

**CITY OF HAYS COMMISSION MEETING
THURSDAY, APRIL 14, 2016 – 6:30 P.M.**

AGENDA

1. Call to order by Chairperson.
2. **WATER QUALITY POSTER CONTEST**: Announce the winners of the water quality poster contest conducted in partnership by the City of Hays and Kansas State University Research and Extension Watersheds. (PAGE 1)
3. **MINUTES**: Consider approval of the minutes from the regular meeting held on March 24, 2016. (PAGE 9)
4. **CITIZEN COMMENTS**: (non-agenda items).
5. **CONSENT AGENDA**: (Items to be approved by the Commission in one motion, unless objections are raised).
 - A. **Mayoral Appointments for Approval**: Building Trades Board, Hays Area Board of Zoning Appeals, and Hays Area Planning Commission (PAGE 15)
 - B. **Mayoral Appointment Recommendations**: Hays Area Planning Commission, Hays Area Board of Zoning Appeals, and Hays Convention and Visitors Bureau Advisory Committee (PAGE 21)

UNFINISHED BUSINESS

(No business to review)

NEW BUSINESS

6. **ALCOHOL CONSUMPTION ON CITY STREETS**: Consider approving Ordinance No. 3918 authorizing the City Manager to issue special event permits allowing the use and/or closure of public streets, alleys, roads, sidewalks and/or highways for such events and accommodating the use of alcoholic liquor, beer and cereal malt beverages during such events. (PAGE 27)
7. **PURCHASE OF FRONT-END LOADER**: Consider accepting the bid from Sellers Equipment for the purchase of a front-end loader for the Public Works Service Division to be funded out of New Equipment Reserve. (PAGE 37)
8. **PURCHASE OF BACKHOE**: Consider approving a bid from Sellers Equipment for a backhoe for the Public Works Service Division to be funded out of New Equipment Reserve. (PAGE 43)
9. **REPORT OF THE CITY MANAGER**
10. **COMMISSION INQUIRIES AND COMMENTS**
11. **EXECUTIVE SESSION (IF REQUIRED)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

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 2

MEETING DATE: 4-14-16

TOPIC:

Water Quality Poster Contest

ACTION REQUESTED:

Announce winners.

NARRATIVE:

Under the requirements of the City's Municipal Separate Storm Sewer System (MS4) permit, the City is required to provide educational offerings to the community on the value of improving water quality. In partnership with Kansas State University Watersheds, a poster contest themed "What's In Your Water" (Water Quality) was held for kids in grades Pre-K thru 2nd and 6th-8th and "Be Water Wi\$e (Water Conservation) for kids in 3rd-5th. High School and FHSU Students could select either topic. The contest received 255 entries (up from 159 entries in 2015 – 60% increase) with 1st through 3rd decided by a panel of judges. Winners received awards in the form of Chamber Checks and a food party for the 1st place winner's respective class.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Steven Walters, Stormwater Specialist
Jason Riegel, Water Conservation Specialist
Stacie Minson, KSU Extension Watershed Specialist

ADMINISTRATION RECOMMENDATION:

Announce winners.

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Staff Memo
Poster Contest Flyer
Contest Winners

Commission Work Session Agenda

Memo

From: Steven Walters, Stormwater Technician
Jason Riegel, Water Conservation Specialist

Meeting: April 14, 2016

Subject: Water Quality

Person(s) Responsible: Steven Walters, Stormwater Technician
Jason Riegel, Water Conservation Specialist
Stacie Minson, KSU Watershed Specialist

Summary

Under the requirements of the City's Municipal Separate Storm Sewer System (MS4) permit, the City is required to provide educational offerings to the community on the value of improving water quality. In partnership with KSU Watersheds a poster contest was staged for school children and young adults in grades Pre-K to College.

Background

In partnership with Kansas State University (KSU) Research & Extension Watersheds, a poster contest themed "What's In Your Water" (Water Quality) was held for kids in grades Pre-K-2nd and 6th-8th and "Be Water Wi\$e" (Water Conservation) for kids in grades 3rd-5th. High School and FHSU Students could select either topic. The contest received 255 entries (up from 159 entries in 2015). First place winners received awards in the form of Chamber Checks and a food party for their respective class.

Discussion

The theme of the contest was either "What's In Your Water" (Water Quality) or "Be Water Wi\$e" (Water Conservation). Participants were tasked with conveying this message through some form of visual arts on a 12" x 18" piece of paper. Entries were judged on their Water Quality Message, Visual Effectiveness, Originality, and Universal Appeal. The contest received 255 entries with 1st through 3rd place receiving Chamber Checks and a food party for their first place winner's respective class.

This is the second year of the program and a 60% increase in entries was achieved. City Staff and KSU hope to continue to grow the program in the coming years to educate children and young adults on the importance of water quality and water conservation in the Hays Community. Stacie Minson should be commended for putting the contest together and working diligently to promote the project and increasing the overall participation.

Legal Consideration

There are no legal considerations.

Financial Consideration

The contest is part of a \$9,000 agreement between the City of Hays and KSU Watershed to provide water quality education to the citizens of Hays. Therefore, there is no financial consideration.

Recommendation

Announce the Winners.

Action Requested

Announce the winners.

