

MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF HAYS, KANSAS  
HELD ON SEPTEMBER 14, 1995

**1. CALL TO ORDER BY CHAIRMAN:** The Governing Body of the City of Hays, Kansas, met in regular session Thursday, September 14, 1995, at 7:30 p.m.

Roll Call: Present: Sharon Leikam  
Daniel Rupp  
Eber Phelps  
Jayne Clarke  
Errol Wuertz

Mayor Leikam declared that a quorum was present and called the meeting to order.

**2. MINUTES:** Eber Phelps moved, Errol Wuertz seconded, that the minutes of the August 24, 1995, regular session, be approved.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Eber Phelps  
Jayne Clarke  
Errol Wuertz

**3. CITIZEN COMMENTS:** There were no comments.

**4. COMMISSION INFORMATIONAL MEMORANDUM:** Commissioner Wuertz commended the Hays Housing Authority for receiving a high score regarding the Public Housing Management Assessment Program from the U.S. Department of Housing and Urban Development.

Mayor Leikam said she will be unable to travel to Washington, D.C. to attend the Congressional Staff Reception and visit with the congressional representatives, but gave her full support to the City Manager, Commissioners Wuertz and Clarke, who will make the trip.

Commissioner Rupp said he was opposed to the Washington trip. The argument is given that this is the way to play the game. It is time to change the rules and process. We should not have to travel to Washington, D.C. to visit with

representatives. Our representatives have travel budgets and they should visit their districts and learn about the district needs.

Commissioner Rupp said several years ago, a policy was established requiring a formal vote authorizing such trips. He asked that the travel policy be restudied and brought before the Commission.

City Manager Zacharias said the estimated cost of the trip is under \$10,000. The current purchasing policy states any expenditure under \$10,000 does not require commission approval. Such trips were listed as budgeted expenditures, and it was his understanding that opposition to such trips would be made known at the budget work session.

Commissioner Wuertz said his decision to make the trip was based on public support. The people he had visited with felt the trip was worthwhile. He said it was his understanding that this is an opportunity to visit with the staff of the representatives, as well as the representatives. The real work is done with the staff members.

Mayor Leikam said she agrees with Commissioner Rupp and wished it were not necessary to make annual trips to Washington, D.C., but in reality, that is the process we must follow.

**5. CONSENT ITEMS:** Errol Wuertz moved, Daniel Rupp seconded, that the following items be approved:

- A. The Mayor's appointment of Tom Robinson (two year term expiring September, 1997) to the National Organization on Disability.
- B. A letter of support for Developmental Services of Northwest Kansas for grant solicitation for purchase of two vehicles.
- C. A lease agreement with the Volga German Society for the annual Oktoberfest celebration to be held Friday, October 6, 1995.
- D. A one day Cereal Malt Beverage License for the Volga German Society for the annual Oktoberfest celebration.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Eber Phelps  
Jayne Clarke  
Errol Wuertz

**6. GOLF CART SHED BIDS:** City Manager Zacharias said the City recently accepted bids on the construction of 72 additional golf cart sheds at the Fort Hays Municipal Golf Course, along with bids for the financing of these sheds through a lease purchase arrangement. Funds were included in the 1995 Budget for this project.

As of tonight, 63 people have pre-committed to rent a shed at \$175.00 per shed. If all 72 sheds were rented at \$175.00 per shed, this amount would cover the debt service. It is our intention to pay the debt off entirely next year, if there is sufficient cash carry-over and avoid the interest cost.

Glen Gabel, Golf Course Advisory Board Member, said several people have indicated they would be willing to prepay the shed rent for a ten year period. If the cart shed debt is paid off entirely, that would not be an option. City Manager Zacharias said he appreciated that offer, but if the debt is paid off, the necessity to do that is diminished.

Del Bean, Golf Course Advisory Board Member, asked if the cart shed rental would be reduced if the debt is paid off in the next year. City Manager Zacharias said his recommendation would be for the rental fee to remain at \$175.00 per year. This would help the cash flow in the golf course fund and allow for future improvements at the golf course. The \$175.00 is a fair market value for shed rental.

In terms of financing, the City received the following bids:

Golden Belt Bank	6.05%
Bank IV	
*Alternate One	5.85%
Alternate Two	9.75%
Emprise Bank	10.00%

First National Bank 8.25%  
Kansas Bank of Manhattan 6.789%

\*Alternate One from Bank IV is an adjustable rate option with the 5.85% being good for the first three years of the loan. After that the rate would be adjusted based on a formula which uses the rate on U.S. Treasuries as a basis.

Errol Wuertz moved, Daniel Rupp seconded, that the bid from Golden Belt Bank at an interest rate of 6.05 percent, for financing of golf cart sheds, be accepted.

Jayne Clarke said she would abstain from voting because her husband is Chief Financial Officer for Emprise Bank.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Eber Phelps  
Errol Wuertz

Abstain: Jayne Clarke

In terms of construction, the following base bids were received:

*Alan Pfeifer Construction	\$119,538
*Commercial Builders	\$131,500
*Shade Construction	\$191,997
Paul-Wertenberger	\$93,500

\*Each bid contained several alternates.

Eber Phelps moved, Jayne Clarke seconded, the the alternate bid from Paul-Wertenberger Construction, totaling \$91,851, for construction of golf cart sheds at the Fort Hays Municipal Golf Course, be accepted.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Eber Phelps  
Errol Wuertz  
Jayne Clarke

**7. WATER TOWER PAINTING:** J. R. Choate, representing Fort Hays Sate University, presented a request to place "Sternberg Museum"

on the one million gallon water tower in addition to "Hays".

