

CITY COUNCIL STUDY SESSION

TO: Mayor and City Council
FROM: Mari E. Macomber, City Manager ^{MEM}
SESSION DATE: April 16, 2012
TIME: 4:30 pm
PLACE: Second Floor Conference Room in City Hall

AGENDA:

- **SIDEWALK PROGRAM**
- **CITY PARTNERSHIPS**
- **REVIEW CITY COUNCIL AGENDA**
- **REVIEW NEWSLETTER (includes miscellaneous topics)**

SIDEWALK PROGRAM

Last year, the City Council had a citizen raise the question of cost in regard to the city requirement that property owners maintain and when necessary replace the sidewalk along their properties. There was some general discussion on this including information on City Council Policy #4 concerning Sidewalks. This Policy not only required the maintenance and replacement of sidewalks but it provided financial support from the City.

During the Council Retreat in September, direction was given for staff to develop a low interest loan program that the City Council could review, discuss and consider that would assist people who might not have the ability to pay for the replacement of their sidewalk all at one time.

Included for your consideration is a proposed low interest program that would take into consideration the income of the property owner to determine if they would be eligible for the loan. The income levels proposed are standard levels that we have used for our housing rehab program and are now included in our demolition program. The concept addresses the issue raised by the Council.

What it does not do is loan money to every property owner regardless of income. Since we only have so much money each year that goes toward sidewalk replacement (\$25,000) we could not afford to loan every citizen the money.

Included for your review is a map that shows the 10 sidewalk districts of the City. You can see that the newer developments in the City are included in much larger sidewalk districts. That is because these developments do not have sidewalks. The majority of the sidewalks reside in the older, more developed areas of the City.

The Council has to be able to balance all of the needs of the citizens. The existence of sidewalks makes it safer for citizens (especially children and elderly) to travel alongside existing roadways without concern for safety. Sidewalks are also an important feature

for communities who want to promote wellness and having good sidewalks for citizens to walk and run upon is important.

In addition to the loan program, the existing policy allows for the review of the City's contribution toward the sidewalk replacement. As City Manager, I have the authority to increase or decrease this dollar amount based upon the costs of the materials. It is proposed that we go from \$2.00 per square foot for the materials to \$2.50.

Included in this Study Session packet is the Sidewalk Policy, the map of the 10 sidewalk districts, a staff report from Brad Selby on the sidewalk program and the proposed Sidewalk Loan Program.

Recommendation – Please review all of the documents and be ready to discuss the proposed policy.

CITY PARTNERSHIPS

The City Council wanted to take time to discuss possible partnerships that should be explored to enhance the level of services currently being provided to our citizens, and to reduce our overall costs for these services.

Included in this packet is a list of existing partnerships that are in place today throughout the City's operations. Though time was taken to develop the list, it is not guaranteed that it contains all existing partnerships.

Recommended Action: Think about the services that are provided by the City and whether or not you think we need to expand those services. Also think about the services that we do not offer and whether developing a partnership would help us to offer that service.

REVIEW COUNCIL AGENDA

REVIEW NEWSLETTER – April 13, 2012

Attachments

- Council Policy #4 – Cooperative Sidewalk Replacement
- Sidewalk Zone Map
- Staff Report on Sidewalks from Brad Selby
- Proposed Sidewalk Loan Policy

CITY COUNCIL POLICY #4

DATE: July 1, 1994

AMENDED: August 18, 1997; July 6, 1998; May 21, 2001; July 7, 2003; Dec 18, 2007

COOPERATIVE SIDEWALK POLICY FOR NEW, REPLACEMENT AND REMOVAL

In order to encourage compliance with the sidewalk repair provisions of the Kirksville Code, it is the policy of the city of Kirksville to cooperatively assist property owners adjoining city sidewalks with the costs of the improvement, repair or replacement of said sidewalks which are determined to be in need of repair or replacement, and/or which constitute a threat to public safety.

I. COSTS

In order to help bring all sidewalks into compliance in the City, city staff has divided the City into ten different districts. By concentrating on one district each year, at the end of the ten years, all city sidewalks should be in relatively good condition. A map has been made to show the ten districts.