Supporting Documentation

Poster Contest Flyer
Contest Winners



Smoky Hill River Kanopolis Lake Watershed

City of Hays & KSU Big Creek Middle Smoky Hill River Watersheds Water Quality Poster Contest

1. Poster contest is open to all City of Hays Students' grades Pre-Kindergarten through 12th & Fort Hays State University Students.
2. *Note: Please review the 2016 Rules – as they have changed from 2015*

2016 Poster Contest Themes & Awards by Grade

Grade	Poster Theme	Awards
Pre-K-2 nd	What's in your H2O? (Water Quality)	Individual Grade Prizes 1 st -3 rd Places \$50, \$30, \$20 1 st Place Grade Class Party
3 rd -5 th	Be Water Wi\$e! (Water Conservation)	Individual Grade Prizes 1 st -3 rd Places \$50, \$30, \$20 1 st Place Grade Class Party
6 th -8 th	What's in your H2O? (Water Quality)	Individual Grade Prizes 1 st -3 rd Places \$50, \$30, \$20 (min. of 20 entries/grade) Individual Overall Winners \$125, \$100, \$75 1 st Place Grade Class Party
9 th -12 th	Either topic listed above	Individual Overall Winners 1 st -3 rd Places \$250, \$150, \$100 (min. of 20 entries)
FHSU Students	Either topic listed above	Individual Overall Winners 1 st -3 rd Places \$250, \$150, \$100 (min. of 20 entries)

3. The 2016 Poster Themes are “What’s in Your H2O?” or “Be Water Wi\$e!”
 - The **“What’s in Your H2O?”** posters should focus on pollutants in our water that are undesirable and create the potential for unsafe drinking water supplies. Those pollutants could include: sediment (soil); nitrogen; phosphorus; *E.coli* bacteria; household chemicals; vehicle fluids; etc.
 - The **“Be Water Wi\$e!”** posters should focus on water conservation in the Hays community and could include conservation efforts in the home, yard, garden, landscape, etc.
 - ***The theme must be used as the title of the poster.***
 - If you are interested, a presentation can be given in your class to help students understand the concept.
4. Poster shall be suitable poster paper, 12 x 18 inches and arranged for **HORIZONTAL DISPLAY ONLY**. Poster shall not be mounted on other background material. Poster may be computer generated, in pencil, pastels, charcoal, pen and ink, paint, watercolor, crayon, cut paper, etc. *Poster paper and limited art supplies will be provided upon request.*

5. Student name, address, age, grade, teacher/professor and school will need to be written in pencil on the back of the poster in the lower left hand corner.
6. **Only one individual's name per poster will be accepted.** All winners will be announced by April 1, 2016.
7. Posters will need to be left in the School Office with a FHSU Professor for pick-up on Friday, March 4, 2016
8. Posters will be judged as follows:
 - Water Theme Message -----50%
 - Visual Effectiveness -----30%
 - Originality-----10%
 - Universal Appeal -----10%

For questions or more information, please contact Stacie Minson, KSU Watershed Specialist at 785-769-3297 or sedgett@ksu.edu

2016 City of Hays Poster Contest Winners
"What's in Your H2O?" (Water Quality)
"Be Water Wi\$e" (Water Conservation)

Grade	Number of Entries
Pre-K	2
1st	0
2nd	7
3rd	72
4th	44
5th	87
6th	20
7th	5
8th	0
High School	18
FHSU	0
TOTAL	255

2016 City of Hays Poster Contest Winners
"What's in Your H2O?" (Water Quality)
"Be Water Wi\$e" (Water Conservation)

Grade	Placing	Name	School	Prize	
Pre-K	1st	Lily Dickman	Miss Sandy, Learning Lane Preschool	\$	50.00
	2nd	Emma Dickman	Ellen's Daycare	\$	30.00
K		None			
1st		None			
2nd	1st	Delia Dixon	Kenda Leiker, Roosevelt	\$	50.00
	2nd	Mariella Dreiling	Kenda Leiker, Roosevelt	\$	30.00
	3rd	Dawson Ruder	Kenda Leiker, Roosevelt	\$	20.00
3rd	1st	Isabelle Jones	Kenda Leiker, O'Loughlin	\$	50.00
	2nd	Reagan Bates	Kenda Leiker, Lincoln	\$	30.00
	3rd	Clare Tholstrup	Erin Flax, Wilson	\$	20.00
4th	1st	Brenlynn Albers	Mrs. Johnson, O'Loughlin	\$	50.00
	2nd	Carlos Arriaga	Ms. Smith, O'Loughlin	\$	30.00
	3rd	Joanna Mendoza	Werth, Wilson	\$	20.00
5th	1st	Lily Biggs	Mrs. Herl/Mrs. Oborny, O'Loughlin	\$	50.00
	2nd	Chase Wittman	Mrs. Barber, Wilson	\$	30.00
	3rd	Kamree Brin	Mrs. Herl/Mrs. Oborny, O'Loughlin	\$	20.00
6th	1st	Jaren Kanak	Mrs. Meier, HMS	\$	50.00
	2nd	Nikka Juong	Mrs. Meier, HMS	\$	30.00
	3rd	Jaelynn Wells	Mrs. Nelson, HMS	\$	20.00
7th	1st	Travis Dreher	Linda Wickham, HMS	\$	50.00
	2nd	Calista Isbell	Linda Wickham, HMS	\$	30.00
	3rd	Sydney Walker	Mrs. Shepherd, HMS	\$	20.00
8th		None			
Overall	1st	Jaren Kanak	Mrs. Meier, HMS	\$	125.00
Jr. High	2nd	Nikka Juong	Mrs. Meier, HMS	\$	100.00
	3rd	Sydney Walker	Mrs. Shepherd, HMS	\$	75.00
Overall High School	1st	Rachel Taylor	Mr. Purdue/Mrs. Butte, HHS	\$	250.00
	2nd	Courtney Molleker	Mr. Purdue/Mrs. Butte, HHS	\$	150.00
	3rd	Zachary Hopp	Mr. Purdue/Mrs. Butte, HHS	\$	100.00
FHSU		None			
				TOTAL \$	1,480.00

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON MARCH 24, 2016

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Thursday, March 24, 2016 at 6:30 p.m.

