

Memo

To: City Commission
From: Toby Dougherty, City Manager
Date: 11-15-2021
Re: November 18, 2021 Work Session

Please find the attached agenda and supporting documentation for the November 18, 2021 Work Session. There is only one item on the agenda this week, and it will not require action at a meeting next week. Assuming the City Commission is supportive of the planned Street Maintenance Program as presented, City staff will solicit proposals and bring back to the Commission after the first of the year for award of bid.

Please refer to the attached memorandum from Jesse Rohr, Director of Public Works, regarding the 2022 Street Maintenance Program. There are two items of note in the proposed 2022 program – the reconstruction of 22nd Street between Vine and Allen as well as the major rehab/replacement of bridge decks throughout Hays. Aside from that, City staff is planning to hit many streets with seal coat.

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CITY OF HAYS
CITY COMMISSION WORK SESSION
CITY HALL, 1507 MAIN STREET, HAYS, KS
THURSDAY, NOVEMBER 18, 2021 – 6:30 P.M.
AGENDA

1. **November 4, 2021 Work Session Notes (PAGE 1)**
Department Head Responsible: Kim Rupp, Director of Finance
2. **2022 Street Maintenance Program (PAGE 9)**
Department Head Responsible: Jesse Rohr, Director of Public Works
3. **Other Items for Discussion**
4. **Executive Session (if required)**
5. **Adjournment**

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

City of Hays
City Commission
Work Session Notes

Thursday, November 4, 2021 – 6:30 p.m.

Present: Sandy Jacobs, Mason Ruder, Michael Berges, Ron Mellick, Shaun Musil, Toby Dougherty, Kim Rupp, and John T. Bird

October 21, 2021 Work Session Notes

There were no corrections or additions to the minutes of the work session held on October 21, 2021; the minutes stand approved as presented.

2021 Leadership Hays Project – Story time Space in Seven Hills Park

Sarah Meitner, Executive Director of the Heartland Community Foundation, and a member of the Leadership Hays Class of 2021, stated their Leadership Hays Class is requesting permission to create an outdoor Story Time Space at Seven Hills Park, home of the ARC Park playground and splash pad, at 33rd Street and Hillcrest Drive.

Samantha Gill, Public Services Manager at the Hays Public Library, and member of the 2021 Leadership Hays Class stated their class, in collaboration with the Hays ARC Park, the Hays Public Library, the City of Hays, the Chamber of Commerce, and Fort Hays State University, decided to pursue the outdoor story time space project. She explained this is a dedicated space for outdoor story time facilitated by the library or other groups such as churches, schools, and the community theatre.

Ms. Meitner stated the space will include colorful concrete with a rainbow design, a concrete stage, concrete stool seats, and three steel benches to provide a small amphitheater feel. The entire space will be made of concrete or steel; therefore, it will be durable and sustainable with very little maintenance required.

Construction would be done by Fort Hays State University Applied Technology students, led by their instructor, Kris Munsch. Upon completion, the space will be maintained by the City of Hays Parks Department and available for community-wide use.

Shannon Wylie, Marketing Professional at Nex-Tech, and part of the Leadership Hays Class, stated the total price for this project is estimated to be from \$12,000 to \$15,000. She noted that the cost is lower than what it could be because Kris Munsch's class will be donating their labor. This will be part of their class and Kris Munsch will be acting as the contractor. She added that fund raising is going very well and stated they have raised \$7,150 and have another \$4,750 in verbal pledges. Their fundraising goal is \$15,000.

Commissioner Jacobs thanked the Leadership Hays Class for their efforts. She asked Jeff Boyle, Parks Director, if the Parks Department could handle any additional maintenance work that may come from this project. Mr. Boyle stated they would need to remove the existing playground equipment and that would not be a problem. He stated the slides that are currently there are 50 years old and they can't get parts for them anymore. He added that since the Story Time Space is all concrete and steel there will not be much maintenance involved. He also stated trees could be brought in from the tree farm to provide some shade.

Commissioner Ruder asked if they would need to supply power to the stage. Ms. Meitner stated the Hays Public Library has blue tooth speakers and feels a power supply would not be necessary at this time.

It was the consensus of the Commission to provide approval for the project to move forward and thanked the Leadership Hays class for their work.

2022/2023 Waterline Improvements – Design Engineering Services

Jeff Crispin, Director of Water Resources, stated the Capital Improvement Plan (CIP) within the 2022 Budget includes plans to upgrade waterlines and install new fire hydrants in various locations around the City through 2026. Staff annually prioritizes waterline improvement projects by reviewing historical waterline failure data. Staff has selected seven projects to occur over the next

two years. It is now time to hire a firm to perform design engineering services for these selected improvements. Unlike previous years, bid proposals were solicited for two years worth of projects, so planned improvements can be designed and shovel ready in the event construction bids are favorable, allowing for additional work to be completed next year. Staff has solicited proposals from qualified engineering firms, and the lowest cost proposal was presented by Driggs Design Group of Hays, Kansas, at a cost of \$32,650.