Where existing sidewalks are determined by the city to be a safety hazard, and where the city has not yet invoked the mandatory repair orders provided in Sections 21-146 through 21-148 of the Kirksville Code, the city will share in the cost of repair, removal and replacement of sidewalks. The city will determine, on an annual basis the average cost of removing, repairing and replacing existing sidewalks in the city of Kirksville, excluding labor costs. This amount shall be set each year by the City Manager after a reassessment of materials and other non-labor components of the costs of sidewalk repair and replacement, and this amount shall be expressed in terms of dollars per square foot of sidewalk replaced. Additionally, the City Council has recognized a need for new sidewalks in residential neighborhoods. New sidewalk construction shall be eligible for city cost participation and will be subject to the same construction and eligibility criteria.

The amount of city participation shall be calculated to include the average costs of Portland cement concrete, expansion materials, reinforcement, concrete forms, fill material, sand, tree removal and in the case of replacement, old sidewalk removal.

The city will reimburse participating property owners for the non-labor costs of new sidewalks, sidewalk repair and replacement, based on the fixed unit rate described above, after they have independently arranged for a contractor of their own choosing to perform the work, and after the contractor selected has performed the work in accordance with city requirements.

II. ELIGIBILITY CRITERIA

In order for an existing section to be eligible for the reimbursement program, it must substantially meet the following criteria:

Sidewalks will be eligible for replacement if the sidewalk has cracked, has gaps or breakages which could reasonably cause pedestrians to trip or fall and result in liability against the City. Five (5) squares per application shall be the minimum replacement, due to concrete company delivery requirements. A square is defined as a four (4) foot wide section of sidewalk that is four (4) foot long and four (4) inches deep. Five of these

would be 20 feet long x 4 foot wide x 4 inches deep. This is approximately one (1) yard of concrete, which is the minimum that most concrete companies will deliver.

Exception to the five (5) squares minimum: Several neighbors who may have small sections of sidewalk that need replacement may go together as a group in order to meet the concrete company delivery requirements. Or, a neighbor with a small section may partner with a neighbor who has a large section of sidewalk to replace. The City will work to consider and authorize these combinations of sidewalk replacements.

In addition, new sidewalk construction shall be subject to the following criteria:

- A. The minimum length of new sidewalk (parts of the City with no current sidewalk) that the City will require to be installed in order to be eligible for participation in the reimbursement program shall be one full block, i.e. from one dedicated public street right-of-way to another.
- B. Reimbursements for new sidewalk construction shall be limited to residential areas only. Residential areas are those zoned residential or where a preponderance of the structures participating in the program are used for residential purposes. Reimbursements shall be further limited to collector and arterial streets and on one side of the street only.
- C. Notwithstanding the provisions of paragraphs 1 and 2 above, reimbursements under this policy shall not be permitted in new subdivisions, approved after the date of this policy amendment, where the developer should have provided sidewalks on at least one side of the road on collector and arterial sections. Subdivisions installed prior to the effective date of this policy amendment shall be eligible for participation if all adjoining property owners participate in the initial cost of the new sidewalks.
- D. The square foot reimbursement rate for new sidewalks shall be the same as the reimbursement rate for replacement of existing sidewalks. The reimbursement shall be for a minimum of four (4') foot width, and no more than five (5') foot width, and four (4') inches depth, regardless of the actual width and depth of sidewalk poured.
- E. Streets with no outlet shall be excluded from participation in the reimbursement program for new sidewalk installations.

III. SPECIAL DOWNTOWN SIDEWALK ZONE

Sections I and II of this policy statement shall apply to all parts of the city of Kirksville with the exception of an area to be designated as the "special downtown sidewalk zone (SDSZ)", said zone being described as follows: an area bounded by the centerline of the former Norfolk-Southern Railway to the center of Marion Street, and the south side of Jefferson Street to the north side of Missouri Street. Section III of this policy statement shall govern sidewalk and related curb and right-of-way improvements in the SDSZ.

Inside the SDSZ, described above, the city will develop a unique pattern and layout for

public sidewalks and other uses of the public right-of-way. No cooperative sidewalk reimbursements will be made to adjoining property owners unless the proposed improvements conform to the pattern and layout for sidewalks and related right-of-way uses prescribed by the city. Persons and firms desiring to make improvements to the public right-of-way in the SDSZ should contact the city engineer or codes administrator to discuss their proposed project. City standards for the SDSZ may change from time to time.

The city will exercise design control over sidewalk and related right-of-way improvement projects; improvement plans must first be approved by the city to verify conformance with the City Council's current sidewalk pattern and layout designs in the SDSZ. If the city approves a SDSZ cooperative sidewalk project, then the city will reimburse the adjoining property owner(s) for fifty percent (50%) of the costs of all sidewalks, decorative bricks laid into the sidewalks, curbs, gutters and the one-time costs of installing tree and landscaping boxes. The entire cost (100%) of street lighting will be paid by the city, and no portion of landscaping costs will be reimbursed by the city to adjoining non-city property owners, with the exception of street trees. Additional storm drainage improvements other than sidewalks, curbs and gutters will be negotiated by the city and the adjoining land owner, since the public and private benefit portions of most storm water drainage projects vary widely.