Roll Call: Present: Eber Phelps

Shaun Musil

Lance Jones

Absent: James Meier

Henry Schwaller IV

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 March 10, 2016; 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 February 29, 2016. Month-to-date general fund sales tax collections were at \$696,134 which is a decrease of \$39,251 as compared to last year. Year-to-date general fund collections are down -5.52%.

The Finance/City Clerk's Office invested \$3,000,000 of maturing or renewing certificates with a weighted average interest rate of .59%. The portfolio of certificates of deposit on February 29, 2016 totaled \$55,900,000 with a weighted average interest rate of .42%. The total balance of the Money Market account on February 29, 2016 was \$1,000,000 with a current yield of .20%. Total investments are up \$1,150,000 when compared to this time last year.

Shaun Musil moved, Lance Jones seconded, that the Financial Statement for the month of February, 2016, be approved.

Vote: Ayes: Eber Phelps
Shaun Musil
Lance Jones

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: A. Chairperson Phelps presented the following proposed mayoral appointments at the March 10, 2016 City Commission meeting and are now being presented for approval.

CARE Council

Holly Haynes – two-year term to expire March 1, 2018 (1st term)

Sister Cities Advisory Board

Heather Musil – unexpired term to expire January 1, 2018 (1st term)

B. The following proposed mayoral appointments will be presented for approval at the April 14, 2016 City Commission meeting:

Building Trades Board

Katherine Burnett (General Contractor) – unexpired term to expire August 27, 2019 (3rd term – non-consecutive)

Hays Area Board of Zoning Appeals

Louis Caplan (Planning Commission Representative, lives in the city limits) – three-year term to expire May 1, 2019 (6th term)

Rich Sieker (lives in the city limits) – three-year term to expire May 1, 2019 (2nd term)

Hays Area Planning Commission

Louis Caplan (lives in the city limits) – three-year term to expire April 30, 2019 (6th term)

Lawrence Gould (lives in the city limits) – unexpired term to expire April 30, 2017 (11th term – non-consecutive)

Matthew Wheeler (lives in the three-mile limit) – three-year term to expire April 30, 2019 (2nd term)

Lance Jones moved, Shaun Musil seconded, to approve the consent agenda as presented.

Vote: Ayes: Eber Phelps
Shaun Musil
Lance Jones

NEW BUSINESS

6. USD 489 SALES TAX PETITION: USD 489 has decided to pursue a capital improvement program regarding its buildings repair and maintenance. They plan to attempt to finance it by use of a bond issue election on their part and asked the City Commission to put a sales tax initiative on the ballot to levy a City sales tax that would then be paid to USD 489 for defraying the cost of their improvements.

A petition, signed by 10% of the electors of the City, was properly filed with the County Clerk. Ellis County has certified that the petition by USD 489 calling for a special election to consider the question of imposing a half-cent sales tax to fund USD 489 capital projects is valid. According to State law, when presented a valid petition, the City Commission must pass a resolution calling for such election. The City Commission does have latitude on the date chosen. USD 489 has requested the election be held on June 7, 2016 to coincide with the bond issue they plan to bring to the voters at the same time.

Mike Morley, a parent volunteer on the USD 489 Bond Committee, and Lance Bickle, USD 489 School Board Member, asked the Commission to grant the special election date of June 7, 2016 and offered to answer any questions the Commissioners may have.

Commissioner Musil commented that he supports their efforts, but is concerned noting that the City sales tax collections have been declining and the City's General Fund is dependent on sales tax so he is concerned it could hurt the City in the long run. He stated ultimately the important thing is that the voters get to decide.

Lance Jones moved to approve Resolution No. 2016-002 calling for a special sales tax election for USD 489 on November 8, 2016. Eber Phelps seconded the motion. Chairperson Phelps asked for the motion to be repeated and then withdrew his second. The motion failed for lack of a second.

Shaun Musil moved, Eber Phelps seconded, to consider approving Resolution No. 2016-002 calling for a special sales tax election for USD 489 on June 7, 2016.

Commissioner Jones expressed his concern with the District's desire to call a special election so soon. He stated they could hold it at a general election or the next city election and those elections may draw a higher voter turnout.

Lance Bickle responded they felt if it was put on the November general election it may be lost in the shuffle. They want to educate the citizens and let them know exactly what they are trying to accomplish.

Vote: Ayes: Eber Phelps

Shaun Musil

No: Lance Jones

7. AIRPORT SNOW BROOM ACQUISITION: The 2016 budget included funds for the purchase of snow removal equipment at the Hays Regional Airport. A snow broom is eligible for Federal Aviation Administration (FAA) Airport Improvement Program funding, which covers 90% of eligible costs. FAA requires actual bids prior to awarding a grant to cover the costs. One bid was received on March 1, 2016, from M-B companies, Inc. of Chilton, Wisconsin. The total cost of the snow broom including administration and acquisition is \$173,354, with the City's share being \$17,336. The City's Airport Engineer, Burns & McDonnell, has prepared a grant application to be submitted to FAA to fund 90% of the cost of the snow broom. Staff requests authorization to apply for federal assistance in paying for the snow broom, and acceptance of the bid from M-B Companies, Inc. contingent on FAA grant funding.

Lance Jones moved, Shaun Musil seconded, to authorize staff to submit an application for federal assistance for the purchase of a snow broom for the Hays Regional Airport, and accept the low bid from M-B Companies, Inc.

contingent upon an FAA grant offer. All costs are to be funded from the New Equipment Reserve Fund.