Mr. Choate said the museum will have a tremendous economic impact on the City. Placing Sternberg Museum on the water tower would be an excellent marketing opportunity. He presented a graphic drawing of the logo for the water tower.

Commissioner Clarke said several people have questioned why the logo cannot be painted directly on the dome. Mr. Choate said the surface of the dome is in poor shape and would never hold the paint.

Commissioner Rupp said this is a wonderful way to popularize the existence of the museum. It is a classy design. The potential is there for 300,000 visitors per year, and 700 jobs to be generated either directly or indirectly.

Commissioner Clarke said we need to do all we can to advertise the museum and draw as many people as we can into the community. This is an opportunity to do that. She liked the design and felt it was catching to the eye.

Daniel Rupp moved, Error Wuertz seconded, that the Sternberg Museum logo as presented tonight be placed on the one million gallon water tower, providing the cost of painting the logo is paid by Fort Hays State University.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Eber Phelps  
Jayne Clarke  
Error Wuertz

**8. CLARIFIER PAINTING BIDS:** Bids were received for painting clarifier basins at the Wastewater Treatment Plant as follows:

Commercial Coatings	\$26,335
Colby, Kansas	
Cas Construction	\$28,170
Topeka, Kansas	
Rickert Industrial Coatings	\$29,893
Wichita, Kansas	

Daniel Rupp moved, Eber Phelps seconded, that the bid from Commercial Coatings, totaling \$26,335, for the painting of the

clarifier basins at the Wastewater Treatment Plant, be approved.

Vote: Ayes: Sharon Leikam

Daniel Rupp

Eber Phelps

Jayne Clarke

Errol Wuertz

**9. FRONT END LOADER SPECIFICATIONS:** City Manager Zacharias said \$110,000 was set aside to purchase an additional front end loader. Currently, the City has a 1974 John Deere front end loader which is expected to remain in the City's fleet for continued use due to expanded operations. The Public Works Department has done an evaluation of five different front end loaders of comparable size and price. Their evaluation led them to the conclusion to limit bids to John Deere and CASE manufactured products.

The City intends to retain this piece of equipment for approximately 15 years prior to replacement. Thus, selection of a front end loader that is reliable and for which replacement parts can be found is critical. There are no in-town vendors of these products.

Commissioner Phelps said he disagrees with the recommendation. In the last few years, we have had situations where there have been a lack of bidders. He feels all firms who meet the specifications should be given the opportunity to bid.

Public Works Director Elden Hammerschmidt said since the equipment will be kept for approximately 15 years, the concern is the availability of parts. We have a situation now where a dealer sold the City equipment, and the company is no longer in business. We want to avoid a situation like that. Ease of operation is also a consideration. We want the equipment to be compatible with our present equipment.

Daniel Rupp moved, Jayne Clarke seconded, to accept staff's recommendation to limit the bidding of a front end loader to CASE and John Deere equipment.

Commissioner Rupp said when the bids are received, we still have the opportunity to reject the bids.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Jayne Clarke  
Error Wuertz  
No: Eber Phelps

**10. STANDARD TRAFFIC ORDINANCE:** Daniel Rupp moved, Errol Wuertz seconded, that Ordinance No. 3350, being an ordinance regulating traffic within the corporate limits of the City of Hays, Kansas, incorporating by reference the "Standard Traffic Ordinance for Kansas Cities", Edition of 1995, with certain omissions, changes and additions; prescribing additional regulation; providing certain penalties and repealing Ordinance No. 3319 of the Code of Ordinance of the City of Hays, Kansas, as passed on August 25, 1994, and as published on August 30, 1994, be approved.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Jayne Clarke  
Errol Wuertz  
Eber Phelps

**11. UNIFORM PUBLIC OFFENSE ORDINANCE:** Eber Phelps moved, Errol Wuertz seconded, that Ordinance No. 3349, being an ordinance regulating public offenses within the corporate limits of the City of Hays, Kansas, incorporating by reference the "Uniform Public Offense Code for Kansas cities," Edition of 1995, and repealing Ordinance No. 3318 of the Code of Ordinances of the City of Hays, Kansas, as passed on August 25, 1994, and as published on August 30, 1994, be approved.

Vote: Ayes: Sharon Leikam  
Daniel Rupp  
Jayne Clarke  
Errol Wuertz  
Eber Phelps

**12. ADD-ON ITEMS:** The City Manager and Commission expressed appreciation to all the people and organizations who helped to make the "Fly-in" held recently at the Hays Municipal Airport a

success.

Recognition and thanks were given to members of the Fort Hays Municipal Golf Course who participated in the opening of the new back nine.

City Manager Zacharias commended City employees and staff for the reduction of the City's workmen's compensation rating from 1.02 to .77 percent over the past three years.

Commissioner Phelps said he recalled that 1992 was the 12th driest year on record. The City experienced a crucial water shortage, and the citizens of Hays implemented a water conservation program. August of this year was the driest month on record. However, due to this conservation plan and the development of the Dakota Wellfield, little notice was given to the dryness. He said he was proud of the citizens of Hays for their conservation efforts.

Commissioner Phelps reminded citizens that there is an ordinance in place prohibiting water waste by way of the gutters. He asked the cooperation of citizens to avoid letting water run down the gutters.

Commissioner Rupp asked City staff to develop a mechanism to improve our City streets. Many streets are deteriorated. City Manager Zacharias said City staff is developing an assessment of all streets, and plans to develop a priority list that is maintained on an annual basis.

Mayor Leikam recognized a Fort Hays State University social studies class who were in attendance.

Thereupon the Governing Body adjourned.

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Clerk of the Board