE: April 9th, 2015

Thank you for your interest in serving on a Board/Commission. It is rewarding to see individuals who are willing and able to commit their time and energy to make the City of Hays a better place to work, live and play.

CITY OF HAYS
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE

Email: rsieker@eaglecom.net

Date: 9/18/2014

Name: Rich Sieker

Address: 3601 A. Fairway

Day Time Phone Number: 7854831840

Evening Phone Number: 7854831840

Place of Employment: Eagle

How long have you been a Resident of Hays: 5yrs.

Name of Board(s) you are interested in serving on: Planning, Recreation, others that are needing help.

How much time could you devote per month: Good question, willing to serve where I'm asked

Are you related to anyone who is currently serving on a Board/Committee?: Yes

If Yes, Explain: Patty Stull Sieker

Briefly describe why you are interested in serving on a Board/Committee for the City of Hays: Being involved.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: FHSU Athletic Auction Comm., FHSU Alumni Board.

CITY OF HAYS
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE

Email: ccrawfor@fhsu.edu

Date: 6/15/2015

Name: Chris Crawford

Address: 1550 Hilltop Dr

Day Time Phone Number: 785-628-5550

Evening Phone Number: 785-259-3605

Place of Employment: FHSU

How long have you been a Resident of Hays: I have lived in or around Hays for 30 years.

Name of Board(s) you are interested in serving on: Hays Area Planning Commission

How much time could you devote per month: whatever it takes

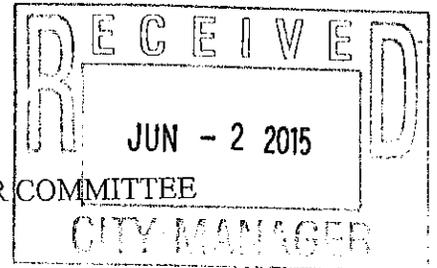
Are you related to anyone who is currently serving on a Board/Committee?: No

If Yes, Explain:

Briefly describe why you are interested in serving on a Board/Committee for the City of Hays:
Giving service to the city and county is important. We live in a developed subdivision in the county and there are issues unique to folks like myself.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: This is my first approach to serve on a local board, but I have been very involved in my industry regionally and nationally.

CITY OF HAYS
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE



NAME: Judy E. Dawson

ADDRESS: 2205 Downing Ave.

DAY TIME PHONE NUMBER: 785-628-8732 EVENING PHONE NUMBER: Same

E-MAIL ADDRESS: gjdawson@ruraltel.net

PLACE OF EMPLOYMENT: retired USD 489 educator

HOW LONG HAVE YOU BEEN A RESIDENT OF HAYS? 44 yrs.

NAME OF BOARD(S) YOU ARE INTERESTED IN SERVING ON: Hays Beautification Committee

HOW MUCH TIME COULD YOU DEVOTE PER MONTH? 2 hrs.

ARE YOU RELATED TO ANYONE WHO IS CURRENTLY SERVING ON A BOARD/COMMITTEE? _____

IF YES, EXPLAIN: _____

BRIEFLY DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMITTEE FOR THE CITY OF HAYS.

To improve or beautify the city of Hays.

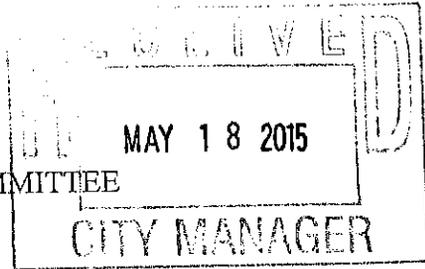
PLEASE LIST ANY GROUPS OR ACTIVITIES THAT YOU PARTICIPATE IN, OR HAVE PREVIOUSLY PARTICIPATED IN, THAT DEMONSTRATE YOUR INVOLVEMENT IN THE COMMUNITY.

Election worker for primary & general elections
Past home extension committee. Religion teacher for elementary students & Church Education Committee, Beautification Committee.

SIGNATURE: Judy Dawson DATE: _____

Thank you for your interest in serving on a Board/Commission. It is rewarding to see individuals who are willing and able to commit their time and energy to make the City of Hays a better place to work, live and play.

CITY OF HAYS
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE



NAME: Tim Strine

ADDRESS: 1900 Fort St.

DAY TIME PHONE NUMBER: 625-8940 EVENING PHONE NUMBER: None

E-MAIL ADDRESS: jstrine@ksu.edu

PLACE OF EMPLOYMENT: Retired Forester

HOW LONG HAVE YOU BEEN A RESIDENT OF HAYS? 37 years

NAME OF BOARD(S) YOU ARE INTERESTED IN SERVING ON: _____

Beautification Committee

HOW MUCH TIME COULD YOU DEVOTE PER MONTH? whatever is needed

ARE YOU RELATED TO ANYONE WHO IS CURRENTLY SERVING ON A BOARD/COMMITTEE? No

IF YES, EXPLAIN: _____

BRIEFLY DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMITTEE FOR THE CITY OF HAYS.

I would like to see more trees planted in the city.

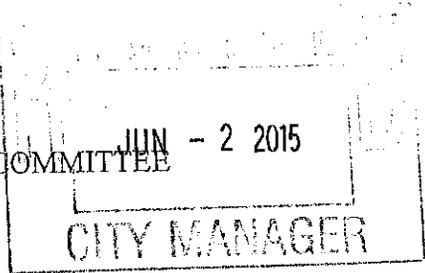
PLEASE LIST ANY GROUPS OR ACTIVITIES THAT YOU PARTICIPATE IN, OR HAVE PREVIOUSLY PARTICIPATED IN, THAT DEMONSTRATE YOUR INVOLVEMENT IN THE COMMUNITY.

I am currently serving on this committee.

SIGNATURE: Tim Strine DATE: 5/18/15

Thank you for your interest in serving on a Board/Commission. It is rewarding to see individuals who are willing and able to commit their time and energy to make the City of Hays a better place to work, live and play.

CITY OF HAYS
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE



NAME: Doris Wing

ADDRESS: 1602 E. 28th Terr.

DAY TIME PHONE NUMBER: 785.625.2167 EVENING PHONE NUMBER: Same

E-MAIL ADDRESS: doriswing@aol.com

PLACE OF EMPLOYMENT: Retired (smiley face)

HOW LONG HAVE YOU BEEN A RESIDENT OF HAYS? 67 yrs

NAME OF BOARD(S) YOU ARE INTERESTED IN SERVING ON: Hays Beautification Comm.

HOW MUCH TIME COULD YOU DEVOTE PER MONTH? 2-4 hrs

ARE YOU RELATED TO ANYONE WHO IS CURRENTLY SERVING ON A BOARD/COMMITTEE? No

IF YES, EXPLAIN: _____

BRIEFLY DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMITTEE FOR THE CITY OF HAYS.

I take a lot of pride in how Hays presents itself to visitors coming into our community, as well as new residents moving to Hays.

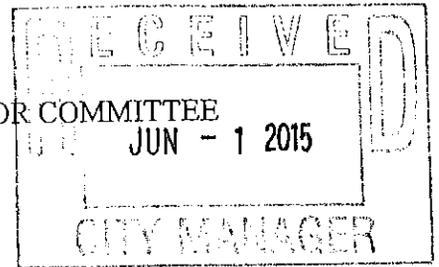
PLEASE LIST ANY GROUPS OR ACTIVITIES THAT YOU PARTICIPATE IN, OR HAVE PREVIOUSLY PARTICIPATED IN, THAT DEMONSTRATE YOUR INVOLVEMENT IN THE COMMUNITY.

Volunteer at Community Assistance Center
Active member of Celebration Comm. Church

SIGNATURE: Doris Wing DATE: 6-2-2015

Thank you for your interest in serving on a Board/Commission. It is rewarding to see individuals who are willing and able to commit their time and energy to make the City of Hays a better place to work, live and play.

CITY OF HAYS
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE



NAME: Audra Brungardt
ADDRESS: 1711A Sunset Trail; Hays
DAY TIME PHONE NUMBER: 301-2927 EVENING PHONE NUMBER: 301-2927
E-MAIL ADDRESS: Audra Brungardt@gmail.com
PLACE OF EMPLOYMENT: disabled
HOW LONG HAVE YOU BEEN A RESIDENT OF HAYS? currently 7 born & raised in Hays & moved when I was 24
NAME OF BOARD(S) YOU ARE INTERESTED IN SERVING ON: Hays Housing Authority
position
HOW MUCH TIME COULD YOU DEVOTE PER MONTH? whatever required
ARE YOU RELATED TO ANYONE WHO IS CURRENTLY SERVING ON A BOARD/COMMITTEE? no
IF YES, EXPLAIN: _____

BRIEFLY DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMITTEE FOR THE CITY OF HAYS. I want to become more involved in the community in Hays. I live under Hays Housing Authority & would like to be a representative.

PLEASE LIST ANY GROUPS OR ACTIVITIES THAT YOU PARTICIPATE IN, OR HAVE PREVIOUSLY PARTICIPATED IN, THAT DEMONSTRATE YOUR INVOLVEMENT IN THE COMMUNITY. _____
I am involved in my Church P Immaculate Heart of Mary. In the Church I am involved as Eucharistic Minister, evening prayer, & book clubs.

SIGNATURE: Audra Brungardt DATE: 6-1-15

Thank you for your interest in serving on a Board/Commission. It is rewarding to see individuals who are willing and able to commit their time and energy to make the City of Hays a better place to work, live and play.

CITY OF HAYS
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE

Email: njeter@kansasbig.org

Date: 6/22/2015

Name: Nancy Jeter

Address: 2703 Cottonwood Lane

Day Time Phone Number: 785-625-6672

Evening Phone Number: 785-628-8283

Place of Employment: Big Brothers Big Sisters

How long have you been a Resident of Hays: 25 years

Name of Board(s) you are interested in serving on: Hays Recreation Commission

How much time could you devote per month: 10 hours or more

Are you related to anyone who is currently serving on a Board/Committee?: No

If Yes, Explain:

Briefly describe why you are interested in serving on a Board/Committee for the City of Hays: I believe it is important to give back to the community in which I live. I care about children and think HRC is a wonderful for the children providing them with lots of fun activities as well as a well run sports program. Having worked with children for a number of years, HRC gives me additional ways to help kids in the community.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: I am not on any other boards at the current time, but support the Community Assistance Center, Humane Society, Jana's Campaign, Hays Larks and Hays Dog Park. Working full time has not allowed me to serve on other entities.

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 5

MEETING DATE: 7-9-15

TOPIC:

HDR Professional Contract Amendment to meet SRF Terms and Conditions

ACTION REQUESTED:

Approve the amendment to HDR's professional contract to meet SRF terms and conditions of service provided.

NARRATIVE:

Planning is in motion for the upgrade and reconstruction of the Wastewater Facility. Preliminary estimates indicate the total cost to be \$28,000,000. The Kansas State Revolving Loan Fund is the most cost effective option to fund this project. Given that fund includes federal dollars, there are many requirements to be met to file an application for the SRF. The amendment of HDR's professional contract is to become compliant with the SRF terms and conditions for the City of Hays as the SRF is the preferred funding option for the new wastewater treatment facility.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Johnny O'Connor, Assistant Director of Utilities
Bernie Kitten, Director of Utilities

ADMINISTRATION RECOMMENDATION:

Staff recommends that the City Commission approve the amendment to HDR's professional contract to meet SRF terms and conditions of service provided.

COMMITTEE RECOMMENDATION(S):

NA

ATTACHMENTS:

Staff Memo
Amendment Agreement

Commission Work Session Agenda

Memo

From: Johnny O'Connor, Assistant Director of Utilities

Work Session: July 2, 2015

Subject: HDR Professional Contract Amendment to meet SRF Terms and Conditions of Service Provided

Person(s) Responsible: Bernie Kitten, Director of Utilities,
Johnny O'Connor, Assistant Director of Utilities

Summary

In order to apply for State Revolving Fund (SRF) Loan an amendment must be made in order to establish the requirements for HDR to be in compliance to meet the cities terms and conditions with the Revolving Fund Loan.

Background

Planning is in motion for the upgrade and reconstruction of the Wastewater Facility. Preliminary estimates indicate the total cost to be \$30,000,000. The Kansas State Revolving Loan Fund is the most cost effective option to fund this project. Given that fund includes federal dollars, there are many requirement to be met to file an application for the SRF. There is no adjustment to HDR's fees or increase in contracted costs.

Discussion

The amendment of HDR's professional contract is at the request of the State to become compliant with the SRF terms and conditions for the City of Hays. The SRF is the preferred funding option for the new wastewater treatment facility.

Legal Consideration

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

Financial Consideration

There is no financial consideration for this amendment.

Options

The City Commission has the following options:

- Approve the amendment of the professional contract to meet SRF terms and conditions.
- Provide further direction to staff

Recommendation

Staff recommends that the City Commission approve the amendment to HDR's professional contract to meet SRF terms and conditions of service provided.

Action Requested

Approve the amendment to HDR's professional contract to meet SRF terms and conditions of service provided.

Supporting Documentation

Amendment Agreement

AMENDMENT TO AGREEMENT
OWNER'S REPRESENTATIVE PROFESSIONAL SERVICES
HAYS, KANSAS WASTEWATER TREATMENT PLANT UPGRADE AND EXPANSION

WHEREAS:

HDR ENGINEERING, INC. ("ENGINEER") entered into an Agreement on April 9, 2015 to perform Owner's Representative Professional Services for the City of Hays, Kansas ("OWNER");

OWNER desires to amend this Agreement in order for ENGINEER to perform services required by the Kansas Department of Health and Environment (KDHE) associated with the OWNER's acceptance of a loan from the Kansas Water Pollution Control Revolving Fund;

ENGINEER is willing to amend the agreement and perform these engineering services.

NOW, THEREFORE, ENGINEER and OWNER do hereby agree:

The Agreement and the terms and conditions therein shall remain unchanged other than those sections and exhibits listed below;

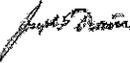
Exhibit A shall be amended to add the following Section B.1.4 on Page 2:

B.1.4 State Revolving Fund Loan Assistance

- Complete and submit the following forms to KDHE:
 - Disadvantaged Business Enterprise Program DBE Subcontractor Performance Form (EPA Form 6100-3), an original signature copy must be submitted to KDHE.
 - Disadvantaged Business Enterprise Program DBE Subcontractor Utilization Form (EPA Form 6100-4), an original signature copy must be submitted to KDHE.
 - Demonstration of Compliance with DBE Good Faith Efforts Worksheet (possibly two forms), an original signature copy must be submitted to KDHE.
 - Applicant Assurance with Respect to Good Faith Efforts for DBE Utilization (Appendix E-3), an original signature copy must be submitted to KDHE.
 - Trafficking Victims Protection Act – this clause must be included in the contract or amendment to the contract or submitted in a signed certification form, if the form is submitted, an original signature copy of the certification must be submitted to KDHE.