Vote: Ayes: Eber Phelps
Shaun Musil
Lance Jones

8. REPORT OF THE CITY MANAGER: City Manager, Toby Dougherty, attended a meeting in Manhattan with the Kansas Department of Agriculture, Division of Water Resources, regarding the change application process for the R-9 Ranch. He updated the Commissioners on the change applications dealing with changing the use of the water from irrigation to municipal, changing the consumptive use, and changing the points of diversion. He stated the meeting was very productive, but it is a slow process. He explained there has never been a change this large and cumbersome and the transfer act has never been tested in its current form.

The City Manager also gave an update on the Property Tax Lid legislation that recently passed the senate and how it could affect the City.

9. COMMISSION INQUIRIES AND COMMENTS: Commissioner Jones commented that he enjoyed the opening ceremonies for the Special Olympics and that it is a great event to have in Hays. He is also praying for the people affected by the wild fires.

Chairperson Phelps commented that it is a source of pride for the City of Hays to be able to host the Special Olympics. He also stated he appreciated the update on the R-9 Ranch and the work the City Manager is doing on this project.

The meeting was adjourned at 7:36 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 5A

MEETING DATE: 4-14-16

TOPIC:

Mayoral Appointments for Approval

ACTION REQUESTED:

Consider approving Mayor Phelps' proposed appointments to the Building Trades Board, Hays Area Board of Zoning Appeals, and the Hays Area Planning Commission.

NARRATIVE:

The following appointments were recommended at the March 24, 2016 City Commission meeting and are now being presented for approval.

Building Trades Board

Katherine Burnett (General Contractor) – unexpired term to expire 8-27-19 (3rd term – non-consecutive)

Hays Area Board of Zoning Appeals

Louis Caplan (Planning Commission Rep) (lives in the city limits) – 3-year term to expire 5-1-19 (6th term)
Rich Sieker (lives in city limits) – 3-year term to expire 5-1-19 (2nd term)

Hays Area Planning Commission

Louis Caplan (lives in city limits) – 3-year term to expire 4-30-19 (6th term)
Lawrence Gould (lives in city limits) – unexpired term to expire 4-30-17 (11th term – non-consecutive)
Matthew Wheeler (lives in 3-mile limit) – 3-year term to expire 4-30-19 (2nd 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: KATHERINE@COVENANTBUILDERS.NET

Date: 3/8/2016

Name: Katherine E. Burnett

Address: 4101 Covenant Dr.

Day Time Phone Number: 785-628-6060

Evening Phone Number:

Place of Employment: Covenant Builders, Inc.

How long have you been a Resident of Hays: 14 years

Name of Board(s) you are interested in serving on: Trades Board

How much time could you devote per month: 10 Hours

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 am interested in contributing in any way with the knowledge I have gained through my profession over the last 14 years.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: Trades Board Downtown Revitalization Committee BOD CASA of the High Plains Treasurer for Hays Victory Christian Academy

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

Email: lcaplan@fhsu.edu

Date: 3/2/2016

Name: Louis Caplan

Address: 2003 Main Street

Day Time Phone Number: 785-628-2677

Evening Phone Number: 785-628-2677

Place of Employment: Retired from FHSU

How long have you been a Resident of Hays: 46 years

Name of Board(s) you are interested in serving on: Planning Commission and Board of Zoning Appeals

How much time could you devote per month: as much as needed within limits

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 have served on planning for 3 or 4 terms and during these terms I was also the liaison with zoning. If the city believes that my service is worthwhile, I am willing to continue on both.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: I am presently on the board of the Hays Public Library Trust Board and the board of Smoky Hill Public TV.

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

Email: rsieker@eaglecom.net

Date: 2/17/2016

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: 7yrs

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

How much time could you devote per month: As long as it takes

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

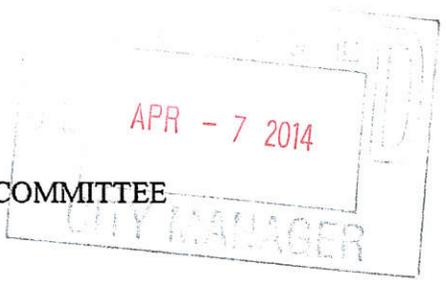
If Yes, Explain:

Briefly describe why you are interested in serving on a Board/Committee for the City of Hays: Enjoy being on the present board.

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

in

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



NAME: LAWRENCE Gould

ADDRESS: 2301 LINCOLN DRIVE

DAY TIME PHONE NUMBER: 785-320-1952 EVENING PHONE NUMBER: 785-625-4874

E-MAIL ADDRESS: gouldlarry24@yahoo.com

PLACE OF EMPLOYMENT: FHSU

HOW LONG HAVE YOU BEEN A RESIDENT OF HAYS? 34 yrs.

NAME OF BOARD(S) YOU ARE INTERESTED IN SERVING ON: PLANNING COMMISSION - 28 yrs.

HOW MUCH TIME COULD YOU DEVOTE PER MONTH? _____

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

IF YES, EXPLAIN: STACEY SMITH - PRESIDENT - DOWNTOWN HAYS DEVELOPMENT COMMITTEE

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

LAST TERM BEFORE FINAL RESIGNATION - HELP WITH NEW PROJECTS - ZONING REGS, IMPLEMENTATION OF LANDSCAPE ORDINANCE, COMP PLAN

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

UNITED WAY PRESIDENT, COMMUNITY CENTER TASK FORCE CHAIR, ELLIS COUNTY COALITION STRATEGIC PLAN, GOVERNOR'S CREATING TOMORROW TASK FORCE CHAIR, ETC.