The application and inspection requirements delineated in Sections I and II of this policy statement shall apply to sidewalks and other public right-of-way improvements in the SDSZ. Crosswalks and intersection treatments on city streets, between curbs and gutters on public property, will be the exclusive financial and design responsibility of the city of Kirksville.

The city reserves the right to deny and/or delay any or all requests for sidewalk reimbursement in the SDSZ based on the availability of public funds, design discrepancies and/or other factors unique to each project, and to establish per square foot maximum reimbursement amounts for sidewalk improvements, and linear foot maximum reimbursement amounts for curb and gutter improvements, based on current construction costs. The city also reserves the right to prioritize multiple requests in the event that eligible requests received exceed the annual allocation of funds for these downtown improvements.

IV. LICENSING

All construction contractors performing sidewalk work under this program must be licensed by the city in accordance with the provisions of Chapter 14 of the Kirksville Code prior to building new sidewalks or performing sidewalk repairs and replacements. Generally, reimbursement shall also require the property owner to observe the following procedure:

- A. Citizens contact the Code Enforcement Office, 2nd floor, City Hall, 201 South Franklin, phone 627-1272, and complete a form which includes the following information:
 1. Applicant's name
 2. Applicant's address
 3. Address of property where sidewalk replacement is requested.

4. Phone number for daytime and evening contact.
5. Approximate footage of sidewalk, and a drawing of the lot(s) showing the location of proposed improvements.

City sets appointment with owner or owners to meet to discuss new sidewalks, sidewalk replacement, determine eligibility, amount of sidewalk to be constructed or replaced with city subsidy, special conditions, etc. Although portions of sidewalk can be repaired, at a minimum, the entire width of sidewalk panels will be replaced, and removal and replacement shall be to the nearest control joint.

When the cost forms are filled out and signed by the property owner and the City representative, stating the amount that the City will pay, the contract is complete, and the owner is authorized to get the permit and to begin the work. The City's share shall be the same dollar amount per square foot for all sidewalk projects and will include concrete, tree removal, expansion materials, reinforcement, sand, concrete forms and miscellaneous materials.

Property owner hires a qualified and licensed contractor to do the new sidewalk, or the sidewalk removal and replacement.

Existing sidewalk must be removed from the property and disposed of in an approved manner, either by the property owner, or by the owner's contractor. Where there are trees located adjacent to the existing sidewalks in the right-of-way, City staff will assess the location and condition of such trees and determine whether or not the trees and/or tree roots should be removed prior to the replacement of the sidewalk. The City will be responsible for the removal of any trees in the public right-of-way, and the property owner and/or property owner's contract will be responsible for the removal of any tree roots prior to the replacement of the sidewalk.

New sidewalks shall be constructed at the necessary elevations to allow proper drainage.

All concrete must meet City specifications. Sidewalks need to be four inches (4") thick, and driveways must have a six inch (6") thickness. A minimum of #3 rebar (3/8") must be used as reinforcement on no more than 24" centers. Wire mesh of 6" by " ten gauge steel minimum, may be substituted for the rebar. Any concrete 6" thick or more does not require any reinforcement. Control joints must be cut every four (4) lineal feet. Expansion joints will be necessary as deemed by Code. Minimum sidewalk width is four (4) foot. To qualify for this program, any time a sidewalk meets a street, a wheelchair ramp must be installed to comply with Federal ADA regulations.

The Code Enforcement Office must be called to inspect the concrete after forming, but before it is scheduled to be poured. A one to two-hour time notice is preferred. Substantial sub-base shall be required per City of Kirksville concrete codes.

After sidewalk is inspected and final approval is obtained, the property owners must submit copies of the paid concrete bills to the Code Enforcement Department. The City will then issue a purchase order for the amount noted in the signed contract. Payment should be received by the property owner not later than three weeks after submission of bills.