- State of Kansas Act Against Discrimination Contract Provision Certification Form, an original signature copy must be submitted to KDHE.
- Certification Regarding Lobbying Certification for Contracts, Grants, Loans and Cooperative Agreements, an original signature copy must be submitted to KDHE.
- Certification Regarding Debarment, Suspension, and Other Responsibility Matters, an original signature copy must be submitted to KDHE.
- Complete and submit the following documents to KDHE:
 - Submission of a final plan of operation.
 - Submission of draft and final operation and maintenance manuals provided by Design Builder for project.
 - During the one year period after completion of the project ENGINEER shall provide an annual report which addresses the performance of the constructed improvements and any actions necessary to make modifications to achieve compliance with the compliance standards listed in the loan agreement. The OWNER shall provide a certification to KDHE that the project either meets the project performance criteria or it does not meet the criteria, based on ENGINEER's report. This certification is required immediately after the one year period following completion of the project.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year written below:

<u>HDR Engineering, Inc. ("ENGINEER")</u> By: <u></u> Name: <u>Joseph E. Drimmel, P.E.</u> Title: <u>Vice President</u> Date: <u>Jun 2, 2015</u>	—	<u>City of Hays, Kansas ("OWNER")</u> By: _____ Name: <u>Eber Phelps</u> Title: <u>Mayor</u> Date: _____
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CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 6

MEETING DATE: 7-9-15

TOPIC:

Resolution for Signature Authorization for SRF Loan Application/Forms Pertaining to Wastewater Facility Project

ACTION REQUESTED:

Approve Resolution No 2015-014 authorizing the City Manager to sign the SRF loan application and all other forms and documents associated with the wastewater plant project.

NARRATIVE:

Planning is in motion for the upgrade and reconstruction of the Wastewater Facility. Preliminary estimates indicate the total cost to be \$28,000,000. The Kansas State Revolving Loan Fund is the most cost effective option to fund this project. In order for the City to keep the wastewater treatment plant project running smoothly and without delay, a City representative will need to be designated to sign the appropriate loan application and all other forms associated with the project.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Johnny O'Connor, Assistant Director of Utilities
Bernie Kitten, Director of Utilities

ADMINISTRATION RECOMMENDATION:

Staff recommends that the City Commission approve the City Manager to sign the SRF loan application and all other forms and documents associated with the wastewater plant project.

COMMITTEE RECOMMENDATION(S):

NA

ATTACHMENTS:

Staff Memo
Resolution No. 2015-014

Commission Work Session Agenda

Memo

From: Johnny O'Connor, Assistant Director of Utilities

Work Session: July 2, 2015

Subject: Resolution for Signature Authorization for SRF
Loan Application/Forms Pertaining to Wastewater
Facility Project

Person(s) Responsible: Bernie Kitten, Director of Utilities,
Johnny O'Connor, Assistant Director of Utilities

Summary

In order for the city to keep the wastewater treatment plant project running smoothly and without delay. HDR has recommended that a city representative be designated to sign the appropriate loan application and all other forms associated with the project.

Background

Planning is in motion for the upgrade and reconstruction of the Wastewater Facility. Preliminary estimates indicate the total cost to be \$30,000,000. The Kansas State Revolving Loan Fund is the most cost effective option to fund this project.

Discussion

HDR has recommended the city authorize a representative to sign the project loan application and all forms/documents associated with the project. This is recommended as it allows the project to operate effectively and efficiently by eliminating any delays and allowing the project to run more smoothly. Staff recommends the City Manager to be the authorized city representative to sign the SRF loan application and all forms and documents associated with the project.

Legal Consideration

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

Financial Consideration

There is no financial consideration for this.

Options

The City Commission has the following options:

- Approve the resolution to authorize the City Manager to sign the loan application and all other forms and documents associated with the Wastewater plant project.
- Provide further direction to staff

Recommendation

Staff recommends that the City Commission accepts HDR's recommendation and approve the City Manager to sign the SRF loan application and all other forms and documents associated with the wastewater plant project in order to keep the project moving effectively, efficiently and without delays.

Action Requested

Approve the resolution authorizing the City Manager to sign the SRF loan application and all other forms and documents associated with the wastewater plant project.

Supporting Documentation

Resolution

RESOLUTION NO. 2015-014

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR A LOAN UNDER THE KANSAS POLLUTION CONTROL REVOLVING FUND ACT (K.S.A. 1988 SUPP. 65-3321 THROUGH 65-3329).

WHEREAS under the terms of the Kansas Water Pollution Control Revolving Fund Act (K.S.A. 1988 Supp. 65-3321 through 65-3329), the State of Kansas has authorized the making of the loans to authorized applicants to aid in the construction of specific public projects;

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

1. That TOBY DOUGHERTY, CITY MANAGER, be and he is hereby authorized to execute and file an application on behalf of the City of Hays, Kansas, with the Kansas Department of Health and Environment for a loan to aid in the construction of Water Reclamation Plant project.
2. That TOBY DOUGHERTY, CITY MANAGER, be and he is hereby authorized and directed to furnish such information as may be reasonably requested in connection with the application which is herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances as may be required by law or regulation, and to receive payment on behalf of the applicant.

This resolution shall be effective upon its passage.

Adopted by the Commission on the 9th day of June, 2015.

EBER PHELPS
Mayor

ATTEST:

BRENDA KITCHEN
City Clerk

(SEAL)

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 7

MEETING DATE: 7-9-15

TOPIC:

Set Public Hearing Date for Wastewater Facility Plan Review to Meet SRF Terms and Conditions

ACTION REQUESTED:

Set a public hearing date of August 13, 2015 to review with the public the purpose and recommendations of the Wastewater Facility Plan.

NARRATIVE:

The public hearing on August 13, 2015 will be held to review with the public the purpose and recommendations of the Wastewater Facility Plan. It will include a discussion of the new proposed effluent limits, the evaluation of treatment alternatives, the evaluation of procurement alternatives, the costs to construct the recommended alternative, the costs to operate the facilities, and the anticipated impacts on the sewer user rates. It will also discuss the environmental impacts of the proposed project. The public attending the hearing will be given an opportunity to provide comments and ask questions related to the project. Information presented at the meeting and the comments and questions from the public as well as responses to any comments or questions from the public will be recorded and available to the public.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Toby Dougherty, City Manager
Kim Rupp, Director of Finance

ADMINISTRATION RECOMMENDATION:

Staff recommends that the City Commission set a public hearing date of August 13, 2015 to review with the public the purpose and recommendations of the Wastewater Facility Plan.

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Staff Memo

Commission Work Session Agenda

Memo

From: Kim Rupp, Director of Finance

Work Session: July 2, 2015

Subject: Set Public Hearing Date for Wastewater Facility Plan Review to Meet SRF Terms and Conditions

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

Summary

Another requirement in applying for a State Revolving Loan (SRF) to fund the Wastewater Facility upgrade is to hold a public hearing to review with the public the purpose and recommendations of the Wastewater Facility Plan. The City Commission will be asked to set a public hearing date of August 13, 2015. The timeline is critical as public notice shall be given not less than 30 days before the hearing. City staff recommends the Commission set the public hearing date.

Background

Planning is in motion for the upgrade and reconstruction of the Wastewater Facility. Preliminary estimates indicate the total cost to be \$30,000,000. The Kansas State Revolving Loan Fund is the most cost effective option to fund this project. Given that funding includes federal dollars, there are many requirements to be met to file an application for the SRF. Stan Christopher with HDR, our Owner Representative on this project, will be here to make a presentation on the project plan.

Discussion

The public hearing on August 13, 2015 will be held to review with the public the purpose and recommendations of the Wastewater Facility Plan. It will include a discussion of the new proposed effluent limits, the evaluation of treatment alternatives, the evaluation of procurement alternatives, the costs to construct the recommended alternative, the costs to operate the facilities, and the anticipated impacts on the sewer user rates. He will also discuss the environmental impacts of the proposed project. The public attending the hearing will be given an opportunity to provide comments and ask questions related to the project. Information presented at the meeting and the comments and questions from the public as well as responses to any comments or questions from the public will be recorded and available to the public.

Legal Consideration

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

Financial Consideration

This is a requirement of the SRF application therefore to even apply for the loan to fund the \$30,000,000 project it is necessary to conduct this public hearing. There will be discussion at this meeting about the costs of the upgrades, future operational costs, and what impacts that will have on user charges.

Options

The City Commission has the following options:

- Set public hearing date of August 13, 2015
- Provide further direction to staff

Recommendation

Staff recommends that the City Commission set a public hearing date of August 13, 2015 to review with the public the purpose and recommendations of the Wastewater Facility Plan.

Action Requested

Set a public hearing date of August 13, 2015 to review with the public the purpose and recommendations of the Wastewater Facility Plan.

Supporting Documentation

NA

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 8

MEETING DATE: 7-9-15

TOPIC:

Tallgrass Addition Phase 5 – Benefit District Resolution

ACTION REQUESTED:

Approve Resolution No. 2015-015 authorizing the creation of a special benefit district for infrastructure improvements for the development of 33 lots along East 17th Street, Tallgrass Drive, and Prairie Run Court within the Tallgrass Addition.

NARRATIVE:

Bids were received for Phase 5 of the Tallgrass addition on June 3, 2015. Bids received exceeded the total project cost included in the petition submitted by the developer (TG Investments) in February. The developer feels the project costs are representative of the current market conditions and wants to proceed with the project; therefore, they have submitted a new petition with a total project cost that reflects the higher construction cost. This memo deals with accepting the new petition and passing a new resolution reauthorizing the improvements at the higher total project cost. Separate agenda items addresses award of bid for construction.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Toby Dougherty, City Manager
John Braun, Interim Director of Public Works

ADMINISTRATION RECOMMENDATION:

Staff recommends adopting and approving Resolution.

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Staff Memo
Location Maps
Resolution No. 2015-015
Signed Petition
Excerpt from February 12, 2015 City Commission Meeting Minutes
Improvement Petition Estimate/Bid Tab

Commission Work Session Agenda

Memo

From: John Braun, Interim Director of Public Works

Work Session: July 2, 2015

Subject: Tallgrass Addition Phase 5 – Benefit District Resolution

Person(s) Responsible: Toby Dougherty, City Manager
John Braun, Interim Director of Public Works

Summary

Bids were received for Phase 5 of the Tallgrass addition on June 3, 2015. Bids received exceeded the total project cost included in the petition submitted by the developer (TG Investments) in February. The developer feels the project costs are representative of the current market conditions and wants to proceed with the project; therefore, they have submitted a new petition with a total project cost that reflects the higher construction cost. This memo deals with accepting the new petition and passing a new resolution reauthorizing the improvements at the higher total project cost. Separate agenda items addresses award of bid for construction.

Background

In February 2015, TG Investments, LLC petitioned the City for Street, Storm Sewer, Water, and Sanitary Sewer Improvements to an area containing 33 lots in the Tallgrass Addition within the City of Hays. The general nature of the proposed improvements is as follows:

- The construction of 17th Street from Copper Creek Court east to approximately 70 feet north of Limestone Court; the construction of Prairie Run Court, including a cul-de-sac; the construction of Rolling Hills from 17th Street, approximately 120 feet north; and all related curb, gutter and stormwater sewer improvements.
- The construction of approximately 1640 linear feet of 8” water line and 460 linear feet of 6” water line, fire hydrants, service connections and all other necessary and related water improvements.
- The construction of approximately 1245 linear feet of 10” sanitary sewer and approximately 370 linear feet of 8” sanitary sewer, manholes, sanitary sewer service connections and all other necessary and related sanitary sewer improvements.

This is the logical continuation of the construction of the Tallgrass Addition that has been developing in phases over the last several years. This project follows the plan that has been set forth and constructed in various phases over the last 20 years and would complete the connection of East 17th Street to Tallgrass Drive. A resolution establishing a benefit district and authorizing the improvements was approved by the City Commission on February 12, 2105. Also at that time, an Engineering Service Agreement was entered with Baughman Company for engineering design.

Discussion

Bids for this project were opened on June 3, 2015 with bids coming from two (2) bidders: APAC and J Corp. J Corp submitted the low bid in the amount of **\$1,011,458**. The tabulation of bids is attached.

There are two issues that need to be addressed:

- 1. The low bid (\$1,011,458) exceeded the engineer’s estimate of \$838,957.**

This issue is discussed in a subsequent agenda item regarding award of bid.

- 2. The low bid will result in a total project cost which exceeds the petition amount.**

The developer (TG Investments) feels the project costs are representative of the current market conditions and wants to proceed with the project; therefore, they have submitted a new petition with a total project cost that reflects the higher construction cost. The signed petition and a new resolution rescinding Resolution 2015-003 are attached.

Legal Consideration

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

Financial Consideration

Estimated total Project Cost:

	Total	City Share	Developer	Benefit District
Design	\$ 58,000.00	\$ 3,469.27	\$ 16,359.22	\$ 38,171.51
Construction	\$1,011,458.00	\$60,500.36	\$285,287.29	\$665,670.35
Inspection	\$ 70,000.00	\$ 4,187.05	\$ 19,743.89	\$ 46,069.07
Issuance & Admin	\$ 55,000.00	\$ 3,289.83	\$ 15,513.05	\$ 36,197.12
Contingency	\$ 65,542.00	\$ 53.49	\$ 19,646.55	\$ 45,841.96
	\$1,260,000.00	\$71,500.00	\$356,550.00	\$831,950.00

Lots	33
Per Lot	\$ 25,210.61
Per month (15 yrs @ 3%)	\$ 171.32

In accordance with the City’s Development Policy, the City is responsible for the cost of oversizing infrastructure. Both East 17th Street to the west and Tallgrass Drive to the

south were built to residential collector street standard (45' width from back of curb to back of curb) as specified in the current policy, which is 5 feet wider than the typical 40' wide residential street, plus the pavement is to be 7" thick (1" thicker than the typical 6" thick residential street). In addition, the sanitary sewer line running along 17th Street and Tallgrass Drive is to be oversized from the typical 8" diameter to 10" diameter to accommodate future growth north of the Tallgrass Addition. Based on the low bid, the City-at-large share for oversized is \$71,500.

The developer is financing the improvements through the creation of a special benefit district. After subtracting the estimated City Share for oversized (\$71,500), 70% (\$831,950) of the remaining costs for this project will be allowed to be special assessed with the remaining 30% (\$356,550) being paid by the developer. The per lot Special Assessment is estimated to be \$25,210. Based on the 15 year assessment at an assumed interest rate of 3%, the estimated monthly assessment per lot would be approximately \$171 per month.

The breakout of the \$71,500 City share for oversized is \$14,650 for Sanitary Sewer and \$56,850 for pavement. The Director of Finance recommends funding the \$14,650 for Sanitary Sewer oversized out of Water/Sewer Capital and the \$56,850 for Street oversized out of City Commission Capital Reserve.

The estimated \$831,950 to be special assessed would be bonded.

Options

Options include the following:

- Adopt and Approve Resolution repealing Res. 2015-003 and authorizing the improvements with the updated project cost of \$1,260,000.
- Provide alternate direction to staff
- Do nothing.

Recommendation

Staff recommends adopting and approving Resolution.

Action Requested

Approve Resolution authorizing the creation of a special benefit district for infrastructure improvements for the development of 33 lots along East 17th Street, Tallgrass Drive, and Prairie Run Court within the Tallgrass Addition.