SIGNATURE: Lawrence Gould DATE: 4-5-14

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: wheeler@ruraltel.net

Date: 2/25/2016

Name: Matthew Wheeler

Address: 1505 west 12th

Day Time Phone Number: 785 623 1682

Evening Phone Number: 785 625 7539

Place of Employment: MMS- Midwest Medical Supply (for 25 years)

How long have you been a Resident of Hays: 15 years

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

How much time could you devote per month: as much as is needed within reason - 10-12 hour

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

If Yes, Explain: I serve on this Planning board now and would like a second term.

Briefly describe why you are interested in serving on a Board/Committee for the City of Hays: I have served on this Board for 1 term. I feel that I have done a good job representing the interest of the Community and at the same time looking at the needs of the City of Hays

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: when I lived in Ellis I served on the Library Board. I currently serve on a regional Car Club Board.

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 5B

MEETING DATE: 4-14-16

TOPIC:

Mayoral Appointment Recommendations

ACTION REQUESTED:

Receive Mayor Phelps' proposed appointments to the Hays Area Board of Zoning Appeals, Hays Area Planning Commission and Hays Convention and Visitors Bureau Advisory Committee.

NARRATIVE:

The following proposed appointments will be presented for approval at the April 28, 2016 City Commission meeting.

Hays Area Board of Zoning Appeals

Thomas Lippert (lives in the city limits) – 3-year term to expire 5-1-19 (2nd term)

Hays Area Planning Commission

Kevin Coomes (lives in 3-mile limit) – 3-year term to expire 4-30-19 (1st term)

Hays Convention and Visitors Bureau Advisory Committee

Marjorie Dansel (Holiday Inn Express) – 3-year term to expire 12-1-18 (3rd term)

Tammy Younger (Fort Hays State Historic Site) – 3-year term to expire 12-1-18 (2nd term)

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mayor Phelps

ADMINISTRATION RECOMMENDATION:

N/A

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Applications received for these Boards

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

Email: tblippert@gmail.com

Date: 3/25/2016

Name: Thomas Lippert

Address: 4002 Country Lane, Hays KS 67601

Day Time Phone Number: 785-628-4645

Evening Phone Number: 785-650-4515

Place of Employment: Fort Hays State University

How long have you been a Resident of Hays: 50+ years

Name of Board(s) you are interested in serving on: Hays Area Board of Zoning Appeals

How much time could you devote per month: 4-5 hours

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 am currently serving on this board and have found it very interesting, and at times challenging. Primary reason is because of civic duty/responsibility to give back, and hopefully contribute in a positive manner, to our wonderful community.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: Presently serve on Boards for Wild West Festival, Oktoberfest, Hays Larks. Have served as an Ambassador for Hays Area Chamber of Commerce for 28 years, FHSU community Endowment Fund Drive (former Chairman), former Girl Scout Council Board, PDAC for Sports Complex, Chairman for Sportsmanship Committee for State 1A tournament (26 years), Coached youth and high school sports (17 years), etc.

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

Email: kevin.coomes@glassmancorp.com

Date: 2/18/2016

Name: Kevin Coomes

Address: 2210 South View Drive

Day Time Phone Number: 785-639-1321

Evening Phone Number:

Place of Employment:

How long have you been a Resident of Hays: 24 months

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

How much time could you devote per month: Whatever is 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 am interested in serving the public.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: I was a volunteer wrestling coach in Phillipsburg for 15 years. I also volunteered 8 to 10 hours per month at the local Rec for many years.

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

Email: mdansel@truenorthhotels.com

Date: 4/6/2016

Name: Marjorie Dansel

Address: 319 E 11th

Day Time Phone Number: 7856507621

Evening Phone Number: 7856507621

Place of Employment: Holiday Inn Express

How long have you been a Resident of Hays: 1985

Name of Board(s) you are interested in serving on: CVB Advisory

How much time could you devote per month:

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 like to hear what Hays is doing to promote the area to get events into the city

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: Holiday Inn Express has a give back programs for the employees we currently are raising money for the humane society

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

Email: thefort@kshs.org

Date: 3/25/2016

Name: Tammy Younger

Address: 1472 Hwy 183 Alternate

Day Time Phone Number: 785-625-6812

Evening Phone Number: 785-259-0809

Place of Employment: Fort Hays State Historic Site

How long have you been a Resident of Hays: 36 years

Name of Board(s) you are interested in serving on: Convention and Visitor Bureau.
Advisory Council

How much time could you devote per month: 2 hours

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 am interested in serving on the board because my place of work is Historic Fort Hays and we are a big part of the community, and the tourism industry in Northwest Kansas.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community:

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

Email: forthaysinn@gmail.com

Date: 11/3/2015

Name: Roshan

Address: Bhakta

Day Time Phone Number: 785-625-2511

Evening Phone Number: 785-625-2511

Place of Employment: Fort Hays Inn

How long have you been a Resident of Hays: since 6/23/2014

Name of Board(s) you are interested in serving on: CVB Advisory Committee

How much time could you devote per month: 4-5 hours per month

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:

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community:

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 6

MEETING DATE: 4-14-16

TOPIC:

Alcohol Consumption on City Streets

ACTION REQUESTED:

Consider approving Ordinance No. 3918 authorizing the city manager to issue special event permits allowing the use and/or closure of public streets, alleys, roads, sidewalks and/or highways for such events and accommodating the use of alcoholic liquor, beer and cereal malt beverages during such events.