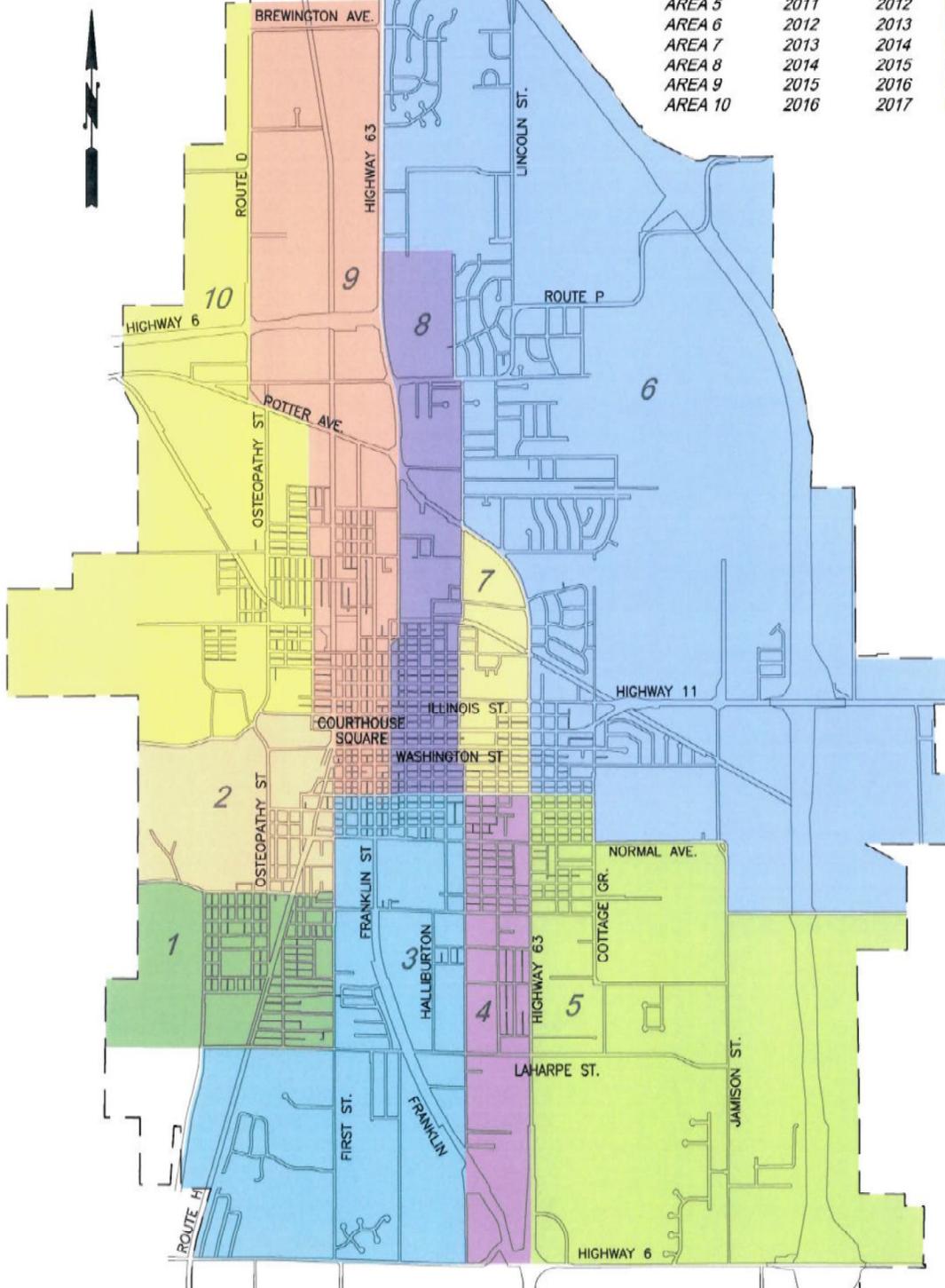
**STREET RIGHT-OF-WAY
CITY OF KIRKSVILLE, MISSOURI**

2007

SIDEWALK MAP

LEGEND SURVEY REPAIRS

AREA	SURVEY	REPAIRS
AREA 1	2007	2008
AREA 2	2008	2009
AREA 3	2009	2010
AREA 4	2010	2011
AREA 5	2011	2012
AREA 6	2012	2013
AREA 7	2013	2014
AREA 8	2014	2015
AREA 9	2015	2016
AREA 10	2016	2017



KIRKSVILLE CITY COUNCIL STUDY SESSION ATTACHMENT

SUBJECT: Sidewalk Program Reimbursement

STUDY SESSION MEETING DATE: April 16, 2012

CITY DEPARTMENT: Codes Department

PREPARED BY: Brad Selby, Codes & Planning Director

The City's Cooperative Sidewalk Policy for replacement and for new sidewalks has been in place for several years. This policy assists homeowners in replacing defective public sidewalks by their property, by reimbursing them for part of the cost of repairs. Currently, the city pays \$2.00 per square foot towards the cost of materials: concrete, re-bar, gravel, tree removal, and includes the old sidewalk removal. We believe this amount represented approximately half the cost of sidewalk replacement.