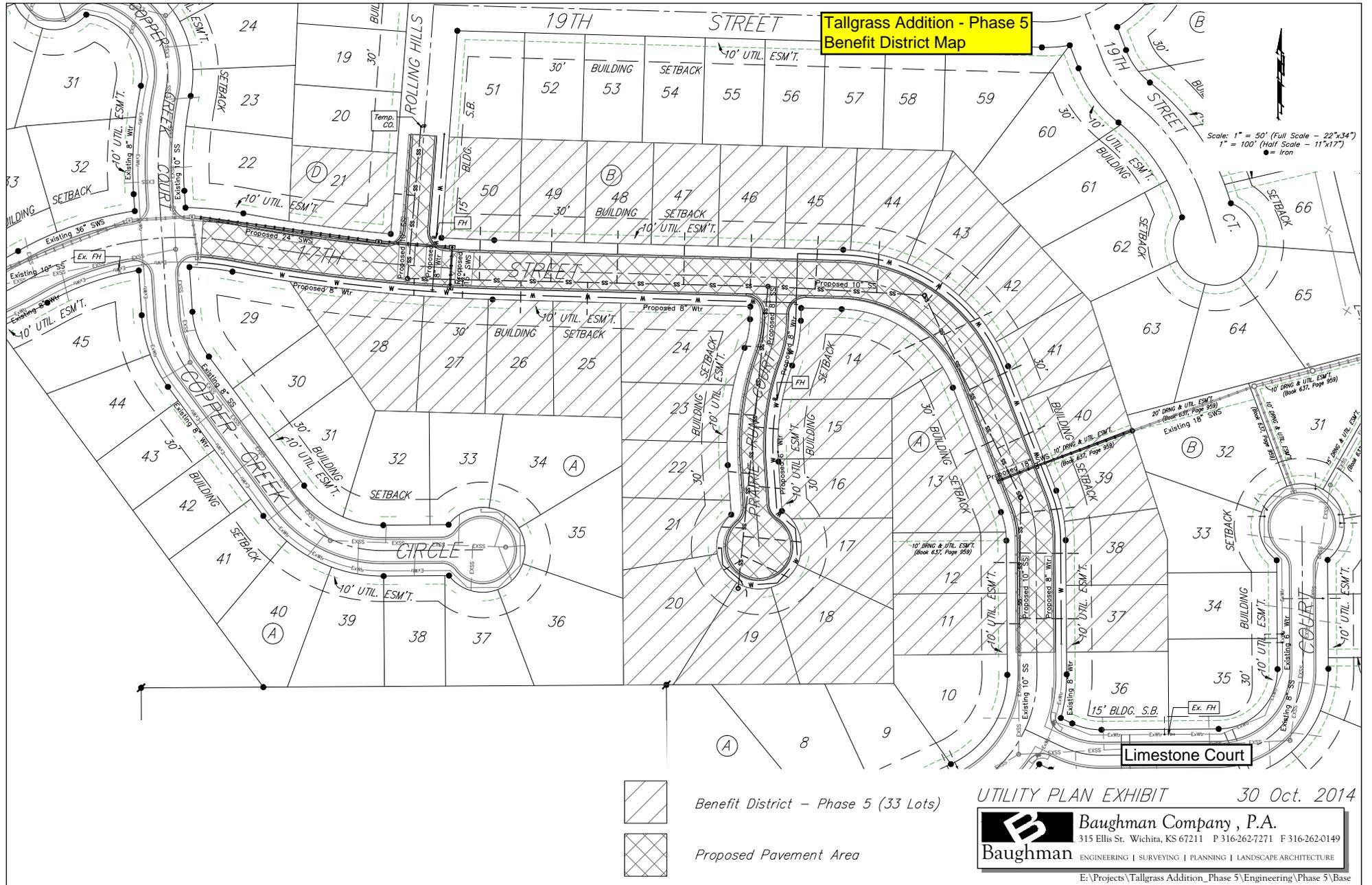
Supporting Documentation

Location Maps

Resolution

Signed Petition

Excerpt from February 12, 2015 City Commission Meeting Minutes



RESOLUTION NO. 2015-015

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN IMPROVEMENTS IN THE CITY OF HAYS, KANSAS, MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS.

WHEREAS, a petition was filed with the City Clerk for the City of Hays, Kansas (the “City”) on June 17, 2015, proposing certain improvements pursuant to K.S.A. 12-6a01 *et seq.* and particularly K.S.A. 12-6a04(c) (the “Petition”); and

WHEREAS, the Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a04(a); and

WHEREAS, the Governing Body of the City hereby finds and determines that said petition is sufficient.

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

Section 1. The Governing Body hereby finds and determines that it is necessary and advisable to make the following improvements:

(a) The nature of the improvements are as follows:

The construction of 17th Street from Copper Creek Court east to approximately 70 feet north of Tallgrass Court; the construction of Prairie Run Court, including a cul-de-sac; the construction of Rolling Hills from 17th Street, approximately 120 feet north; and all related curb, gutter and stormwater sewer improvements.

The construction of approximately 1640 linear feet of 8” water line and 460 linear feet of 6” water line, fire hydrants, service connections and all other necessary and related water improvements.

The construction of approximately 1245 linear feet of 10” sanitary sewer and approximately 370 linear feet of 8” sanitary sewer, manholes, sanitary sewer service connections and all other necessary and related sanitary sewer improvements.

(collectively, the “Improvements”).

(b) The estimated cost of the Improvements is:

One million two hundred sixty thousand dollars (\$1,260,000) plus costs of issuance and plus costs of interest on any temporary financing.

(c) The boundaries of the improvement district to be assessed are:

Lots 11 to 28 of Block A, Lots 37 to 50 of Block B, and Lot 21 of Block D, all located in the Tallgrass Addition, City of Hays, Ellis County, Kansas

(the "Improvement District").

(d) The method of assessment shall be:

Equally per lot for each lot in the Improvement District.

(e) The apportionment of cost between the Improvement District and the City at large is:

One hundred percent (100%) of the cost of the Improvements shall be paid by the Improvement District and no costs shall be paid by the City-at-Large, except that the City-at-Large shall pay 100% of the additional costs of any required pavement width, additional required pavement thickness and intersections, and required oversized water, sewer, and storm sewer lines as provided by the City's "Infrastructure Guidelines for New Development" adopted by the Governing Body of the City on October 22, 2009. The cost of such additional street improvements or oversized water, sewer, or storm sewer lines to be paid by the City-at-Large is estimated to be \$71,500, or approximately 5.67% of the total cost of the Improvements.

Section 2. The Governing Body hereby declares that the Improvements described in this Resolution are necessary, and authorizes them to be made in accordance with the findings set forth in this Resolution, and further authorizes the levying of assessments and the issuance of bonds therefore, all in accordance with K.S.A. 12-6a01 *et seq.*

Section 3. The City expects to make capital expenditures from and after the date of this Resolution in connection with the Improvements described herein, and intends to reimburse itself for such expenditures with the proceeds of one or more series of general obligation bonds and temporary notes of the City in the maximum principal amount of \$1,260,000, plus costs of issuance, and plus costs of interest on any temporary financing.

Section 4. Resolution No. 2015-003, adopted by the City on February 18, 2015, is hereby repealed.

Section 5. The City Clerk shall file a certified copy of this Resolution with the Register of Deeds of Ellis County, Kansas.

Section 6. This Resolution shall take effect after its passage and publication once in the official city newspaper.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ADOPTED AND APPROVED by the Governing Body of the City of Hays, on July 9, 2015.

Eber Phelps, Mayor

(SEAL)

Brenda Kitchen, City Clerk

PETITION

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

We, the undersigned, owner of record of property located within the City of Hays, Kansas (the “City”) do hereby respectfully request that the Governing Body of the City create and designate an improvement district for the purpose of making certain improvements in the manner provided by K.S.A. 12-6a01 *et seq.* and particularly K.S.A. 12-6a04(c).

1. The general nature of the proposed improvements are as follows:

The construction of 17th Street from Copper Creek Court east to approximately 70 feet north of Tallgrass Court; the construction of Prairie Run Court, including a cul-de-sac; the construction of Rolling Hills from 17th Street, approximately 120 feet north; and all related curb, gutter and stormwater sewer improvements.

The construction of approximately 1640 linear feet of 8” water line and 460 linear feet of 6” water line, fire hydrants, service connections and all other necessary and related water improvements.

The construction of approximately 1245 linear feet of 10” sanitary sewer and approximately 370 linear feet of 8” sanitary sewer, manholes, sanitary sewer service connections and all other necessary and related sanitary sewer improvements.

(collectively, the “Improvements”)

2. The estimated or probable cost of the Improvements is:

One million two hundred sixty thousand dollars (\$1,260,000) plus costs of issuance and plus costs of interest on any temporary financing.

3. The extent of the proposed improvement district to be assessed is:

Lots 11 to 28 of Block A, Lots 37 to 50 of Block B, and Lot 21 of Block D, all located in the Tallgrass Addition, City of Hays, Ellis County, Kansas

(the “Improvement District”).

4. The proposed method of assessment shall be:

Equally per lot for each lot in the Improvement District.

5. The proposed apportionment of cost between the Improvement District and the City at large is:

One hundred percent (100%) of the cost of the Improvements shall be paid by the Improvement District and no costs shall be paid by the City-at-Large, except that the City-at-Large shall pay 100% of the additional costs of any required pavement width, additional required pavement thickness and intersections, and required oversized water, sewer, and storm sewer lines as provided by the City's "Infrastructure Guidelines for New Development" adopted by the Governing Body of the City on October 22, 2009. The cost of such additional street improvements or oversized water, sewer, or storm sewer lines to be paid by the City-at-Large is estimated to be \$71,500, or approximately 5.67% of the total cost of the Improvements.

6. The signers of this Petition hereby request that the Improvements be made without notice and hearing as required by K.S.A. 12-6a04(a).

7. The signers of this Petition are the owners of 100% of the property in the Improvement District, acknowledge that this Petition is submitted in accordance with K.S.A. 12-6a04(c), and further acknowledge that the proposed Improvement District does not include all properties which may be deemed to benefit from the proposed Improvement.

NAMES MAY NOT BE WITHDRAWN FROM THE PETITION BY THE SIGNERS THEREOF AFTER THE GOVERNING BODY COMMENCES CONSIDERATION OF THE PETITION OR LATER THAN SEVEN (7) DAYS AFTER FILING OF THE PETITION WITH THE CITY CLERK, WHICHEVER OCCURS FIRST.

TG INVESTMENTS, LLC

By: [Handwritten Signature]

Title: MANAGING MEMBER

LEGAL DESCRIPTION OF PROPERTY OWNED WITHIN THE PROPOSED IMPROVEMENT DISTRICT:

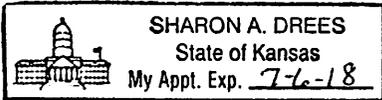
Lots 11 to 28 of Block A, Lots 37 to 50 of Block B, and Lot 21 of Block D, all located in the Tallgrass Addition, City of Hays, Ellis County, Kansas.

STATE OF KANSAS)
)
ELLIS COUNTY)

I, the undersigned Notary Public, hereby certify that the signature appearing above is genuine and that this document was signed before me on this 16th day of June, 2015.

My appointment expires: 7-6-18

[Handwritten Signature: Sharon A. Drees]
Notary Public



reviewed and approved with a vote of 5-0 by the Hays Area Planning Commission. Staff, as well as the Planning Commission, recommends approving the resolution accepting this plat of the Z M M Development Addition as submitted.

Ron Mellick moved, Eber Phelps seconded, to approve Resolution No. 2015-002 accepting the final plat known as Z M M Development Addition.

Vote: Ayes: Henry Schwaller IV

Eber Phelps

Shaun Musil

Ron Mellick

Kent Steward

8. TALLGRASS ADDITION PHASE 5 – RESOLUTION TO ESTABLISH BENEFIT DISTRICT (17TH STREET, TALLGRASS DRIVE AND PRAIRIE RUN

COURT): TG Investments, LLC has petitioned for street, storm sewer, water, and sanitary sewer improvements to an area containing 33 lots in the Tallgrass Addition to be financed through the establishment of a special benefit district. The engineer's estimate for total construction costs is \$1,055,000. In accordance with the City's Development Policy, the City's estimated share of the cost for oversizing would be \$104,000; however, staff is recommending that 17th Street and Tallgrass Drive be built to only 40' width rather than the 45' width. That reduction in width would reduce the City share by approximately \$40,000. The cost to oversize the sanitary sewer would be funded out of Water/Sewer Capital. It is recommended the actual cost to oversize the street be funded out of City Commission Capital Reserve. Staff recommends adopting the resolution authorizing the creation of a special benefit district with 17th Street and Tallgrass drive constructed at 40' width.

Shaun Musil moved, Ron Mellick seconded, to approve Resolution No. 2015-003 authorizing the creation of a special benefit district for infrastructure improvements for the development of 33 lots along East 17th Street, Tallgrass Drive, and Prairie Run Court within Tallgrass Addition with 17th Street and Tallgrass Drive constructed at 40' width.

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

9. TALLGRASS ADDITION PHASE 5 – ENGINEERING SERVICES AGREEMENT (17TH STREET, TALLGRASS DRIVE AND PRAIRIE RUN

COURT): TG Investments, LLC has petitioned for street, storm sewer, water, and sanitary sewer improvements to an area containing 33 lots in the Tallgrass Addition. The developer’s engineer, Baughman Company, P.A., has prepared an agreement for engineering services to include engineering design and contractor solicitation. The agreement is for a not-to-exceed amount of \$58,000.

Eber Phelps moved, Shaun Musil seconded, to approve the Engineering Services Agreement with Baughman Company, P.A. for an amount not to exceed \$58,000 for the design of Phase 5 of the Tallgrass Addition.

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

10. FORT HAYS MUNICIPAL GOLF COURSE RENTAL GOLF CART SHED – AWARD OF BID:

On September 9, 2014 the city-owned rental cart storage building was destroyed by a major storm. This building is essential to the golf cart rental program and Golf Course Pro Shop Manager. City staff recommends reconstructing the facility at an expected cost of \$49,880 which includes a low bid from Quality Structures Incorporated and separate concrete and electrical costs.