NARRATIVE:

At the February 18, 2016, Work Session, Commissioner Musil requested additional information about the City's alcohol ordinances. At the April 8, 2016, Work Session, the Commission was presented with options that would allow for the sale, possession, and consumption of alcohol on public property for special events. The Commission gave staff direction to draft an ordinance that would give the city manager administrative authority to exempt public property for special events. Ordinance No. 3918 outlines the process for requesting special events permits and authorizes the city manager to approve them.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Commissioner Musil
Jacob Wood, Assistant City Manager

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Staff Memo
Ordinance No. 3918
City of Hays Alcohol Ordinances
K.S.A. 41-719

Commission Work Session Agenda

Memo

From: Jacob Wood, Assistant City Manager

Work Session: April 7, 2016

Subject: Alcohol Consumption on City Streets

Person(s) Responsible: Commissioner Musil
Jacob Wood, Assistant City Manager

Summary

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. The commission has several different options that all include approving an ordinance that would exempt public property from state law.

Background

There are several events in Hays each year that include the sale, possession and consumption of alcohol on city property. State law and the City's current code of ordinances do not allow the sale, consumption or possession of alcohol on City property with the exception of parks. 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.

Discussion

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 has exempted its parks. This exemption allows events like Oktoberfest, Fire on the Frontier and Wild West Festival to include the sale, possession and consumption of alcohol.

City staff have been working to determine the options that would allow sale, possession, and consumption of alcohol on City streets. There is a provision of state law that allows for a special event permit to be issued that legalizes the sale of alcohol on public property. The permit application requires the applicant to provide a copy of the local ordinance that allows alcohol on public property.

Brews on the Bricks was allowed to take place on a City street because the City leased the area to the DHDC and it was completely blocked off from the surrounding area. City staff have been informed by our local Alcohol Beverage and Control Agent that it is

likely that the option of leasing public property to a private entity in order to include alcohol at an event will not be allowed in the future. When property is leased, a special event permit is not allowed. This means that the event would fall under other alcohol licensing requirements that are more stringent than what is allowed under a special event permit.

The three (3) 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.

An ordinance allowing for the temporary exemption of City property would allow events like Wines and Steins and Brews on the Bricks to possess and consume alcohol on sidewalks and streets. The possession and consumption of alcohol would only be allowed if the street was blocked off to traffic. The current code gives the City Manager the authority to close off City streets, but does not include a provision that would allow for sale, possession or consumption of alcohol on city streets, sidewalks alleys or parking areas. Alcohol is permitted in public parking lots as long as they are segregated from the surrounding area and no vehicles are allowed to drive in the area.

Legal Consideration

There are no legal obstacles to proceeding with any of the options listed by City Staff.

Financial Consideration

There are no financial considerations at this time for the proposed policy.

Options

The City Commission has the following options:

- 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.
- Provide further guidance

Recommendation

City staff requests that the City Commission provide direction with regard which process they would like to pursue.

Supporting Documentation

City of Hays alcohol ordinances
K.S.A 41-719

ORDINANCE NO. 3918

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ISSUE SPECIAL EVENT PERMITS ALLOWING THE USE AND/OR CLOSURE OF PUBLIC STREETS, ALLEYS, ROADS, SIDEWALKS AND/OR HIGHWAYS FOR SUCH EVENTS AND ACCOMMODATING THE USE OF ALCOHOLIC LIQUOR, BEER AND CEREAL MALT BEVERAGES DURING SUCH EVENTS.

WHEREAS, the Governing Body of the City of Hays, Kansas, has determined and declares that there is a need to make provisions for the issuing of permits for Special Events;

AND WHEREAS, Kansas law provides that a City may by Ordinance provide for a method of permitting Special Events.

NOW, THEREFORE,

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

Section 1. DEFINITIONS.

The following words, terms and phrases, as used in this Section, shall have the following meanings:

“Special Event” means a picnic, bazaar, festival, social event, or similar community gathering.

“Public right-of-way” means publicly held lands controlled by the City of Hays, Kansas, including streets, alleys, roads, sidewalks, or highways.

Section 2. PERMIT REQUIRED.

It shall be unlawful for any person to conduct any Special Event upon a public right-of-way without first obtaining a Special Event Permit.

Section 3. PERMIT FEE.

There is hereby levied a Special Event Permit fee in the amount determined by the City Manager, which fee shall be paid in advance.

Section 4. CITY SPECIAL EVENT PERMIT.

An applicant for a Special Event Permit shall:

A. File a written application on a form to be determined by the City Manager that includes the following information: the date or dates for which the permit is sought, the name of the applicant; the location of any encroachment or obstruction; the type of encroachment or obstruction; information regarding any other temporary permits applicant has or will apply for, and such other information as the City Manager may deem necessary. The form shall be available to the public at the City Clerk's office.

B. The application shall be filed with the City Clerk at least two (2) weeks before the first date for which the permit is sought, along with the required fee.

Section 5. ISSUANCE OF PERMIT.

A. All applications for a Special Event Permit shall be forwarded by the City Clerk to the City Manager or designee for approval. The City Manager or designee shall issue such a permit upon a finding that in view of the location or area proposed to be closed to motor vehicle traffic, or to be used and the type of encroachment or obstruction proposed to be carried on, the proposed closure, encroachment or obstruction does not constitute a traffic hazard or destroy or impair use of the right-of-way by the public, or serves a purpose that otherwise cannot be accomplished and is a temporary obstruction of the right-of-way.

B. The Special Events permit may provide for the sale, use and/or consumption of alcoholic liquor and/or beer and/or cereal malt beverages within the boundaries designated by the Special Event Permit if a temporary permit is issued by the Director of the Kansas Alcoholic Beverage Control pursuant to K.S.A. 41-719 and 41-2645 and amendments.

