

City of Hays  
City Commission  
Work Session Notes  
Thursday, April 7, 2016 – 6:30 p.m.

Present: Eber Phelps, Shaun Musil, James Meier, Lance Jones, John Bird, Toby Dougherty and Kim Rupp

Absent: Henry Schwaller IV

**March 17, 2016 Work Session Notes**

There were no corrections or additions to the minutes of the work session held on March 17, 2016; the minutes stand approved as presented.

**Alcohol Consumption on City Streets**

At the February 18, 2016, Work Session, Commissioner Musil requested additional information about the City's alcohol ordinances. The inquiry was related to the City's ability to allow the sale, possession, and consumption of alcohol on public property for special events.

Assistant City Manager, Jacob Wood, stated that State law dictates that no person shall drink or consume alcoholic drinks on public streets, alleys, roads, or highways unless the local governing body approves an ordinance that exempts them from the provision. The City of Hays exempted its parks from this law in the late 1970's. This exemption allows events like Oktoberfest, Fire on the Frontier, and Wild West Festival to include the sale, possession, and consumption of alcohol.

There has been an increasing demand from the Downtown Hays Development Corp (DHDC) and other groups to find a way to hold events on streets and sidewalks that would include the sale, possession, and consumption of alcohol.

The three options available to the City that would allow alcohol on public property include:

- Approving an ordinance that would exempt specific areas permanently,
- Approving exemption ordinances for special events on a case by case basis; or
- Approving an ordinance that would give the City Manager administrative authority to exempt public property for special events.

Commissioner Musil stated he supported the third option that would enable the City Manager to grant exemptions for alcohol consumption on city streets and sidewalks.

City Manager, Toby Dougherty, stated if the Commission chooses to grant the authority to the City Manager, there still would be an appeal process if Commissioners disagree with the decision made.

It was the consensus of the Commissioners to move this item forward for consideration at the April 14, 2016 Commission meeting. They will be asked to consider approving an ordinance that would give the City Manager administrative authority to exempt public property for special events.

Sandy Jacobs, President of the Downtown Hays Development Corporation, thanked Police Chief Don Scheibler and City staff for their assistance in making these events work and work within the law.

Chairperson Phelps recognized Police Chief Don Scheibler's leadership and his efforts to be involved in the Community.

### **Purchase of Front-end Loader for Public Works Service Division**

Greg Sund, Director of Public Works, reported that the fleet replacement schedule for 2016 includes replacement of a front-end loader for the Public Works Service Division. This purchase will replace a 1996 Case 621B front-end loader that has reached its programmed life of 20 years. The 2016 budget includes \$180,000 from the New Equipment Reserve fund for this purchase.

The Public Works Department advertised for bids in February and received five responsive bids. The low bid was from Sellers Equipment for a Doosan DL220-5 front-end loader in the amount of \$127,150.

At the April 14, 2016 Commission meeting, Commissioners will be asked to award the bid for purchase of a Doosan Model DL220-5 front-end loader for the Public Works Service Division to Sellers Equipment in the amount of \$127,150, including trade-in.

**Purchase of Backhoe/Loader for Public Works Service Division**

The Fleet Replacement Schedule for 2016 also includes a new backhoe/loader for the Public Works Service Division. The current backhoe/loader, a 1997 Case 580 SL, has been in service for 19 years. This purchase will take place a year earlier than the regularly planned 20 year replacement. The Public Works Service Division has determined that it would function more efficiently if it had two backhoes in service. Purchasing a new backhoe/loader this year will allow the current unit to remain in service and extend its useful life.

The Public Works Department advertised for bids in February and received five responsive bids. The low bid was from Sellers Equipment for a JCB 3CX-14 Super backhoe/loader in the amount of \$88,500.

At the April 14, 2016 Commission meeting, Commissioners will be asked to award the bid for the purchase of a 2016 JCB Model 3CX-14 Super backhoe/loader for the Public Works Service Division to Sellers Equipment in the amount of \$88,500.

**Other Items for Discussion**

Commissioner Meier commented that Hays Medical Center is celebrating its 25<sup>th</sup> anniversary and that we are very lucky to have the medical center in our community.

The work session was adjourned at 7:01 p.m.

Submitted by: \_\_\_\_\_

Brenda Kitchen – City Clerk