**TALLGRASS ADDITION
PHASE 5**

Hays, Ellis County, Kansas

**IMPROVEMENT PETITION ESTIMATE
(Street /SWS, Water & Sanitary Sewer Lines)**

Benefit District: (33 Lot)

Lots 11-28, Block A
Lots 37-50, Block B
Lots 21, Block D

Cost Estimate: Paving with Incidental Storm Water Sewer Phase V

Item	Quantity	Unit	Unit Price	Amount
A.C. Pavement (B.D. Portion)	6,755	S.Y.	\$ 40.00	\$ 270,200.00
A.C. Pavement (City Portion) - Extra Width	750	S.Y.	\$ 46.50	\$ 34,875.00
A.C. Pavement (City Portion) - Extra Depth (1")	5065	S.Y.	\$ 6.50	\$ 32,922.50
Fly Ash	155	Tons	\$ 72.00	\$ 11,160.00
Subgrade Manipulation	9050	S.Y.	\$ 2.75	\$ 24,887.50
Curb & Gutter	3590	L.F.	\$ 22.00	\$ 78,980.00
24" Pipe	310	L.F.	\$ 70.00	\$ 21,700.00
18" Pipe	175	L.F.	\$ 50.00	\$ 8,750.00
15" Pipe	50	L.F.	\$ 40.00	\$ 2,000.00
Curb Inlets	5	EA.	\$ 5,000.00	\$ 25,000.00
Drop Inlets	1	EA.	\$ 4,000.00	\$ 4,000.00
Borrow Excavation	1	L.S.	\$ 35,000.00	\$ 35,000.00
Easement Grading/Signage	1	L.S.	\$ 8,000.00	\$ 8,000.00
Erosion Control	1	L.S.	\$ 7,500.00	\$ 7,500.00
Staking	1	L.S.	\$ 4,000.00	\$ 4,000.00
Seeding	1	L.S.	\$ 10,000.00	\$ 10,000.00
Site Clearing & Restoration	1	L.S.	\$ 20,000.00	\$ 20,000.00
Subtotal				\$ 598,975.00

Cost Estimate: Water Line Phase V

Item	Quantity	Unit	Unit Price	Amount
8" Pipe	1640	L.F.	\$ 24.00	\$ 39,360.00
6" Pipe	460	L.F.	\$ 18.00	\$ 8,280.00
Fire Hydrants	3	EA.	\$ 4,200.00	\$ 12,600.00
Water Line Service Connections	33	EA.	\$ 1,000.00	\$ 33,000.00
Staking	1	L.S.	\$ 2,000.00	\$ 2,000.00
Site Clearing and Restoration	1	L.S.	\$ 6,000.00	\$ 6,000.00
Subtotal				\$ 101,240.00

Cost Estimate: Sanitary Sewer Phase V

Item	Quantity	Unit	Unit Price	Amount
10" Pipe (B.D. Portion)	1245	L.F.	\$ 39.00	\$ 48,555.00
10" Pipe (City Portion)	1245	L.F.	\$ 10.00	\$ 12,450.00
8" Pipe	370	L.F.	\$ 39.00	\$ 14,430.00
Manhole	5	EA.	\$ 4,500.00	\$ 22,500.00
Cleanout	1	EA.	\$ 1,000.00	\$ 1,000.00
Sanitary Sewer Services Connections	33	EA.	\$ 1,900.00	\$ 62,700.00
Staking	1	L.S.	\$ 2,000.00	\$ 2,000.00
Site Clearing and Restoration	1	L.S.	\$ 8,000.00	\$ 8,000.00
Subtotal				\$ 110,630.00

Sum of Subtotals	\$ 810,845.00
+ 30 % Design, Insp., & Administration	
Total	\$ 243,253.50
	\$ 1,054,098.50

Petition Amount	\$ 1,055,000	
City Portion (\$104,322/ \$1,055,000)	\$ 104,322	9.89%
Benefit District Portion (\$950,678/ \$1,055,000)	\$ 950,678	90.11%
Total Specials Amount (70% x \$950,678)	\$ 665,475	
Total Amount to Pay City	\$ 285,203	
Average Cost per Lot	\$ 20,166	
Average Monthly Assessment	\$ 149	(Based on 15 years @ 4%)

12/19/2014
Tallgrass Ph. 5

From BAUGHMAN Co.
Developers' Engineer.

BID TABULATION (PAGE 1)

Tallgrass Addition - Phase 5
 Sanitary Sewer,
 Water Distribution System
 Street & Storm Sewer Improvements
 City of Hays, Kansas

BID DATE: June 3rd, 2015

Bid Items: Sewer	Quantity	Unit	Engineer's Estimate		J Corp		City Share	
			Bid Price	Total	Bid Price	Total	Bid Price	Total
Mobilization	1	L.S.	\$2,000.00	\$2,000.00	\$12,000.00	\$12,000.00		
Traffic Control	1	L.S.	\$500.00	\$500.00	\$1,200.00	\$1,200.00		
Site Clearing & Restoration	1	L.S.	\$5,000.00	\$5,000.00	\$7,200.00	\$7,200.00		
Sewer Trenching & Backfill (16'-18')	798	L.F.	\$14.00	\$11,172.00	\$25.00	\$19,950.00		
Sewer Trenching & Backfill (18'-20')	400	L.F.	\$16.00	\$6,400.00	\$30.00	\$12,000.00		
Sewer Trenching & Backfill (20'-22')	360	L.F.	\$18.00	\$6,480.00	\$50.00	\$18,000.00		
Connect to Existing Sewer Line	1	Ea.	\$1,500.00	\$1,500.00	\$1,850.00	\$1,850.00		
Type 1 Manhole	5	Ea.	\$3,000.00	\$15,000.00	\$3,700.00	\$18,500.00		
Extra Depth Type 1 Manhole	50	L.F.	\$150.00	\$7,500.00	\$225.00	\$11,250.00		
8" Sanitary Sewer (PVC)	358	L.F.	\$16.00	\$5,728.00	\$24.00	\$8,592.00		
10" Sanitary Sewer (PVC)	1,200	L.F.	\$18.00	\$21,600.00	\$30.00	\$36,000.00	Δ \$6.00	\$7,200.00
4" Sanitary Sewer Service (PVC)	33	Ea.	\$500.00	\$16,500.00	\$2,800.00	\$92,400.00		
10" x 4" Tee/ Wye (PVC)	23	Ea.	\$150.00	\$3,450.00	\$420.00	\$9,660.00	Δ \$225.00	\$5,175.00
8" x 4" Tee/Wye (PVC)	10	Ea.	\$150.00	\$1,500.00	\$195.00	\$1,950.00		
10" Cleanout Riser Assembly	1	Ea.	\$1,500.00	\$1,500.00	\$950.00	\$950.00		
TOTAL COST OF SANITARY IMPROVEMENTS:				\$105,830.00		\$251,502.00		\$12,375.00

Bid Items: Water	Quantity	Unit	Engineer's Estimate		J Corp		City Share	
			Bid Price	Total	Bid Price	Total	Bid Price	Total
Mobilization	1	L.S.	\$2,000.00	\$2,000.00	\$6,000.00	\$6,000.00		
Traffic Control	1	L.S.	\$500.00	\$500.00	\$500.00	\$500.00		
Site Clearing & Restoration	1	L.S.	\$3,000.00	\$3,000.00	\$6,200.00	\$6,200.00		
8" Water Line (C900 PVC)	1537	L.F.	\$18.00	\$27,666.00	\$20.00	\$30,740.00		
6" Water Line (C900 PVC)	327	L.F.	\$16.00	\$5,232.00	\$35.00	\$11,445.00		
6" Water Line (DIP)	5	L.F.	\$20.00	\$100.00	\$100.00	\$500.00		
6" Bend, 45 Degree	1	Ea.	\$250.00	\$250.00	\$300.00	\$300.00		
8" x 8" Tee	2	Ea.	\$250.00	\$500.00	\$650.00	\$1,300.00		
8" x 6" Reducer	1	Ea.	\$250.00	\$250.00	\$225.00	\$225.00		
8" Gate Valve	3	Ea.	\$1,000.00	\$3,000.00	\$1,400.00	\$4,200.00		
8" Gate Valve (Special Anchored))	1	Ea.	\$1,200.00	\$1,200.00	\$1,600.00	\$1,600.00		
2" Blowoff Valve	2	Ea.	\$250.00	\$500.00	\$1,250.00	\$2,500.00		
Fire Hydrant Assembly	3	Ea.	\$2,000.00	\$6,000.00	\$3,300.00	\$9,900.00		
Water Line Trenching & Backfill (4'-6')	1088	L.F.	\$2.00	\$2,176.00	\$12.00	\$13,056.00		
Water Line Trenching & Backfill (6'-8')	781	L.F.	\$3.00	\$2,343.00	\$15.00	\$11,715.00		
Connection to Existing Water Line	2	Ea.	\$1,500.00	\$3,000.00	\$1,250.00	\$2,500.00		
Meter Set	33	Ea.	\$750.00	\$24,750.00	\$1,000.00	\$33,000.00		
Water Service Connection	33	Ea.	\$175.00	\$5,775.00	\$275.00	\$9,075.00		
Service Saddle	33	Ea.	\$175.00	\$5,775.00	\$210.00	\$6,930.00		
Service Line (1")	1523	L.F.	\$8.00	\$12,184.00	\$13.00	\$19,799.00		
TOTAL COST OF WATER DISTRIBUTION SYSTEM:				\$106,201.00		\$171,485.00		

BID TAB (Page 2)

JUNE 3rd, 2015

Bid Items: Street & Storm	Quantity	Unit	Engineer's Estimate		J Corp		City Share	
			Bid Price	Total	Bid Price	Total	Bid Price	Total
Mobilization	1	L.S.	\$4,000.00	\$4,000.00	\$11,000.00	\$11,000.00		
Traffic Control	1	L.S.	\$500.00	\$500.00	\$1,000.00	\$1,000.00		
Site Clearing & Restoration	1	L.S.	\$10,000.00	\$10,000.00	\$18,900.00	\$18,900.00		
Common Excavation	8,851	C.Y.	\$8.00	\$70,808.00	\$5.25	\$46,467.75		
Compacted Fill 80%-85% (not a bid item)	315	C.Y.	\$2.00	\$630.00				
Compacted Fill 95% (not a bid item)	108	C.Y.	\$4.00	\$432.00				
Embankment	393	C.Y.	\$2.00	\$786.00	\$10.00	\$3,930.00		
Layback Curb & Gutter	3,528	L.F.	\$20.00	\$70,560.00	\$19.00	\$67,032.00		
Saw Cut	90	L.F.	\$4.00	\$360.00	\$4.00	\$360.00		
Remove Existing Pavement	18	S.Y.	\$15.00	\$270.00	\$20.00	\$360.00		
Wheelchair Ramp	4	Ea.	\$500.00	\$2,000.00	\$1,050.00	\$4,200.00		
Curb Inlet, Type 1 (5'x3')	5	Ea.	\$5,000.00	\$25,000.00	\$3,050.00	\$15,250.00		
24" Reinforced Concrete Pipe	300	L.F.	\$60.00	\$18,000.00	\$65.00	\$19,500.00		
18" Reinforced Concrete Pipe	165	L.F.	\$45.00	\$7,425.00	\$48.00	\$7,920.00		
15" Reinforced Concrete Pipe	42	L.F.	\$38.00	\$1,596.00	\$48.00	\$2,016.00		
Rear & Side Lot Grading	1	L.S.	\$7,500.00	\$7,500.00	\$21,000.00	\$21,000.00		
Project Seeding	1	L.S.	\$15,000.00	\$15,000.00	\$12,000.00	\$12,000.00		
BMP, Back of Curb Protection	3,528	L.F.	\$1.50	\$5,292.00	\$2.00	\$7,056.00		
BMP, Construction Entrance	2	Ea.	\$1,000.00	\$2,000.00	\$100.00	\$200.00		
BMP, Curb Inlet Protection	7	Ea.	\$500.00	\$3,500.00	\$195.00	\$1,365.00		
BMP, Straw Bale Ditch Check	2	Ea.	\$250.00	\$500.00	\$475.00	\$950.00		
BMP, Straw Wattle	726	L.F.	\$1.25	\$907.50	\$4.75	\$3,448.50		
Maintain Existing BMPs	1	L.S.	\$2,000.00	\$2,000.00	\$3,200.00	\$3,200.00		
Subtotal of Street Improvements and Storm Water Sewer (Minus Pavement Option)				\$249,066.50		\$247,155.25		
Asphalt Concrete Pavement Option								
Bituminous Surface Course, 2"	6,658	S.Y.	\$13.00	\$86,554.00				
Bituminous Base Course, 5"	4,998	S.Y.	\$32.00	\$159,936.00				
Bituminous Base Course, 4"	1,660	S.Y.	\$30.00	\$49,800.00				
Crushed Rock Base, 4"	8,221	S.Y.	\$8.00	\$65,768.00				
Subtotal of Asphalt Concrete Pavement Option				\$362,058.00				
Concrete Pavement Option								
Non-Reinforced Concrete Pavement, 7"	4,998	S.Y.	\$37.00	\$184,926.00	\$42.00	\$209,916.00	Δ \$2.50	\$12,495.00
Non-Reinforced Concrete Pavement, 6"	1,660	S.Y.	\$35.00	\$58,100.00	\$39.50	\$65,570.00	* \$47.51	□ \$35,630.63
Fly Ash	489	Tons	\$70.00	\$34,230.00	\$72.00	\$35,208.00	# \$8.01	
Water (Fly Ash)	195,175	gal	\$0.01	\$1,951.75	\$0.02	\$3,903.50		
Manipulation (Fly Ash)	8,221	S.Y.	\$12.00	\$98,652.00	\$3.25	\$26,718.25		
Subtotal of Concrete Pavement Option				\$377,859.75		\$341,315.75		\$48,125.63
TOTAL COST OF STREET & STORM SEWER IMPROVEMENT (ASPHALT)				\$611,124.50				
TOTAL COST OF STREET & STORM SEWER IMPROVEMENT (CONCRETE)				\$626,926.25		\$588,471.00		
TOTAL COST OF PACKAGE (ASPHALT)								
TOTAL COST OF PACKAGE (CONCRETE)						\$1,011,458.00		\$60,500.63

Δ - DELTA = PRICE DIFFERENCE

* = \$39.50 + \$8.01 = \$47.51

= COST/SY OF SUBGRADE STABILIZATION (FLY ASH)

□ = \$47.51 X 750 S.Y. (EXTRA PAVEMENT WIDTH AT TRANSITIONS)

Design	\$58,000	\$3,469.29
Inspection	\$70,000	\$4,187.07
Bonding & Temp notes	\$55,000	\$3,289.84
TOTAL (Design, Insp, Admin)		\$10,946.19
Total City Share		\$71,446.83

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 9

MEETING DATE: 7-9-15

TOPIC:

Tallgrass Addition Phase 5 – Award of Bid

ACTION REQUESTED:

Authorize the City Manager to enter into a contract with J Corp in the amount of **\$1,011,458** for construction of street, water, storm water and sanitary sewer improvements within the Tallgrass Addition, Phase 5, with the \$14,650 City Share of sanitary sewer oversizing to be funded out of Water/Sewer Capital, and the \$56,850 City share for street oversizing to be funded out of the City Commission Capital Reserve.

NARRATIVE:

The previous agenda item addressed the resubmission of a petition for improvements to Phase 5 of the Tallgrass Addition. Even though the lowest bid for construction was higher than the original petition amount and the engineer's estimate, the developer (TG Investments) wants to proceed with the project. Staff recommends awarding a contract to the low bidder (J Corp) in the amount of \$1,011,458 for construction of street, water, storm water and sanitary sewer improvements within the Tallgrass Addition, Phase 5, with the \$14,650 City Share of sanitary sewer oversizing to be funded out of Water/Sewer Capital, and the \$56,850 City share for street oversizing to be funded out of the City Commission Capital Reserve.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Toby Dougherty, City Manager
John Braun, Interim Director of Public Works

ADMINISTRATION RECOMMENDATION:

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

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Staff Memo
Location Maps
Bid Tabulation and Low Bid

Commission Work Session Agenda

Memo

From: John Braun, Interim Director of Public Works

Work Session: July 2, 2015

Subject: Tallgrass Addition Phase 5 – Award of Bid

Person(s) Responsible: Toby Dougherty, City Manager
John Braun, Interim Director of Public Works

Summary

The previous agenda item addressed the resubmission of a petition for improvements to Phase 5 of the Tallgrass Addition. Even though the lowest bid for construction was higher than the original petition amount and the engineer's estimate, the developer (TG Investments) wants to proceed with the project. Staff recommends awarding a contract to the low bidder (J Corp) in the amount of \$1,011,458 for construction of street, water, storm water and sanitary sewer improvements within the Tallgrass Addition, Phase 5, with the \$14,650 City Share of sanitary sewer oversizing to be funded out of Water/Sewer Capital, and the \$56,850 City share for street oversizing to be funded out of the City Commission Capital Reserve.