C. The City Manager or designee may condition the issuance of a permit upon the applicant providing proof that the applicant has obtained general liability insurance for which the permit is being issued. The minimum policy limits shall be \$500,000.00, unless the City Manager or his or her designee determines that different are warranted by the particular circumstance.

D. Any application for a Special Event Permit not granted, conditionally granted or denied within eight (8) business days after the date such application was filed with the City Clerk shall be deemed to have been denied.

Section 6. DISPLAY OF PERMIT AND BOUNDARIES.

A. The boundaries of the Special Event shall be clearly marked via signs, posted maps or other means which reasonably identify the area.

B. The permit shall be held and displayed to any officer or employee of the City upon request.

Section 7. This Ordinance shall take effect and be in force from and after its passage and

ORDINANCE NO. 3918
Page 3

publication in the *Hays Daily News*, the official city newspaper.

PASSED by the Commission on the 14th day of April, 2016.

EBER PHELPS
Mayor

ATTEST:

BRENDA KITCHEN
City Clerk
(SEAL)

Sec. 14-141. - Street sales; public drinking.

It is unlawful for any person to sell, dispense or drink any alcoholic liquor or cereal malt beverage while in or on any street, avenue, alley, sidewalk, or other public place, or within any vehicle upon any such place within the corporate limits of the city; provided, however, that the provisions of Section 44-7 shall regulate and control the consumption of alcoholic liquor or cereal malt beverages in the public parks of the city.

(Code 2000, § 5.04.430)

Sec. 14-143. - Public possession.

It is unlawful for any person to have in his possession upon any street, avenue, alley or sidewalk or upon any privately or publicly owned parking area or lot not located inside a public park of the city, and not otherwise licensed for the sale of alcoholic liquor or cereal malt beverages, a full or partially filled container of alcoholic liquor or cereal malt beverages from which the original cap, cork or lid shall have been removed; provided, however, that the provisions of Section 14-118 shall regulate and control the possession of such cereal malt beverages in the public parks of the city.

(Code 2000, § 5.04.450)

Sec. 14-144. - Transporting in or consuming from kegs in parks.

It is unlawful for any person to sell, give away, dispose of, deliver or consume alcoholic liquor, or cereal malt beverages from unlicensed keg containers on the premises of a public park of the city at such times alcoholic liquor or cereal malt beverages are sold under a valid license of the city.

(Code 2000, § 5.04.460)

Sec. 44-7. - Hours of consumption of alcoholic beverages limited.

It is unlawful for any person to consume alcoholic beverages within the confines of the public parks of the city between the hours of 12:30 a.m. and 6:00 a.m.

(Code 2000, § 12.36.080)

2012 Kansas Statutes

41-719. Consumption of alcoholic liquor prohibited in certain places; exemptions. (a) (1) Except as otherwise provided herein and in K.S.A. 8-1599, and amendments thereto, no person shall drink or consume alcoholic liquor on the public streets, alleys, roads or highways or inside vehicles while on the public streets, alleys, roads or highways.

(2) Alcoholic liquor may be consumed at a special event held on public streets, alleys, roads, sidewalks or highways when a temporary permit has been issued pursuant to K.S.A. 41-2645, and amendments thereto, for such special event. Such special event must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such special event is being held. No alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways at any such special event.

(3) No person shall remove any alcoholic liquor from inside the boundaries of a special event as designated by the governing body of any city, county or township. The boundaries of such special event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such special event.

(4) No person shall possess or consume alcoholic liquor inside the premises licensed as a special event that was not sold or provided by the licensee holding the temporary permit for such special event.

(b) No person shall drink or consume alcoholic liquor on private property except:

(1) On premises where the sale of liquor by the individual drink is authorized by the club and drinking establishment act;

(2) upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(3) in a lodging room of any hotel, motel or boarding house by the person occupying such room and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(4) in a private dining room of a hotel, motel or restaurant, if the dining room is rented or made available on a special occasion to an individual or organization for a private party and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place; or

(5) on the premises of a manufacturer, microbrewery, microdistillery or farm winery, if authorized by K.S.A. 41-305, 41-308a, 41-308b or K.S.A. 2012 Supp. 41-354, and amendments thereto.

(c) No person shall drink or consume alcoholic liquor on public property except:

(1) On real property leased by a city to others under the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, if such real property is actually being used for hotel or motel purposes or purposes incidental thereto.

(2) In any state-owned or operated building or structure, and on the surrounding premises, which is furnished to and occupied by any state officer or employee as a residence.

(3) On premises licensed as a club or drinking establishment and located on property owned or operated by an airport authority created pursuant to chapter 27 of the Kansas Statutes Annotated, and amendments thereto, or established by a city.

(4) On the state fair grounds on the day of any race held thereon pursuant to the Kansas parimutuel racing act.

(5) On the state fairgrounds, if: (A) The alcoholic liquor is domestic beer or wine or wine imported under subsection (e) of K.S.A. 41-308a, and amendments thereto, and is consumed only for purposes of judging competitions; (B) the alcoholic liquor is wine or beer and is sold and consumed during the days of the Kansas state fair on premises leased by the state fair board to a person who holds a temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto, authorizing the sale and serving of such wine or beer, or both; or (C) the alcoholic liquor is consumed on nonfair days in conjunction with bona fide scheduled events involving not less than 75 invited guests and the state fair board, in its discretion, authorizes the consumption of the alcoholic liquor, subject to any conditions or restrictions the board may require.