At the November 9, 2021 Commission meeting, Commissioners will be asked to authorize the City Manager to enter an agreement with Driggs Design Group in the amount of \$32,650 for engineering services related to the design of various water distribution system improvements to be funded from Water Capital.

Airport Snow Removal Equipment Building – Design Agreement

Jamie Salter, Airport Director, reported that the 2022 Airport Capital Improvement Program includes the construction of a new building to house snow removal equipment and materials. Professional engineering for project design and plan development is a requirement for the grant process through the FAA's Airport Improvement Program. Burns and McDonnell is the Airport's current engineering consultant, and they have presented a scope and fee of \$363,637 to accomplish these services. While almost \$300,000 of that is eligible for the 90% Federal funding, the City included \$67,812 of ineligible design work. This is for additional space for equipment, materials, and personnel.

The Airport maintenance shop was constructed in 1996 and its size was determined by the snow removal equipment the Airport had acquired through the FAA Airport Improvement Program (AIP). At that time, this equipment consisted of two pieces, a loader and a plow, with the entire fleet topping out at six items. All equipment acquired through the AIP is required to be housed in a heated building. Of the Airport's current fleet, seven pieces are considered AIP-eligible and will define the FAA grant-funded space in a new building. AIP-eligible space will ultimately be determined during the design process, but preliminary estimates indicate around 9,000-square-feet is needed.

The design services for the project are \$97,394.50. The estimated total project cost is just over \$3.9 million dollars of which roughly \$3.6 million dollars is projected to be eligible for 90% funding through the FAA's Airport Improvement Program. Adequate funds are available in the Airport Improvement and Water Capital Funds to cover the City's share for design of \$97,394.50. The total estimated project cost is \$625,000.

Commissioner Mellick asked if these costs include a road to the building. Ms. Salter stated the price would include an apron around the building and access to it.

At the November 9, 2021 Commission meeting, Commissioners will be asked to authorize the City Manager to execute Work Authorization No. 3 with Burns & McDonnell in the amount of \$363,637 with the City share \$97,394.50, to be funded out of the Airport Improvement Fund.

Ordinance Redefining the City's Extraterritorial Jurisdiction (ETJ) Boundary and Planning Commission Modification

Collin Bielser, Assistant City Manager, reported that state law authorizes cities to adopt regulatory controls for any or all area within three miles of a city's limits. Earlier this summer Ellis County adopted a new comprehensive plan, replacing the County's 2014 version. As part of this new comprehensive plan Hays' existing extraterritorial jurisdiction, or ETJ, which is the development regulatory area immediately surrounding the City of Hays, was reduced to represent future growth areas more accurately. This planned adjustment was done through multiple consultations between City and County officials. In order to adopt these adjustments, the City Commission must approve an Ordinance redefining the ETJ's boundaries. The Ellis County Commission will need to approve a similar Resolution.

Mr. Bielser stated the current ETJ and City limits land area is approximately 44,000 acres. The proposed ETJ and City limits land area is approximately 14,000 acres; which is a 68% decrease. Based on historical growth of the City's land area, it would take another 235 years for the City of

Hays to grow into the proposed ETJ's boundaries. Anticipated changes include that the County will have to start managing zoning and floodplain regulations for more properties, as well as assume jurisdiction closer to the City limits where annexation is unlikely; such as the Big Creek Estates area. The City will see responsibilities reduced, but the reduction in area also provides an opportunity to revisit the City's Future Land Use Map and update the document that will justify future residential and commercial developments as they occur.

In addition to adjusting the ETJ, the City should review and revise its current Planning Commission structure. If a municipality controls an ETJ, State Statute requires at least two members of the local planning commission to reside outside of the City limits, but within the ETJ territory. Presently, the City's Planning Commission organizational structure requires three members to reside within the ETJ; however, one position has remained vacant for the last two years. With the reduced territory, eliminating the third ETJ position would be practical.

Vice-Mayor Ruder stated because of his position as Ellis County Environmental Services Director, he will be recusing himself from this discussion.

At the November 9, 2021 Commission meeting, Commissioners will be asked to approve an Ordinance redefining the boundary of the City of Hays Extraterritorial Jurisdiction and modifying the Hays Area Planning Commission from nine to seven members.