Background

In February 2015, TG Investments, LLC petitioned the City for Street, Storm Sewer, Water, and Sanitary Sewer Improvements to an area containing 33 lots in the Tallgrass Addition within the City of Hays. The general nature of the proposed improvements is as follows:

- The construction of 17th Street from Copper Creek Court east to approximately 70 feet north of Limestone Court; the construction of Prairie Run Court, including a cul-de-sac; the construction of Rolling Hills from 17th Street, approximately 120 feet north; and all related curb, gutter and stormwater sewer improvements.
- The construction of approximately 1640 linear feet of 8" water line and 460 linear feet of 6" water line, fire hydrants, service connections and all other necessary and related water improvements.
- The construction of approximately 1245 linear feet of 10" sanitary sewer and approximately 370 linear feet of 8" sanitary sewer, manholes, sanitary sewer service connections and all other necessary and related sanitary sewer improvements.

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This is the logical continuation of the construction of the Tallgrass Addition that has been developing in phases over the last several years. This project follows the plan that has been set forth and constructed in various phases over the last 20 years and would complete the connection of East 17th Street to Tallgrass Drive. A resolution establishing a benefit district and authorizing the improvements was approved by the City Commission on February 12, 2105. Also at that time, an Engineering Service Agreement was entered with Baughman Company for engineering design.

Discussion

Bids for this project were opened on June 3, 2015 with bids coming from two (2) bidders: 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 **\$1,011,458** using 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 concrete bid from J Corp.

Summary of Bids

	Engineer's Estimate	APAC	J Corp
Sanitary Sewer	\$105,830	\$290,118.00	\$251,502.00
Water	\$106,201	\$151,070.70	\$171,485.00
Street/Storm	\$249,066.50	\$287,128.75	\$247,155.25
Asphalt Pavement	\$362,058.00	\$366,200.95	N/A
Concrete Pavement	\$377,859.75	\$415,752.80	\$341,315.75
TOTAL (asphalt)	\$823,155.50	\$1,094,518.40	N/A
TOTAL (concrete)	\$838,957.25	\$1,144,070.25	\$1,011,458.00

A detailed tabulation of bids is attached.

There are two issues that need to be addressed:

1. The low bid (\$1,011,458) exceeded the engineer's estimate of \$838,957.

Section 2 of Charter Ordinance No. 27, allows the City to award a contract which exceeds the engineer's estimate since more than one bid was received and proposes to award to the lowest and best bid.

CHARTER ORDINANCE NO. 27

A CHARTER ORDINANCE EXEMPTING THE CITY OF HAYS, KANSAS FROM THE PROVISIONS OF K.S.A. 14-440.

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

Section 1. *The City of Hays, by the power vested in it by [Article 12](#), Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from the provisions of K.S.A. 14-440, which applies to this city but does not apply uniformly to all cities.*

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Section 2. Before the City shall make any contract for building bridges or sidewalks or for any work on streets, or for any other work or improvement, an estimate of the cost thereof shall be made and submitted to the commission; and no contract shall be entered into for any work or improvement for a price exceeding such estimate, unless the City has obtained more than one (1) bid for such improvement and the City awards the contract to the lowest and best bid; or the commission deems it expedient and necessary to do the project. The City Manager shall designate an employee with suitable education and/or experience to perform the estimate or may use outside engineering services when he deems it advisable.

Section 3. This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 4. This Charter Ordinance shall take effect 61 days after final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided in [Article 12](#), Section 5 of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective upon approval by a majority of the electors voting thereon.

Passed by the Governing Body, not less than two-thirds of the members-elect voting in favor thereof, this 12th day of January, 2012.

2. The low bid will result in a total project cost which exceeds the petition amount.

The developer (TG Investments) feels the project costs are representative of the current market conditions and wants to proceed with the project; therefore, they have submitted a new petition with a total project cost that reflects the higher construction cost. A separate agenda item deals with that issue.

Legal Consideration

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

Financial Consideration

Estimated total Project Cost:

	Total	City Share	Developer	Benefit District
Design	\$ 58,000.00	\$ 3,469.27	\$ 16,359.22	\$ 38,171.51
Construction	\$1,011,458.00	\$60,500.36	\$285,287.29	\$665,670.35
Inspection	\$ 70,000.00	\$ 4,187.05	\$ 19,743.89	\$ 46,069.07
Issuance & Admin	\$ 55,000.00	\$ 3,289.83	\$ 15,513.05	\$ 36,197.12
Contingency	\$ 65,542.00	\$ 53.49	\$ 19,646.55	\$ 45,841.96
	\$1,260,000.00	\$71,500.00	\$356,550.00	\$831,950.00

Lots 33
 Per Lot \$ 25,210.61
 Per month (15 yrs @ 3%) \$ 171.32

In accordance with the City’s Development Policy, the City is responsible for the cost of oversizing infrastructure. Both East 17th Street to the west and Tallgrass Drive to the

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south were built to residential collector street standard (45' width from back of curb to back of curb) as specified in the current policy, which is 5 feet wider than the typical 40' wide residential street, plus the pavement is to be 7" thick (1" thicker than the typical 6" thick residential street). In addition, the sanitary sewer line running along 17th Street and Tallgrass Drive is to be oversized from the typical 8" diameter to 10" diameter to accommodate future growth north of the Tallgrass Addition. Based on the low bid, the City-at-large share for oversized is \$71,500.

The developer is financing the improvements through the creation of a special benefit district. After subtracting the estimated City Share for oversized (\$71,500), 70% (\$831,950) of the remaining costs for this project will be allowed to be special assessed with the remaining 30% (\$356,550) being paid by the developer. The per lot Special Assessment is estimated to be \$25,210. Based on the 15 year assessment at an assumed interest rate of 3%, the estimated monthly assessment per lot would be approximately \$171 per month.

The breakout of the \$71,500 City share for oversized is \$14,650 for Sanitary Sewer and \$56,850 for pavement. The Director of Finance recommends funding the \$14,650 for Sanitary Sewer oversized out of Water/Sewer Capital and the \$56,850 for Street oversized out of City Commission Capital Reserve.

The estimated \$831,950 to be special assessed would be bonded.

Options

Options include the following:

- Award contract as recommended by city staff
- Provide alternate direction to 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 **\$1,011,458** for construction of street, water, storm water and sanitary sewer improvements within the Tallgrass Addition, Phase 5, with the \$14,650 City Share of sanitary sewer oversized to be funded out of Water/Sewer Capital, and the \$56,850 City share for street oversized to be funded out of the City Commission Capital Reserve.

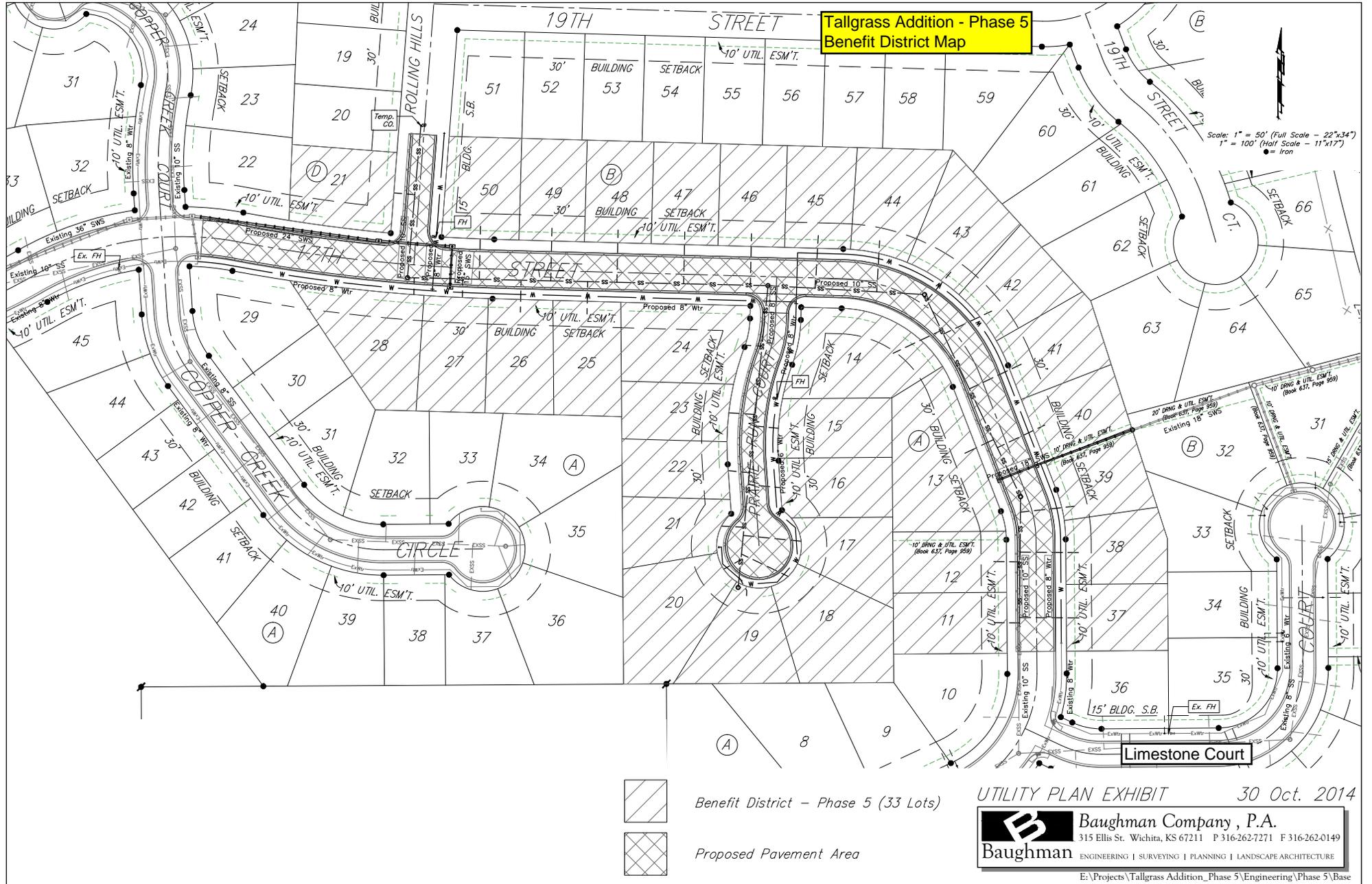
Supporting Documentation

Location Maps
Bid Tabulation
Low Bid

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Tallgrass Addition - Phase 5





BID TABULATION

Tallgrass Addition - Phase 5
 Sanitary Sewer,
 Water Distribution System
 Street & Storm Sewer Improvements
 City of Hays, Kansas
 BID DATE: June 3rd, 2015

Bid Items:	Quantity	Unit	Engineer's Estimate		APAC Shears		J Corp	
			Bid Price	Total	Bid Price	Total	Bid Price	Total
Mobilization	1	L.S.	\$2,000.00	\$2,000.00	\$18,670.00	\$18,670.00	\$12,000.00	\$12,000.00
Traffic Control	1	L.S.	\$500.00	\$500.00	\$4,500.00	\$4,500.00	\$1,200.00	\$1,200.00
Site Clearing & Restoration	1	L.S.	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$7,200.00	\$7,200.00
Sewer Trenching & Backfill (16'-18')	798	L.F.	\$14.00	\$11,172.00	\$35.40	\$28,249.20	\$25.00	\$19,950.00
Sewer Trenching & Backfill (18'-20')	400	L.F.	\$16.00	\$6,400.00	\$42.40	\$16,960.00	\$30.00	\$12,000.00
Sewer Trenching & Backfill (20'-22')	360	L.F.	\$18.00	\$6,480.00	\$47.10	\$16,956.00	\$50.00	\$18,000.00
Connect to Existing Sewer Line	1	Ea.	\$1,500.00	\$1,500.00	\$4,000.00	\$4,000.00	\$1,850.00	\$1,850.00
Type 1 Manhole	5	Ea.	\$3,000.00	\$15,000.00	\$3,775.00	\$18,875.00	\$3,700.00	\$18,500.00
Extra Depth Type 1 Manhole	50	L.F.	\$150.00	\$7,500.00	\$303.00	\$15,150.00	\$225.00	\$11,250.00
8" Sanitary Sewer (PVC)	358	L.F.	\$16.00	\$5,728.00	\$24.10	\$8,627.80	\$24.00	\$8,592.00
10" Sanitary Sewer (PVC)	1,200	L.F.	\$18.00	\$21,600.00	\$26.20	\$31,440.00	\$30.00	\$36,000.00
4" Sanitary Sewer Service (PVC)	33	Ea.	\$500.00	\$16,500.00	\$3,220.00	\$106,260.00	\$2,800.00	\$92,400.00
10" x 4" Tee/ Wye (PVC)	23	Ea.	\$150.00	\$3,450.00	\$270.00	\$6,210.00	\$420.00	\$9,660.00
8" x 4" Tee/Wye (PVC)	10	Ea.	\$150.00	\$1,500.00	\$178.00	\$1,780.00	\$195.00	\$1,950.00
10" Cleanout Riser Assembly	1	Ea.	\$1,500.00	\$1,500.00	\$2,440.00	\$2,440.00	\$950.00	\$950.00
TOTAL COST OF SANITARY IMPROVEMENTS:				\$105,830.00		\$290,118.00		\$251,502.00