We would like to see an enhancement to this program by:

1. A re-evaluation of the reimbursement amount, which can be approved by the City Manager, to \$2.50 per square foot.
2. Implementing a Loan Program for citizens who cannot afford their part of a sidewalk replacement project.

Our investigation into costs for concrete sidewalk replacement has shown that costs for the following materials and services have gone up: Concrete, 18%; Rock and Sand, 12-15%, Steel, 11%, Old Sidewalk Disposal, 12-15%, Forms (lumber), 5-10%. We are recommending the reimbursement share go up from \$2.00 to \$2.50 per square foot.

Some citizens just do not have the cash on hand to be able to do some of these larger sidewalk replacements. A Loan Program, similar to the Loan Program for the Demolition of residential structures, has been written for council's deliberation. This program would allow the citizen to borrow money from the city at a reduced interest rate for sidewalk replacement or repair, and make monthly payments back to the City.

See the attached form for this potential new program.

Sidewalk Repair Loan Program

I. Program Objective

The City of Kirksville Sidewalk Repair Loan Program is designed to repair and replace only the public residential sidewalks which are in such a state of disrepair that it constitutes a safety concern, and repairs are necessary to meet city codes. This program could offer lower-income property owners, a short term loan to replace the sidewalk that is in violation.

II. Eligibility Criteria

- a) The applicant must own the property.
- b) The property must be for residential use only.
- c) Applicants must provide the most recent Federal and State tax returns, the most recent bank statement, proof of income and the applicable property title.
- d) The property must be free of liens and legal questions as to ownership of the property.
- e) Applicants cannot owe back taxes on the property nor have outstanding adverse judgments, encumbrances or liens with the City of Kirksville.
- f) All City obligations in applicant's name should be current – including, but not limited to, tax liens from code violations and utility bills.
- g) Applicants should have adjusted gross incomes at or below 80% of the area median income, per the Income Guidelines below.
- h) The City may consider assistance to those property owners whose income exceeds the 80% median income, but due to the lot size and ownership of more than half a city block in that area of the City north of LaHarpe, South of Potter, and west of Cottage Grove would require the owner to expend \$5,000 or more to repair the necessary sidewalk.

III. Loan Categories and Terms

- a) The maximum loan amount is \$ 5,000.
- b) Repayment term is based on the amount of the loan.
- c) Interest rate is 1/3 of Prime.
- d) The City will loan 90% of the applicant's out-of-pocket costs, based on at least two bids from City licensed Contractors.
- e) No loan proceeds will be used to pay labor costs to the property owner or spouse, spouse's parents, children, parents, brother and sister and spouses thereof.

IV. Income Guidelines (adjusted gross income will change annually)

No. in Family	1	2	3	4	5	6	7	8
80%	26,800	30,600	34,450	38,250	41,350	44,400	47,450	50,500