Speed Limit Change Proposals

City Manager, Toby Dougherty, stated City of Hays Public Works and Police Department Staff were tasked with evaluating speed zones in Hays to determine if changes are warranted. Several changes were identified and discussed, with five being brought forward for consideration.

Mr. Dougherty reviewed the following recommended speed zone changes:

- Change 32nd/33rd Street 20 mile per hour zone from regulatory to advisory.
- Increase South Main Street speed limit from 20 miles per hour to 30 miles per hour between Sixth and First Streets.

- Increase speeds from 20 miles per hour to 30 miles per hour beyond the 100 block of East and West Eighth Street.
- Increase East 13th Street from 30 miles per hour to 35 miles per hour and increase the School Zone from 20 miles per hour to 25 miles per hour in front of Hays High School.

The Commissioners discussed the change to 32nd/33rd Street and came to the consensus to keep the speed limit at 20 miles per hour, but to shorten the 20 mile per hour zone on the west end.

The Commissioners also discussed the change on 8th Street. Commissioner Berges stated USD 489 West Central Kansas Cooperative School has recently located in the area by The Hadley Center and feels this should be a school zone; noting a bus stops there at least four times a day. Commissioner Mellick suggested the change begin at Pine Street rather than Oak Street. It was the consensus of the Commission to begin the 30 mile per hour speed limit at Pine Street rather than Oak Street.

The proposed speed limit changes will be brought back for consideration at a future meeting.

Other Items for Discussion

Commissioner Musil thanked the community for their votes and stated he appreciates his fellow Commissioners and the work they have done.

Commissioner Mellick congratulated Commissioner Musil and Mayor Jacobs on their re-election to the City Commission.

Vice-Mayor Ruder also congratulated Commissioner Musil and Mayor Jacobs and stated he looks forward to working with them on the Commission.

Mayor Jacobs congratulated Commissioner Musil and Commissioner Elect Reese Barrick and stated she looks forward to working with them. She also thanked Sam Allen for putting his name out there and getting involved in the community at a young age and thinks it will benefit him and the community in the future. She congratulated the school board winners as well.

Mayor Jacobs noted that the Ellis County Historical Society is holding a 50th Anniversary event and thanked them for their recent fund raising efforts.

Executive Session

Ron Mellick moved, Mason Ruder seconded, that the Governing Body recess to executive session at 7:40 p.m. for a period not to exceed 15 minutes to discuss potential property acquisition. The executive session included the City Commission, City Attorney, City Manager, Assistant City Manager, and Airport Director. K.S.A. 75-4319 authorizes the use of executive session to discuss the topics stated in the motion.

Vote: Ayes: Sandy Jacobs
Mason Ruder
Michael Berges
Ron Mellick
Shaun Musil

The work session was adjourned at 7:55 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk

Commission Work Session Agenda

Memo

From: Jesse Rohr, Director of Public Works

Work Session: November 18, 2021

Subject: 2022 Street Maintenance Program

Person(s) Responsible: Jesse Rohr, Director of Public Works

Summary

Staff is presenting a plan for street maintenance in 2022. The 2022 Special Highway Budget provides approximately \$1,066,722 for street maintenance projects, and the plan presented by staff is based on the pavement maintenance strategies in place for more than 14 years. It includes seal coat, polypatch, major rehab (street and concrete alley), bridge deck repair, sidewalk improvements, and in-house crack seal and asphalt/concrete repair. In addition to these planned projects, a pavement condition assessment will be performed in early 2022. Upon direction, staff will solicit bids for work to be contracted out and bring bids back to the City Commission for final approval in February/March of 2022.

Background

Each year staff evaluates the condition of city streets and develops a maintenance program that is brought forward for Commission consideration. Staff utilizes traffic counts, the latest pavement condition assessment, past maintenance treatments, public input, and available budget in developing the program.

The Street Maintenance Program has been funded primarily with Special Highway Funds, which in recent past has included an annual \$500,000 transfer from the General Fund. Total Special Highway funding available for 2021 projects was \$995,650. Contracts to be completed in 2021 totaled approximately \$959,000. In addition, nearly \$40,000 of work has been done in-house which includes various concrete work and crack sealing operations. Also, \$5,000 was budgeted for the Sidewalk Rebate Program for a complete 2021 Special Highway total of approximately \$992,000 (after an expected reimbursement of approximately \$12,500 for the Tallgrass RHID sidewalk project).

Staff's presentation at the November 18, 2021, work session will provide more detail regarding the work that was completed in 2021 and the maintenance program proposed for 2022.