Bid Items:	Quantity	Unit	Engineer's Estimate		APAC Shears		J Corp	
			Bid Price	Total	Bid Price	Total	Bid Price	Total
Mobilization	1	L.S.	\$2,000.00	\$2,000.00	\$5,100.00	\$5,100.00	\$6,000.00	\$6,000.00
Traffic Control	1	L.S.	\$500.00	\$500.00	\$2,240.00	\$2,240.00	\$500.00	\$500.00
Site Clearing & Restoration	1	L.S.	\$3,000.00	\$3,000.00	\$2,135.00	\$2,135.00	\$6,200.00	\$6,200.00
8" Water Line (C900 PVC)	1537	L.F.	\$18.00	\$27,666.00	\$14.15	\$21,748.55	\$20.00	\$30,740.00
6" Water Line (C900 PVC)	327	L.F.	\$16.00	\$5,232.00	\$14.20	\$4,643.40	\$35.00	\$11,445.00
6" Water Line (DIP)	5	L.F.	\$20.00	\$100.00	\$86.53	\$432.65	\$100.00	\$500.00
6" Bend, 45 Degree	1	Ea.	\$250.00	\$250.00	\$420.00	\$420.00	\$300.00	\$300.00
8" x 8" Tee	2	Ea.	\$250.00	\$500.00	\$645.00	\$1,290.00	\$650.00	\$1,300.00
8" x 6" Reducer	1	Ea.	\$250.00	\$250.00	\$300.00	\$300.00	\$225.00	\$225.00
8" Gate Valve	3	Ea.	\$1,000.00	\$3,000.00	\$1,490.00	\$4,470.00	\$1,400.00	\$4,200.00
8" Gate Valve (Special Anchored))	1	Ea.	\$1,200.00	\$1,200.00	\$1,800.00	\$1,800.00	\$1,600.00	\$1,600.00
2" Blowoff Valve	2	Ea.	\$250.00	\$500.00	\$1,570.00	\$3,140.00	\$1,250.00	\$2,500.00
Fire Hydrant Assembly	3	Ea.	\$2,000.00	\$6,000.00	\$4,575.00	\$13,725.00	\$3,300.00	\$9,900.00
Water Line Trenching & Backfill (4'-6')	1088	L.F.	\$2.00	\$2,176.00	\$8.20	\$8,921.60	\$12.00	\$13,056.00
Water Line Trenching & Backfill (6'-8')	781	L.F.	\$3.00	\$2,343.00	\$11.70	\$9,137.70	\$15.00	\$11,715.00
Connection to Existing Water Line	2	Ea.	\$1,500.00	\$3,000.00	\$1,800.00	\$3,600.00	\$1,250.00	\$2,500.00
Meter Set	33	Ea.	\$750.00	\$24,750.00	\$1,200.00	\$39,600.00	\$1,000.00	\$33,000.00
Water Service Connection	33	Ea.	\$175.00	\$5,775.00	\$295.00	\$9,735.00	\$275.00	\$9,075.00
Service Saddle	33	Ea.	\$175.00	\$5,775.00	\$260.00	\$8,580.00	\$210.00	\$6,930.00
Service Line (1")	1523	L.F.	\$8.00	\$12,184.00	\$6.60	\$10,051.80	\$13.00	\$19,799.00
TOTAL COST OF WATER DISTRIBUTION SYSTEM:				\$106,201.00		\$151,070.70		\$171,485.00

Bid Items:	Quantity	Unit	Engineer's Estimate		APAC Shears		J Corp	
			Bid Price	Total	Bid Price	Total	Bid Price	Total
Mobilization	1	L.S.	\$4,000.00	\$4,000.00	\$34,510.00	\$34,510.00	\$11,000.00	\$11,000.00
Traffic Control	1	L.S.	\$500.00	\$500.00	\$4,040.00	\$4,040.00	\$1,000.00	\$1,000.00
Site Clearing & Restoration	1	L.S.	\$10,000.00	\$10,000.00	\$20,525.00	\$20,525.00	\$18,900.00	\$18,900.00
Common Excavation	8,851	C.Y.	\$8.00	\$70,808.00	\$4.50	\$39,829.50	\$5.25	\$46,467.75
Compacted Fill 80%-85% (not a bid item)	315	C.Y.	\$2.00	\$630.00				
Compacted Fill 95% (not a bid item)	108	C.Y.	\$4.00	\$432.00				
Embankment	393	C.Y.	\$2.00	\$786.00	\$3.75	\$1,473.75	\$10.00	\$3,930.00
Layback Curb & Gutter	3,528	L.F.	\$20.00	\$70,560.00	\$20.40	\$71,971.20	\$19.00	\$67,032.00
Saw Cut	90	L.F.	\$4.00	\$360.00	\$6.15	\$553.50	\$4.00	\$360.00
Remove Existing Pavement	18	S.Y.	\$15.00	\$270.00	\$25.00	\$450.00	\$20.00	\$360.00
Wheelchair Ramp	4	Ea.	\$500.00	\$2,000.00	\$3,270.00	\$13,080.00	\$1,050.00	\$4,200.00
Curb Inlet, Type 1 (5'x3')	5	Ea.	\$5,000.00	\$25,000.00	\$7,100.00	\$35,500.00	\$3,050.00	\$15,250.00
24" Reinforced Concrete Pipe	300	L.F.	\$60.00	\$18,000.00	\$68.64	\$20,592.00	\$65.00	\$19,500.00
18" Reinforced Concrete Pipe	165	L.F.	\$45.00	\$7,425.00	\$57.30	\$9,454.50	\$48.00	\$7,920.00
15" Reinforced Concrete Pipe	42	L.F.	\$38.00	\$1,596.00	\$53.65	\$2,253.30	\$48.00	\$2,016.00
Rear & Side Lot Grading	1	L.S.	\$7,500.00	\$7,500.00	\$8,500.00	\$8,500.00	\$21,000.00	\$21,000.00
Project Seeding	1	L.S.	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00	\$12,000.00	\$12,000.00
BMP, Back of Curb Protection	3,528	L.F.	\$1.50	\$5,292.00	\$1.75	\$6,174.00	\$2.00	\$7,056.00
BMP, Construction Entrance	2	Ea.	\$1,000.00	\$2,000.00	\$1,455.00	\$2,910.00	\$100.00	\$200.00
BMP, Curb Inlet Protection	7	Ea.	\$500.00	\$3,500.00	\$135.00	\$945.00	\$195.00	\$1,365.00
BMP, Straw Bale Ditch Check	2	Ea.	\$250.00	\$500.00	\$250.00	\$500.00	\$475.00	\$950.00
BMP, Straw Wattle	726	L.F.	\$1.25	\$907.50	\$4.50	\$3,267.00	\$4.75	\$3,448.50
Maintain Existing BMPs	1	L.S.	\$2,000.00	\$2,000.00	\$600.00	\$600.00	\$3,200.00	\$3,200.00
Subtotal of Street Improvements and Storm Water Sewer (Minus Pavement Option)				\$249,066.50		\$287,128.75		\$247,155.25
Asphalt Concrete Pavement Option								
Bituminous Surface Course, 2"	6,658	S.Y.	\$13.00	\$86,554.00	\$20.45	\$136,156.10		
Bituminous Base Course, 5"	4,998	S.Y.	\$32.00	\$159,936.00	\$20.20	\$100,959.60		
Bituminous Base Course, 4"	1,660	S.Y.	\$30.00	\$49,800.00	\$27.00	\$44,820.00		
Crushed Rock Base, 4"	8,221	S.Y.	\$8.00	\$65,768.00	\$10.25	\$84,265.25		
Subtotal of Asphalt Concrete Pavement Option				\$362,058.00		\$366,200.95		
Concrete Pavement Option								
Non-Reinforced Concrete Pavement, 7"	4,998	S.Y.	\$37.00	\$184,926.00	\$53.10	\$265,393.80	\$42.00	\$209,916.00
Non-Reinforced Concrete Pavement, 6"	1,660	S.Y.	\$35.00	\$58,100.00	\$51.70	\$85,822.00	\$39.50	\$65,570.00
Fly Ash	489	Tons	\$70.00	\$34,230.00	\$66.00	\$32,274.00	\$72.00	\$35,208.00
Water (Fly Ash)	195,175	gal	\$0.01	\$1,951.75	\$0.06	\$11,710.50	\$0.02	* \$3,903.50
Manipulation (Fly Ash)	8,221	S.Y.	\$12.00	\$98,652.00	\$2.50	\$20,552.50	\$3.25	\$26,718.25
Subtotal of Concrete Pavement Option				\$377,859.75		\$415,752.80	*	\$341,315.75
TOTAL COST OF STREET & STORM SEWER IMPROVEMENT (ASPHALT)				\$611,124.50		\$653,329.70		
TOTAL COST OF STREET & STORM SEWER IMPROVEMENT (CONCRETE)				\$626,926.25		\$702,881.55	*	\$588,471.00
TOTAL COST OF PACKAGE (ASPHALT)				\$823,155.50		\$1,094,518.40		
TOTAL COST OF PACKAGE (CONCRETE)				\$838,957.25		\$1,144,070.25	*	\$1,011,458.00

* Corrected Totals



Baughman Co., P.A.
Company or Firm Name

Austin E. Gottlob
By

Project Manager
Title

COPY

CITY OF HAYS, KANSAS

SANITARY SEWER IMPROVEMENTS
WATER DISTRIBUTION SYSTEM
STREET IMPROVEMENTS AND
STORM WATER SEWER
TO SERVE
TALLGRASS ASSITON- PHASE 5

COH PROJECT NO. 2014-27

PROPOSAL

TO THE HONORABLE MAYOR AND COMMISSION
CITY OF HAYS, KANSAS

1. The undersigned declares that he has read the Specifications and other Contract Documents, has examined and understands the Plans, has examined the site of the work and has determined for himself the conditions affecting the work; and he proposes and agrees to provide at his own expense all labor, superintendence, machinery, plant, equipment, tools, apparatus, appliances and means of construction, and all materials and supplies and to complete ready for its intended purpose the entire work and all parts thereof described as included under the Contract herein, including all work incidental thereto, according to the Plans and Specifications and such instructions the Engineer may give.

2. The Undersigned Bidder, in compliance with your Notice to Contractors dated May 8th, 2015 hereby proposes to do the work called for in said Specifications and other Contract Documents and shown on said Plans for the said work at the following rates and prices:

SCHEDULE OF ITEMS AND PRICES

SANITARY SEWER IMPROVEMENTS						
No.	Description	Approximate Quantity	Unit	Unit Price	Extension	
1	Mobilization	1	L.S.	\$ <u>12,000.00</u>	\$ <u>12,000.00</u>	
2	Traffic Control	1	L.S.	\$ <u>1,200.00</u>	\$ <u>1,200.00</u>	
3	Site Clearing & Restoration	1	L.S.	\$ <u>7,200.00</u>	\$ <u>7,200.00</u>	
4	Sewer Trenching & Backfill (16'-18')	798	L.F.	\$ <u>25.00</u>	\$ <u>19,950.00</u>	

5	Sewer Trenching & Backfill (18'-20')	400	L.F.	\$ <u>30.00</u>	\$ <u>12,000.00</u>
6	Sewer Trenching & Backfill (20'-22')	360	L.F.	\$ <u>50.00</u>	\$ <u>18,000.00</u>
7	Connect to Existing Sewer Line	1	Ea.	\$ <u>1,850.00</u>	\$ <u>1,850.00</u>
8	Type 1 Manhole	5	Ea.	\$ <u>3,700.00</u>	\$ <u>18,500.00</u>
9	Extra Depth Type 1 Manhole	50	L.F.	\$ <u>225.00</u>	\$ <u>11,250.00</u>
10	8" Sanitary Sewer (PVC)	358	L.F.	\$ <u>24.00</u>	\$ <u>8,592.00</u>
11	10" Sanitary Sewer (PVC)	1200	L.F.	\$ <u>30.00</u>	\$ <u>36,000.00</u>
12	4" Sanitary Sewer Service (PVC)	33	Ea.	\$ <u>2,800.00</u>	\$ <u>92,400.00</u>
13	10"x4" Tee/Wye (PVC)	23	Ea.	\$ <u>420.00</u>	\$ <u>9,660.00</u>
14	8"x4" Tee/Wye (PVC)	10	Ea.	\$ <u>195.00</u>	\$ <u>1,950.00</u>
15	10" Cleanout Riser Assembly	1	Ea.	\$ <u>950.00</u>	\$ <u>950.00</u>
Total Cost of Sanitary Sewer Improvements				\$ <u>251,502.00</u>	

WATER DISTRIBUTION SYSTEM

No.	Description	Approximate Quantity	Unit	Unit Price	Extension
1	Mobilization	1	L.S.	\$ <u>6,000.00</u>	\$ <u>6,000.00</u>
2	Traffic Control	1	L.S.	\$ <u>500.00</u>	\$ <u>500.00</u>
3	Site Clearing & Restoration	1	L.S.	\$ <u>6,200.00</u>	\$ <u>6,200.00</u>
4	8" Water Line (C900 PVC)	1537	L.F.	\$ <u>20.00</u>	\$ <u>30,740.00</u>
5	6" Water Line (C900 PVC)	327	L.F.	\$ <u>35.00</u>	\$ <u>11,445.00</u>
6	6" Water Line (DIP)	5	L.F.	\$ <u>100.00</u>	\$ <u>500.00</u>
7	6" Bend, 45 Degree	1	Ea.	\$ <u>300.00</u>	\$ <u>300.00</u>

8	8" x 8" Tee	2	Ea.	\$ <u>650.00</u>	\$ <u>1,300.00</u>
9	8" x 6" Reducer	1	Ea.	\$ <u>225.00</u>	\$ <u>225.00</u>
10	8" Gate Valve	3	Ea.	\$ <u>1,400.00</u>	\$ <u>4,200.00</u>
11	8" Gate Valve (Special Anchored)	1	Ea.	\$ <u>1,600.00</u>	\$ <u>1,600.00</u>
12	2" Blowoff Valve	2	Ea.	\$ <u>1,250.00</u>	\$ <u>2,500.00</u>
13	Fire Hydrant Assembly	3	Ea.	\$ <u>3,300.00</u>	\$ <u>9,900.00</u>
14	Water Line Trenching & Backfill (4'-6')	1088	L.F.	\$ <u>12.00</u>	\$ <u>13,056.00</u>
15	Water Line Trenching & Backfill (6'-8')	781	L.F.	\$ <u>15.00</u>	\$ <u>11,715.00</u>
16	Connection to Existing Water Line	2	Ea.	\$ <u>1,250.00</u>	\$ <u>2,500.00</u>
17	Meter Set	33	Ea.	\$ <u>1,000.00</u>	\$ <u>33,000.00</u>
18	Water Service Connection	33	Ea.	\$ <u>275.00</u>	\$ <u>9,075.00</u>
19	Service Saddle	33	Ea.	\$ <u>210.00</u>	\$ <u>6,930.00</u>
20	Service Line (1")	1523	L.F.	\$ <u>13.00</u>	\$ <u>19,799.00</u>

Total Cost of Water Distribution System \$ 171,485.00

STREET IMPROVEMENTS AND STORM WATER SEWER

No.	Description	Approximate Quantity	Unit	Unit Price	Extension
1	Mobilization	1	L.S.	\$ <u>11,000.00</u>	\$ <u>11,000.00</u>
2	Traffic Control	1	L.S.	\$ <u>1,000.00</u>	\$ <u>1,000.00</u>
3	Site Clearing & Restoration	1	L.S.	\$ <u>18,900.00</u>	\$ <u>18,900.00</u>
4	Common Excavation	8851	C.Y.	\$ <u>5.25</u>	\$ <u>46,467.75</u>
5	Embankment	393	C.Y.	\$ <u>10.00</u>	\$ <u>3,930.00</u>