COMMUNITY PARTNERSHIP LIST

<u>COMMUNITY PARTNERS</u>	<u>DESCRIPTION OF PARTNERSHIP</u>
Adair County	Maintenance Agreement Laurel Lane
Adair County	Snow Removal Courthouse Parking
Adair County	Memorial Park - city maintains portion owned by County
Adair County Collector	Property and Real Estate Tax Collection
Adair County Commission	Hazardous Materials Response
Adair County Drug Coalition	Funding for Enhanced Drug Enforcement
Adair County Health Dept	Inspection of Properties
Adair County Humane Society	Facility Usage and Grounds Maintenance Support
Adair County Library	Summer Reading Program Celebration Event
Adair County Sheriff Dept	MOU County Commissions for City Officers
Adair County Veterans Groups	Maintenance of Veterans Memorial Plaza, 1111 N. Baltimore
American Red Cross	Office Space Rental at EDA
ASA Aquadogs	EXISTING CITY PARTNERSHIPS
Atmos Gas and Ameren UE	Shut-offs of Gas and Electric Service
ATSU	AT Still gravesite improvements
ATSU	Membership for faculty, students and staff
ATSU	NEMO Triathlon
ATSU	Lambert Building
ATSU and TSU	Present Info to Students on What to look for in Rental Housing
Cape Air	Marketing Airport (BAH, Air Show and general advertising)
Cape Air	Commercial Air Service
Citizens of Kirksville	Citizens Police Academy
Collier-Theater	Parking lot maintenance
Curtain Call	Battle of Kirksville Play
Dept of Economic Development (DED)	DREAM Initiative
DNR, MDC, TSU, Property Owners	Watershed Management Commission
Employer Committee	Various Employment Issues - most recent day care
Heartland Task Force	Daddy Daugher Dance and Mom Son Stamped
International Crimes Against Children	Kirksville Regional Computer Crime Unit and Lab
Jackson Stables	Dinner Theater
KATZ	Field Usage and North Park Softball Tournament
KBSA	Ball Field Usage (North Park and Jaycee)
Kent's Kaes	Land usage at North Park for batting cages
Kirk Tran Bus Service	Monetary Support
Kirksville Airport Association (KAA)	Air Show, FBO Furnishings and FAA Safety Seminars
Kirksville Area Community Health Initiative	Various Employers who advocate health care initiatives
Kirksville Arts Association	Red Barn
Kirksville Arts Association	Art in the Park Program
Kirksville Arts Association	Summer on the Square
Kirksville Housing Authority	Inspection of Homes for HERO Rehab
Kirksville RIII	Student Ride Along / Fire Prevention
Kirksville RIII	North Park Ball Field usage
Kirksville RIII	Science Camp
Kirksville RIII	Santa Letters
Kirksville RIII	Tennis Lessons - Court Usage

Kirksville RIII	Hike/Bike Trail Maintenance
Kirksville RIII	School Resource Officer
Kirksville Rotary	Air Show volunteer workforce
Kirksville Tourism	Air Show, BAH, advertising, airport planning
KREDI	Office Space / Financial Support / Demographic and Bldg Support
KV Area Chamber of Commerce	Red, White and Blue Festival - use of AC and Rotary Park
KV Area Chamber of Commerce	Tourism Partnership
KV Area Chamber of Commerce and KREDI	Job Fair
Local Emergency Planning Committee	Local emergency service providers partnership
Missouri Foundation for Health	Get Active Kirksville
MO Dept of Conservation	CAP Hazel Creek Lake and Spur Pond
MO Dept of Natural Resources	Lab Collection Station
MO Dept of Natural Resources	Forest Lake Recreation Area
MO Dept of Natural Resources	Lakes of MO Volunteer Program - test raw water at both lakes
Mo Division of Aging	Welfare and Inspection for Senior Citizens
Mo Sheriffs Association	Adair County Sheriffs Academy
MoDOT	SRTS Program
MoDOT	Lift Station at State Shed, Potter Trail
MoDOT	Maintenance Agreement Animal Shelter Signs
MoDOT	Highway 63 (alternate route) agreement
MoDOT	Traffic Study/Plans turn lane on Baltimore Hwy 6 to Brewington
MoDOT	Maintenance of all LPA funded Sidewalk/Trail
MoDOT	South 63 Cost Share Project
MoDOT	Four-Laning South of Kirksville
MREIC	Office Space / Serve on Board /Financial Support
NEMO Heart Health	Community Wide AEDs
Novinger Schools	Summer School Swim Lessons
Paul Stewart	Assisting with ball tournament organization
Public Water Supply District	Water Purchase Agreement
Region B Homeland Security	Homeland Security Issues
Retired Senior Volunteer Program	Provide Volunteer Services when needed
Rotary	Use of outdoor pool for Duck Dash
Sheriff, TSU, Rural Fire, ACAD	E911 Joint Service Board - E911 Center
State Emergency Management Agency	Work together on training and emergency preparedness
State Fire Marshall	State Wide Mutual Aid/Code Issues
Thousand Hills Concessionaire	Sale of Boat Permits
Tiger Baseball	North Park Ball Field usage
TSU	MOU City Commissions for DPS Officers
Various private landowners	Agreements to land apply WWTP Sludge
Various private landowners	Agreements to land apply WTP Alum Sludge
Veolia	Trash/Recycling/Brush Collection Service for Residents
Wooden Nickel Restaurant	Use of space at City Parking Lot for Business
YMCA	Use of Aquatic Center for Summer Program Group Rates

City Employees serve in a variety of other capacities - members of service clubs, fraternal organizations, members of community boards and commissions, volunteers for MDA, Special Olympics, United Way, YMCA, Mental Health Board, etc., coach sports teams, active members of various churches