Discussion

The 2022 Budget has \$1,066,722 in the Special Highway Fund for the 2022 Street Maintenance Program. The attached map shows the locations for the various street maintenance activities proposed in 2022 as listed below:

1. Asphalt Seal Coat	\$250,000
2. Polypatch	\$25,000
3. Major Rehab (22 nd St. Vine to Allen)	\$210,000
4. Concrete Alley Reconstruction	\$250,000
5. Bridge Deck Repair	\$200,000
6. Sidewalk (rebate + select areas)	\$65,000
7. Pavement Condition Assessment	\$24,600
8. In-house work (crack seal & pavement repairs)	<u>\$40,000</u>
TOTAL	\$1,064,600

1. **Seal Coat** is a bituminous liquid mixture that is applied to asphalt pavement. Seal Coat has a smooth black finish and does not have a rock surface like Chip Seal. The seal coat will fill the fine cracks developing in the asphalt and preserve the life of the street. Most of the streets identified for seal coat last received a chip seal 5 or 6 years ago.

2. **Polypatch** is a treatment that uses a rubberized tar with aggregates added. It is designed for repairing cracks which are too large for Crack Sealing, and distressed surfaces that are too small for repaving. Polypatch will seal distresses and remain flexible. It is used in advance of surface seals like Chip Seal, Seal Coat, and Micro-Surfacing. (Since Polypatch locations are small, they are not indicated on the attached map and will be determined after the winter months prior to the start of the project).

3. **Major Street Rehab** –The major rehab project proposed for 2022 is reconstruction of 22nd Street from Vine to Allen Street.

4. **Concrete Alley Reconstruction** will include two proposed alleys: the alley in the west 200 block between 10th and 11th, and the alley in the east 100 block between 5th and 6th. These alleys have deteriorated to the point of needing total reconstruction. The alleys will be reconstructed with new concrete with an inverted flow line. Any necessary underground utility work will be performed before placement of the new concrete.

5. **Bridge Deck Repair** will include partial depth concrete removal and replacement for one or more bridge decks. Potential bridges could include the bridge on East 17th just east of Harvest Dr., the bridge on West 37th over Lincoln Draw, and the bridge on Willow over Skyline Draw. This project will repair/replace the delaminated concrete on the bridge decks and prevent future, premature failure of the bridges. The actual bid amounts in the spring will determine the quantity of work and number of bridges completed.

6. **Sidewalk Program** – For 2022, staff is proposing to once again, address areas of the city where sidewalk is warranted, but does not currently exist. The amount being earmarked from Special Highway is approximately \$55K along with \$10K for the Sidewalk Rebate Program, which totals \$65K to be set aside out of Special Highway for sidewalk improvements in 2022. Two areas identified for sidewalk construction include

along West 27th St. between Thunderbird and Englewood, and along Mopar Dr. between Vine St. and Roth Ave.

7. A **Pavement Condition Assessment** will again be performed in 2022. The last assessments were performed in 2016 and 2011. The assessments provide staff with standardized baseline condition assessments and a pavement condition index (PCI) to assist in preparing for future maintenance projects. The assessment helps develop a future funding outlook for street projects in the coming years, while also providing a picture of past spending results.

8. **In-House Work** - Finally, approximately \$40K remains to augment the purchase of crack seal material, asphalt, concrete, and other materials for City crews to perform in-house street maintenance.

Legal Consideration

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

Financial Consideration

Historically, street maintenance has been financed through the Special Highway Fund, which receives revenue from the State, mainly from fuel tax reimbursements and Connecting Link Maintenance payments for a total amount of approximately \$610,000 per year. In addition, \$200,000 is being transferred into Special Highway from the General Fund, down from \$500,000 in previous years. Additional funding from the ARPA is included in the 2021 and 2022 budgets.

Available Funds in 2022

Special Highway

- State Gas Tax Refund (KDOT)	\$ 533,430
- Connecting Link Maintenance (KDOT)	\$ 74,500
- Transfer from General Fund	\$ 200,000
- Federal Aid (ARPA Funding)	\$ 110,984
- Cash Carryover	\$ 197,808
- Contingency (keep for unforeseen expenses)	\$ -(50,000)
Total Available	\$1,066,722

Options

The City Commission has the following options:

- Accept the Street Maintenance Program for 2022 as presented and authorize staff to solicit bids for the proposed work to be accomplished in the 2022 construction season.
- Provide alternate direction to staff.

Recommendation

Accept the Street Maintenance Program for 2022 as presented and authorize staff to solicit bids for the proposed work to be accomplished in the 2022 construction season.

Action Requested

No action requested at this time. Requests for award of bids will be brought back to the Commission in late winter/early spring of 2022.

Supporting Documentation

2022 Street Maintenance Location Map

2022 Street Maint

Seal Coat

Major Street Rehab

Concrete Alley

Bridge Deck

Sidewalk