6	Layback Curb & Gutter	3528	L.F.	\$ <u>19.00</u>	\$ <u>67,032.00</u>
7	Saw Cut	90	L.F.	\$ <u>4.00</u>	\$ <u>360.00</u>
8	Remove Existing Pavement	18	S.Y.	\$ <u>20.00</u>	\$ <u>360.00</u>
9	Wheel Chair Ramp	4	Ea.	\$ <u>1,050.00</u>	\$ <u>4,200.00</u>
10	Curb Inlet, Type 1 (5' x 3')	5	Ea.	\$ <u>3,050.00</u>	\$ <u>15,250.00</u>
11	24" Reinforced Concrete Pipe	300	L.F.	\$ <u>65.00</u>	\$ <u>19,500.00</u>
12	18" Reinforced Concrete Pipe	165	L.F.	\$ <u>48.00</u>	\$ <u>7,920.00</u>
13	15" Reinforced Concrete Pipe	42	L.F.	\$ <u>48.00</u>	\$ <u>2,016.00</u>
14	Rear & Side Lot Grading	1	L.S.	\$ <u>21,000.00</u>	\$ <u>21,000.00</u>
15	Project Seeding	1	L.S.	\$ <u>12,000.00</u>	\$ <u>12,000.00</u>
16	BMP, Back of Curb Protection	3528	L.F.	\$ <u>2.00</u>	\$ <u>7,056.00</u>
17	BMP, Construction Entrance	2	Ea.	\$ <u>100.00</u>	\$ <u>200.00</u>
18	BMP, Curb Inlet Protection	7	Ea.	\$ <u>195.00</u>	\$ <u>1,365.00</u>
19	BMP, Straw Bale Ditch Check	2	Ea.	\$ <u>475.00</u>	\$ <u>950.00</u>
20	BMP, Straw Wattle	726	L.F.	\$ <u>4.75</u>	\$ <u>3,448.50</u>
21	Maintain Existing BMPs	1	L.S.	\$ <u>3,200.00</u>	\$ <u>3,200.00</u>

Subtotal of Street Improvements and Storm Water Sewer (Minus Pavement Option)

247,155.25

Asphalt Concrete Pavement Option

22	Bituminous Surface Course, 2"	6658	S.Y.	\$ _____	\$ _____
23	Bituminous Base Course, 5"	4998	S.Y.	\$ _____	\$ _____
24	Bituminous Base Course, 4"	1660	S.Y.	\$ _____	\$ _____

25	Crushed Rock Base, 4"	8221	S.Y.	\$	_____	\$	_____
	Subtotal of Asphalt Concrete Pavement Option						_____
	<u>Concrete Pavement Option</u>						
26	Non-Reinforced Concrete Pavement, 7"	4998	S.Y.	\$	<u>42.00</u>	\$	<u>209,916.00</u>
27	Non-Reinforced Concrete Pavement, 6"	1660	S.Y.	\$	<u>39.50</u>	\$	<u>65,570.00</u>
28	Fly Ash	489	Tons	\$	<u>72.00</u>	\$	<u>35,208.00</u>
29	Water (Fly Ash)	195175	gal	\$	<u>0.02</u>	\$	<u>3,415.56</u>
30	Manipulation (Fly Ash)	8221	S.Y.	\$	<u>3.25</u>	\$	<u>26,718.25</u>
	Subtotal of Concrete Pavement Option						<u>340,827.81</u>
Total Cost of Street and Storm Water Sewer Improvements				\$	<u>577,983.06</u>		

Package:

Total Cost of Sanitary Sewer Improvements	\$	<u>251,502.00</u>
Total Cost of Water Distribution System	\$	<u>171,485.00</u>
Total Cost of Street Improvements and Storm Water Sewer (Minus Pavement Option)	\$	<u>247,155.25</u>
<i>Asphalt Concrete Pavement Option</i>	\$	_____
<i>Concrete Pavement Option</i>	\$	<u>340,827.81</u>
Total Cost of Package (Asphalt)	\$	_____
Total Cost of Package (Concrete)	\$	<u>1,010,970.06</u>

3. The Undersigned Bidder understands that the above quantities of work to be done are approximate only and are intended principally to serve as a guide in evaluating the bids.

4. The Undersigned agrees, upon written notice of the acceptance of this bid within ten (10) days after the opening of the bids, that he will execute the Contract in accordance with the bid as

accepted and give Contract (Contract and Payment) bonds on forms included herein within ten (10) days after the prescribed forms are presented for signature.

5. The Undersigned further agrees that if awarded the Contract, he will commence work within ten (10) calendar days after receipt of Notice to Proceed and that he will complete the work within 130 working days of the date of mailing or delivery of the Notice to Proceed; and that he shall pay liquidated damages in accordance with the SUPPLEMENTARY CONDITIONS in the amount of Six Hundred Dollars (\$ 600.00) for each day, exclusive of Sundays and holidays, the work remains uncompleted after expiration of Contract time.

The Contractor further agrees he will commence the work on or about September 14, 20 15.

6. As an evidence of good faith in submitting this Proposal, the Undersigned encloses a cashier's check, a certified check, or a bid bond in the amount of five percent (5%) of the bid which in case he refuses or fails to accept an award and to enter into a contract and file the required bonds within the prescribed time, shall be forfeited as liquidated damages.

7. The Undersigned hereby declares that the only parties interested in this proposal are named herein, that this Proposal is made without collusion with any other person, firm or corporation, that no member of the city council, officer or agent of the City of Hays, Kansas is directly or indirectly financially interested in this bid.

8. Addendum Nos. 1 were received and considered in the preparation of this Proposal.

Dated in Hays, Ks this 3rd day of June, 20 15.

SIGNATURE OF BIDDER

If an Individual: _____ doing business

as _____

If a Partnership: _____ member of firm

by _____

If a Corporation: _____

by J Corp
Jeanette P. Parnasstil

Title President

Business Address of Bidder: _____

PO Box 698
Hays, Ks 67601

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 10

MEETING DATE: 7-9-15

TOPIC:

Vehicle Abatement at 1406 Allen

ACTION REQUESTED:

Approve Resolution No. 2015-016 to abate the vehicle located on the property at 1406 Allen ten days after the approval date.

NARRATIVE:

The abandoned vehicle located in the driveway at 1406 Allen has expired tags therefore deeming it inoperable. Up to this point, all proper notification has been given to the owner of the property. To date, no action has been taken by the owner of the property. Personal or phone contact has been made but the owner has claimed an inability to get the vehicle insured and registered for various reasons and the vehicle remains in place as of the date of this memo. If the vehicle is removed by the City, all costs of abatement will be charged to the owner of the property. Staff recommends approving the resolution allowing the vehicle located at 1406 Allen to be abated by the City.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Toby Dougherty, City Manager
John Braun, Interim Director of Public Works

ADMINISTRATION RECOMMENDATION:

Staff recommends approving this resolution allowing the vehicle located at 1406 Allen to be removed from the property.

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Letters to Property Owner
Pictures
Resolution No. 2015-016

Commission Work Session Agenda

Memo

From: Jesse Rohr, PIE Superintendent

Work Session: July 2, 2015

Subject: Vehicle Abatement at 1406 Allen

Person(s) Responsible: Toby Dougherty, City Manager
John Braun, Interim Director of Public Works

Summary

The abandoned vehicle located in the driveway at 1406 Allen has expired tags therefore deeming it inoperable. Up to this point, all proper notification has been given to the owner of the property. To date, no action has been taken by the owner of the property. Personal or phone contact has been made but the owner has claimed an inability to get the vehicle insured and registered for various reasons and the vehicle remains in place as of the date of this memo. If the vehicle is removed by the city, all costs of abatement will be charged to the owner of the property. Staff recommends approving the resolution allowing the vehicle located at 1406 Allen to be abated by the city.

Background

Staff has had various nuisance cases on this property over the years. Most issues have been reluctantly resolved and have not had to be abated by the City.

Discussion

Planning, Inspection, and Enforcement is requesting a resolution to abate the inoperable vehicle located on the property at 1406 Allen be placed on the agenda for formal action at the July 2, 2015 City Commission meeting. The property located at 1406 Allen is in violation of City Ordinance Chapter 26 Article II. The vehicle has no current and legal tags, therefore deeming it inoperable. Letters have been sent per City of Hays Ordinance requirements. No progress by the owner has been made on this vehicle. Staff is now moving forward for abatement of the vehicle since the owner of the property has not followed through accordingly.

Legal Consideration

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

Financial Consideration

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

Options

Options include the following:

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

Recommendation

Staff recommends approving this resolution allowing the vehicle located at 1406 Allen to be removed from the property.

Action Requested

Approve the resolution to abate the vehicle located on the property at 1406 Allen ten days after the approval date.

Supporting Documentation

Letters to Property Owner

Pictures

Resolution

6/19/2015

IWORQ Systems Inc.

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

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



VACANT
1002 VINE ST., HAYS, KS 67601

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

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

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

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

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

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

PUBLIC WORKS DEPARTMENT
www.haysusa.com

Richard Mueller
1406 Allen
HAYS, KS 67601-3552

March 10, 2015

RE: 1406 Allen

Dear Richard Mueller:

It has come to our attention that a city code violation(s) exist at **1406 Allen**, Hays, Kansas (photo(s) are attached). The violation consists of **Inoperable Vehicles on Private Property**. Ellis County records indicate that you are the owner of the property. The item(s) listed are in violation of City Ordinance, **Sec. 26-40 (Inoperable Vehicles)**.

We request that you please correct the problem within the next 10 days. We sincerely appreciate your cooperation. Inspectors will revisit the site after **3/23/2015**, and it is our hope that corrective action will have been taken. If not, we will need to take further steps to resolve this issue.

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

Sincerely,

Chris Rorabaugh
Building Inspector/Code Enforcement Officer

Enclosed: Pictures

Cc: File
Resident (if applicable)

6/19/2015

IWORQ Systems Inc.

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

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VACANT
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JOHN BRAUN, ASSISTANT DIRECTOR
1002 VINE STREET, HAYS, KS 67601
TEL 785-628-7350, FAX 785-628-7352

PUBLIC WORKS DEPARTMENT
www.haysusa.com

March 26, 2015

Richard Mueller
1406 Allen
HAYS, KS 67601-3552

RE: 1406 Allen

VIA CERTIFIED MAIL:

Dear Richard Mueller:

The violation located at 1406 Allen, Hays, Kansas still exists (photos attached). We wrote a letter to you on 2/5/2015 requesting that you abate the situation.

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

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

Sincerely,

Chris Rorabaugh
Building Inspector/Code Enforcement Officer

Enclosed: Pictures

Cc: City Prosecutor
File



Case Information

Date 2/5/2015
Case Number 20150097
Telephone
Owner Name Richard Mueller
Owner Address 1406 Allen
Violation Address 1406 Allen
Violation Inoperable Vehicles on Private Property
Complaint Received From
Status Certified Sent
Violation Due Date 3/23/2015
Certified Received Date 3/28/2015
Certified Due Date 4/7/2015
Date Case Closed
Complainant Name
Complainant Telephone/Address
Ordinance Number Sec. 26-40 (Inoperable Vehicles)
Assigned To Chris Rorabaugh

Property Information

Parcel#: 026-138-33-0-40-28-008.00-0
 MUELLER, RICHARD KEITH
 1406 ALLEN ST

Owner Information

MUELLER, RICHARD KEITH
 1406 ALLEN ST
 HAYS, KS 67601-3552

Case History

Date	Type	Description
2/5/2015	Note	First picture taken February 4th, expired tag.
2/5/2015 1:41:15 PM	Document	
3/10/2015	Activity	

1st Notification Letter: The pictured vehicle needs to be legally tagged and made road worthy or it needs to be removed from your property or placed inside an enclosed building. This vehicle has been observed in its present condition for a period of time in excess of 30 days.

3/10/2015 11:47:13 AM

Document



3/26/2015

Activity

Certified Letter: Upon receipt of this certified letter, you will have 10 days to legally tag and make road worthy the pictured vehicle or it needs to be removed from your property or placed inside an enclosed building.

3/26/2015 2:10:35 PM

Document



4/6/2015

Note

Glenda (ELCO Treasurer) called in April 6th. Richard Mueller was there.....can't get insurance because he has no Dr Llc, 1978 Jeep is eligible for antique or non-use tag...but he has to have insurance...mom lives in Munjor?

RESOLUTION NO. 2015-016

A RESOLUTION AUTHORIZING THE CITY OF HAYS OR ITS DESIGNATED AGENT TO ABATE NUISANCE LOCATED ON THE PROPERTY AT 1406 ALLEN ST., HAYS, KANSAS.

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

WHEREAS, on February 5, 2015, March 10, 2015, and March 26, 2015, inspections of the property were conducted by the City of Hays, and said inspections determined the inoperable vehicle on the property at 1406 Allen St. was in violation of City Ordinance Chapter 26, Article 2; and

WHEREAS, on March 10, 2015, a letter was sent to the owner of the property at 1406 Allen St., requesting that the owner abate the nuisance by removal of the inoperable vehicle within 5 days; and

WHEREAS, on March 26, 2015, a certified letter to the owner of the property at 1406 Allen St. was prepared giving said owner ten days, upon receipt, in which to abate the nuisance; and

WHEREAS, on March 28, 2015, the certified letter to the owner of the property at 1406 Allen St. was verified as received by said owner; and

WHEREAS, an inspection of the property done on May 22, 2015, revealed the inoperable vehicle was not abated from the property; and

WHEREAS, the Governing Body of the City of Hays desires that the inoperable vehicle on the property at 1406 Allen St. be abated by the City or its authorized agent.

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

Section 1. That the existence of the inoperable vehicle located at 1406 Allen St. is hereby found to be in violation of Ordinance Chapter 26, Article 2.

Section 2. That the owner of the property located at 1406 Allen St. was given proper notice to abate the nuisance condition located at 1406 Allen St. and has failed to abate the said nuisance.

Section 3. That the City of Hays or its designated agent is hereby authorized to abate the condition causing the violation at

the end of ten days from the date of passage of this Resolution.

Section 4. That the cost incurred by the City shall be charged against the lot located at 1406 Allen St. as provided in Ordinance Chapter 26, Article 2.

PASSED by the City Commission on the 9th day of July 2015.

Eber Phelps, Mayor

ATTEST:

Brenda Kitchen, City Clerk

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 11

MEETING DATE: 7-9-15

TOPIC:

Vehicle Abatement at 300 E 24th

ACTION REQUESTED:

Approve Resolution No. 2015-017 to abate the vehicle located on the property at 300 E 24th ten days after the approval date.

NARRATIVE:

The abandoned vehicle located in the front driveway at 300 E 24th has expired tags therefore deeming it inoperable. Up to this point, all proper notification has been given to the owner of the property. To date, no response has been received and no action has been taken by the owner of the property. If the vehicle is removed by the City, all costs of abatement will be charged to the owner of the property. Staff recommends approving the resolution allowing the vehicle located at 300 E 24^h to be abated by the City.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Toby Dougherty, City Manager
John Braun, Interim Director of Public Works

ADMINISTRATION RECOMMENDATION:

Staff recommends approving this resolution allowing the vehicle located at 300 E 24th to be removed from the property.

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Staff Memo
Letters to Property Owner
Pictures
Resolution No. 2015-017

Commission Work Session Agenda

Memo

From: Jesse Rohr, PIE Superintendent

Work Session: July 2, 2015

Subject: Vehicle Abatement at 300 E 24th

Person(s) Responsible: Toby Dougherty, City Manager
John Braun, Interim Director of Public Works

Summary

The abandoned vehicle located in the front driveway at 300 E 24th has expired tags therefore deeming it inoperable. Up to this point, all proper notification has been given to the owner of the property. To date, no response has been received and no action has been taken by the owner of the property. If the vehicle is removed by the city, all costs of abatement will be charged to the owner of the property. Staff recommends approving the resolution allowing the vehicle located at 300 E 24^h to be abated by the city.

Background

All proper notices have been sent to the registered owner of this property.

Discussion

Planning, Inspection, and Enforcement is requesting a resolution to abate the inoperable vehicle located on the property at 300 E 24th be placed on the agenda for formal action at the July 2, 2015 City Commission meeting. The property located at 300 E 24th is in violation of City Ordinance Chapter 26 Article II. The vehicle has no current and legal tags therefore deeming it inoperable. Letters have been sent per City of Hays Ordinance requirements. No progress by the owner has been made on this vehicle. Staff is now moving forward for abatement of the vehicle since the owner of the property has not followed through accordingly.

Legal Consideration

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

Financial Consideration

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

Options

Options include the following:

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

Recommendation

Staff recommends approving this resolution allowing the vehicle located at 300 E 24th to be removed from the property.

Action Requested

Approve the resolution to abate the vehicle located on the property at 300 E 24th ten days after the approval date.

Supporting Documentation

Letters to Property Owner

Pictures

Resolution

6/19/2015

IWORQ Systems Inc.

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

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



VACANT
1002 VINE ST., HAYS, KS 67601

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

PLANNING, INSPECTION, & ENFORCEMENT DIVISION
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FAX 785-628-7352

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

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

PUBLIC WORKS DEPARTMENT
www.haysusa.com

Wayne Gabel Living Trust
1206B West 26th Street
HAYS, KS 67601-4822

February 20, 2015

RE: 300 East 24th

Dear Wayne Gabel Living Trust:

It has come to our attention that a city code violation(s) exist at **300 East 24th**, Hays, Kansas (photo(s) are attached). The violation consists of **Inoperable Vehicles on Private Property**. Ellis County records indicate that you are the owner of the property. The item(s) listed are in violation of City Ordinance, **Sec. 26-40 (Inoperable Vehicles)**.

We request that you please correct the problem within the next 10 days. We sincerely appreciate your cooperation. Inspectors will revisit the site after **3/5/2015**, and it is our hope that corrective action will have been taken. If not, we will need to take further steps to resolve this issue.

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

Sincerely,

Chris Rorabaugh
Building Inspector/Code Enforcement Officer

Enclosed: Pictures

Cc: File
Resident (if applicable)

6/19/2015

IWORQ Systems Inc.

AIRPORT DIVISION
NATHAN MARCUCCI, MANAGER
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TEL 785-628-7370
FAX 785-628-7373



VACANT
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JOHN BRAUN, ASSISTANT DIRECTOR
1002 VINE STREET, HAYS, KS 67601
TEL 785-628-7350, FAX 785-628-7352

PUBLIC WORKS DEPARTMENT
www.haysusa.com

March 10, 2015

Wayne Gabel Living Trust
1206B West 26th Street
HAYS, KS 67601-4822

RE: 300 East 24th

VIA CERTIFIED MAIL:

Dear Wayne Gabel Living Trust:

The violation located at 300 East 24th, Hays, Kansas still exists (photos attached). We wrote a letter to you on 1/19/2015 requesting that you abate the situation.

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

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

Sincerely,

Chris Rorabaugh
Building Inspector/Code Enforcement Officer

Enclosed: Pictures

Cc: City Prosecutor
File



Case Information

Date 1/19/2015
Case Number 20150032
Telephone
Owner Name Wayne Gabel Living Trust
Owner Address 1206B West 26th Street
Violation Address 300 East 24th
Violation Inoperable Vehicles on Private Property
Complaint Received From
Status Certified Sent
Violation Due Date 3/5/2015
Certified Received Date 3/12/2015
Certified Due Date 3/23/2015
Date Case Closed
Complainant Name
Complainant Telephone/Address
Ordinance Number Sec. 26-40 (Inoperable Vehicles)
Assigned To Chris Rorabaugh

Property Information

Parcel#: 026-138-33-0-10-16-009.00-0
 GABEL WAYNE J REV LIV TR
 300 E 24TH ST

Owner Information

GABEL WAYNE J REV LIV TR
 1206B W 26TH ST
 HAYS, KS 67601-4822

Case History

Date	Type	Description
1/19/2015	Note	First picture taken January 19th, expired tag and flat tire.
1/19/2015 2:58:20 PM	Document	
2/20/2015	Activity	1st Notification Letter: The pictured car needs to be legally tagged and made road worthy or it needs to be removed from your property or placed inside an enclosed building. This vehicle has been observed in its present condition for a period of time in excess of 30 days.

2/20/2015 2:31:38 PM

Document



3/10/2015

Activity

Certified Letter: Upon receipt of this certified letter, you will have 10 days to legally tag this vehicle and make it road worthy or it needs to be removed from your property or placed inside an enclosed building.

3/10/2015 11:58:51 AM

Document



3/16/2015 3:58:14 PM

Document



3/20/2015

Note

Erin Thomas called in March 13 (voicemail wasn't working) and said the car will be legally tagged soon.....I left a voicemail March 20th, stating it won't be a problem if the car is tagged soon.

RESOLUTION NO. 2015-017

A RESOLUTION AUTHORIZING THE CITY OF HAYS OR ITS DESIGNATED AGENT TO ABATE NUISANCE LOCATED ON THE PROPERTY AT 300 E 24th ST., HAYS, KANSAS.

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

WHEREAS, on February 20, 2015, March 9, 2015, and June 5, 2015, inspections of the property were conducted by the City of Hays, and said inspections determined the inoperable vehicle on the property at 300 E 24th St. was in violation of City Ordinance Chapter 26, Article 2; and

WHEREAS, on February 20, 2015, a letter was sent to the owner of the property at 300 E 24th St. requesting that the owner abate the nuisance by removal of the inoperable vehicle within 10 days; and

WHEREAS, on March 10, 2015, a certified letter to the owner of the property at 300 E 24th St. was prepared giving said owner ten days, upon receipt, in which to abate the nuisance; and

WHEREAS, on March 12, 2015, the certified letter to the owner of the property at 300 E 24th St. was verified as delivered to the owner; and

WHEREAS, an inspection of the property done on June 5, 2015, revealed the inoperable vehicle was not abated from the property; and

WHEREAS, the Governing Body of the City of Hays desires that the inoperable vehicle on the property at 300 E 24th St. be abated by the City or its authorized agent.

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

Section 1. That the existence of the inoperable vehicle located at 300 E 24th St. is hereby found to be in violation of Ordinance Chapter 26, Article 2.

Section 2. That the owner of the property located at 300 E 24th St. was given proper notice to abate the nuisance condition located at 300 E 24th St. and has failed to abate the said nuisance.

Section 3. That the City of Hays or its designated agent is hereby authorized to abate the condition causing the violation at

the end of ten days from the date of passage of this Resolution.

Section 4. That the cost incurred by the City shall be charged against the lot located at 300 E 24th St. as provided in Ordinance Chapter 26, Article 2.

PASSED by the City Commission on the 9th day of July, 2015.

Eber Phelps, Mayor

ATTEST:

Brenda Kitchen, City Clerk

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 12

MEETING DATE: 7-9-15

TOPIC:

Vehicle Abatement at 300 E 25th

ACTION REQUESTED:

Approve Resolution No. 2015-018 to abate the vehicle located on the property at 300 E 25th ten days after the approval date.

NARRATIVE:

The abandoned vehicle located in the front driveway at 300 E 25th has expired tags and multiple flat tires therefore deeming it inoperable. Up to this point, all proper notification has been given to the owner of the property. To date, no response has been received and no action has been taken by the owner of the property. If the vehicle is removed by the City, all costs of abatement will be charged to the owner of the property. Staff recommends approving the resolution allowing the vehicle located at 300 E 25th to be abated by the City.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Toby Dougherty, City Manager
John Braun, Interim Director of Public Works

ADMINISTRATION RECOMMENDATION:

Staff recommends approving this resolution allowing the vehicle located at 300 E 25th to be removed from the property.

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Staff Memo
Letters to Property Owner
Pictures
Resolution No. 2015-018

Commission Work Session Agenda

Memo

From: Jesse Rohr, PIE Superintendent

Work Session: July 2, 2015

Subject: Vehicle Abatement at 300 E 25th

Person(s) Responsible: Toby Dougherty, City Manager
John Braun, Interim Director of Public Works

Summary

The abandoned vehicle located in the front driveway at 300 E 25th has expired tags and multiple flat tires therefore deeming it inoperable. Up to this point, all proper notification has been given to the owner of the property. To date, no response has been received and no action has been taken by the owner of the property. If the vehicle is removed by the city, all costs of abatement will be charged to the owner of the property. Staff recommends approving the resolution allowing the vehicle located at 300 E 25th to be abated by the city.

Background

Staff has had various nuisance cases on this property over the years. The property has been cited for general nuisances, inoperable vehicles, and tall weeds/grass multiple times over the past 4 years.

Discussion

Planning, Inspection, and Enforcement is requesting a resolution to abate the inoperable vehicle located on the property at 300 E 25th be placed on the agenda for formal action at the July 2, 2015 City Commission meeting. The property located at 300 E 25th is in violation of City Ordinance Chapter 26 Article II. The vehicle has no current and legal tags and has several flat tires, therefore deeming it inoperable. Letters have been sent per City of Hays Ordinance requirements. No progress by the owner has been made on this vehicle. Staff is now moving forward for abatement of the vehicle since the owner of the property has not followed through accordingly.

Legal Consideration

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

Financial Consideration

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

Options

Options include the following:

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

Recommendation

Staff recommends approving this resolution allowing the vehicle located at 300 E 25th to be removed from the property.

Action Requested

Approve the resolution to abate the vehicle located on the property at 300 E 25th ten days after the approval date.

Supporting Documentation

Letters to Property Owner

Pictures

Resolution

6/19/2015

IWORQ Systems Inc.

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

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



VACANT
1002 VINE ST., HAYS, KS 67601

SERVICE DIVISION
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PLANNING, INSPECTION, & ENFORCEMENT DIVISION
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1002 VINE STREET, HAYS, KS 67601
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PUBLIC WORKS DEPARTMENT
www.haysusa.com

Nancy Foiles
300 East 25th
HAYS, KS 67601

April 7, 2015

RE: 300 East 25th

Dear Nancy Foiles:

It has come to our attention that a city code violation(s) exist at **300 East 25th**, Hays, Kansas (photo(s) are attached). The violation consists of **Inoperable Vehicles on Private Property**. Ellis County records indicate that you are the owner of the property. The item(s) listed are in violation of City Ordinance, **Sec. 26-40 (Inoperable Vehicles)**.

We request that you please correct the problem within the next 10 days. We sincerely appreciate your cooperation. Inspectors will revisit the site after **4/20/2015**, and it is our hope that corrective action will have been taken. If not, we will need to take further steps to resolve this issue.

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

Sincerely,

Chris Rorabaugh
Building Inspector/Code Enforcement Officer

Enclosed: Pictures

Cc: File
Resident (if applicable)

6/19/2015

IWORQ Systems Inc.

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1002 VINE STREET, HAYS, KS 67601
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PUBLIC WORKS DEPARTMENT
www.haysusa.com

April 30, 2015

Nancy Foiles
300 East 25th
HAYS, KS 67601

RE: 300 East 25th

VIA CERTIFIED MAIL:

Dear Nancy Foiles:

The violation located at 300 East 25th, Hays, Kansas still exists (photos attached). We wrote a letter to you on 3/2/2015 requesting that you abate the situation.

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

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

Sincerely,

Chris Rorabaugh
Building Inspector/Code Enforcement Officer

Enclosed: Pictures

Cc: City Prosecutor
File



Case Information

Date 3/2/2015
Case Number 20150178
Telephone
Owner Name Nancy Foiles
Owner Address 300 East 25th
Violation Address 300 East 25th
Violation Inoperable Vehicles on Private Property
Complaint Received From
Status Certified Sent
Violation Due Date 4/20/2015
Certified Received Date 5/22/2015
Certified Due Date 6/1/2015
Date Case Closed
Complainant Name
Complainant Telephone/Address
Ordinance Number Sec. 26-40 (Inoperable Vehicles)
Assigned To Chris Rorabaugh

Property Information

Owner Information

Parcel#: 026-138-33-0-10-13-008.00-0
 FOILES, NANCY A
 300 E 25TH ST

FOILES, NANCY A
 300 E 25TH ST
 HAYS, KS 67601

Case History

Date	Type	Description
3/2/2015	Note	First picture taken March 2nd, flat tires.
4/7/2015	Activity	1st Notification Letter: The pictured car needs to be legally tagged and made road worthy or it needs to be removed from your property or placed inside an enclosed building. This vehicle has been observed in its present condition for a period of time in excess of 30 days.
4/7/2015 10:24:56 AM	Document	
4/30/2015	Activity	Certified Letter: Upon receipt of this certified letter, you will have 10 days to legally tag and make road worthy the pictured vehicle or it needs to be removed from your property or placed inside an enclosed building.

4/30/2015 11:28:11
AM

Document



5/22/2015

Note

Hays P.D. delivered certified box May 22

RESOLUTION NO. 2015-018

A RESOLUTION AUTHORIZING THE CITY OF HAYS OR ITS DESIGNATED AGENT TO ABATE NUISANCE LOCATED ON THE PROPERTY AT 300 E 25th ST., HAYS, KANSAS.

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

WHEREAS, on March 2, 2015, April 6, 2015, April 29, 2015, and June 5, 2015, inspections of the property were conducted by the City of Hays, and said inspections determined the inoperable vehicle on the property at 300 E 25th St. was in violation of City Ordinance Chapter 26, Article 2; and

WHEREAS, on April 7, 2015, a letter was sent to the owner of the property at 300 E 25th St. requesting that the owner abate the nuisance by removal of the inoperable vehicle within 10 days; and

WHEREAS, on April 30, 2015, a certified letter to the owner of the property at 300 E 25th St. was prepared giving said owner ten days, upon receipt, in which to abate the nuisance; and

WHEREAS, on May 22, 2015, the certified letter to the owner of the property at 300 E 25th St. was hand delivered by the Hays Police Department to the owner; and

WHEREAS, an inspection of the property done on June 5, 2015, revealed the inoperable vehicle was not abated from the property; and

WHEREAS, the Governing Body of the City of Hays desires that the inoperable vehicle on the property at 300 E 25th St. be abated by the City or its authorized agent.

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

Section 1. That the existence of the inoperable vehicle located at 300 E 25th St. is hereby found to be in violation of Ordinance Chapter 26, Article 2.

Section 2. That the owner of the property located at 300 E 25th St. was given proper notice to abate the nuisance condition located at 300 E 25th St. and has failed to abate the said nuisance.

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

Section 4. That the cost incurred by the City shall be charged against the lot located at 300 E 25th St. as provided in Ordinance Chapter 26, Article 2.

PASSED by the City Commission on the 9th day of July, 2015.

Eber Phelps, Mayor

ATTEST:

Brenda Kitchen, City Clerk