(6) In the state historical museum provided for by K.S.A. 76-2036, and amendments thereto, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(7) On the premises of any state-owned historic site under the jurisdiction and supervision of the state historical society, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(8) In a lake resort within the meaning of K.S.A. 32-867, and amendments thereto, on state-owned or leased property.

(9) In the Hiram Price Dillon house or on its surrounding premises, subject to limitations established in policies adopted by the legislative coordinating council, as provided by K.S.A. 75-3682, and amendments thereto.

(10) On the premises of any Kansas national guard regional training center or armory, and any building on such premises, as authorized by rules and regulations of the adjutant general and upon approval of the Kansas military board.

(11) On the premises of any land or waters owned or managed by the department of wildlife, parks and tourism, except as otherwise prohibited by rules and regulations of the department adopted by the secretary pursuant to K.S.A. 32-805, and amendments thereto.

(12) On property exempted from this subsection (c) pursuant to subsection (d), (e), (f), (g) or (h).

(d) Any city may exempt, by ordinance, from the provisions of subsection (c) specified property the title of which is vested in such city.

(e) The board of county commissioners of any county may exempt, by resolution, from the provisions of subsection (c) specified property the title of which is vested in such county.

(f) The state board of regents may exempt from the provisions of subsection (c) the Sternberg museum on the campus of Fort Hays state university, or other specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(g) The board of regents of Washburn university may exempt from the provisions of subsection (c) the Mulvane

art center and the Bradbury Thompson alumni center on the campus of Washburn university, and other specified property the title of which is vested in such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(h) The board of trustees of a community college may exempt from the provisions of subsection (c) specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(i) Violation of any provision of this section is a misdemeanor punishable by a fine of not less than \$50 or more than \$200 or by imprisonment for not more than six months, or both.

(j) For the purposes of this section, "special event" means a picnic, bazaar, festival or other similar community gathering, which has been approved by the local governing body of any city, county or township.

History: L. 1949, ch. 242, § 82; L. 1968, ch. 35, § 1; L. 1969, ch. 242, § 1; L. 1971, ch. 175, § 1; L. 1975, ch. 251, § 1; L. 1979, ch. 153, § 13; L. 1981, ch. 200, § 1; L. 1987, ch. 182, § 54; L. 1988, ch. 165, § 3; L. 1990, ch. 180, § 2; L. 1991, ch. 143, § 1; L. 1992, ch. 269, § 1; L. 1995, ch. 59, § 1; L. 1998, ch. 92, § 8; L. 1998, ch. 191, § 4; L. 1999, ch. 153, § 2; L. 2000, ch. 166, § 3; L. 2002, ch. 139, § 1; L. 2005, ch. 201, § 11; L. 2006, ch. 206, § 1; L. 2008, ch. 126, § 7; L. 2009, ch. 114, § 9; L. 2012, ch. 144, § 28; L. 2012, ch. 144, § 29; Jan. 1, 2013.

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 7

MEETING DATE: 4-14-16

TOPIC:

Purchase of a Front End Loader for Public Works Service Division

ACTION REQUESTED:

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, to be funded out of the New Equipment Reserve

NARRATIVE:

The Fleet Replacement Schedule for 2016 includes replacement of a front-end loader for the Public Works Service Division. The 2016 budget includes \$180,000 from the New Equipment Reserve fund for this purchase. The low bidder for this piece of equipment was Sellers Equipment with a Doosan DL220-5 front-end loader in the amount of \$127,150. Staff recommends accepting the low bid.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Director of Public Works Greg Sund

ADMINISTRATION RECOMMENDATION:

Staff recommends awarding the bid for a new front-end loader to Sellers Equipment for a Doosan DL220-5 front-end loader in the amount of \$127,150.

ATTACHMENTS:

Staff Memo
Page 178 of the 2016 budget with pieces of equipment highlighted
Bid Tabulation

Commission Work Session Agenda

Memo

From: Greg Sund, Director of Public Works

Work Session: April 7, 2016

Subject: Purchase of Front-end Loader for Public Works Service Division

Person(s) Responsible: Greg Sund, Director of Public Works

Summary

The Fleet Replacement Schedule for 2016 includes replacement of a front-end loader for the Public Works Service Division. The 2016 budget includes \$180,000 from the New Equipment Reserve fund for this purchase. The low bidder for this piece of equipment was Sellers Equipment with a Doosan DL220-5 front-end loader in the amount of \$127,150. Staff recommends accepting the low bid.

Background

This purchase will replace a 1996 Case 621B front-end loader that has reached its programmed life of 20 years. Staff considered keeping the Case front-end loader in the fleet as a reserve, but metal shavings were discovered in the transmission fluid. The decision was made to trade the unit in because the cost to maintain the equipment does not outweigh benefit of keeping it on hand.

Discussion

The Public Works Department advertised for bids in February with an opening date of March 15, 2016. The City 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. Below is a quick reference bid tabulation. A full tabulation is enclosed.

Bid Tabulation

Vendor	Make/Model	Bid Amount w/Trade
Sellers	Doosan DL220-5	127,150.00
VLP	Case 621F	138,107.89
Van Keppel	Volvo L70H	140,157.00
Foley	Cat 930M	148,722.00
Murphy Tractor	John Deere 544K	153,504.00

Legal Consideration

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

Financial Consideration

This purchase was programmed for 2016 in the Fleet Replacement Schedule on page 178 of the 2016 Budget Book (enclosed). The 2016 budget includes \$180,000 from the New Equipment Reserve fund for the purchase of a new front-end loader. The low bid from Sellers Equipment for a Doosan DL220-5 front-end loader was substantially below the budgeted amount. The New Equipment Reserve has adequate funds to cover this purchase.

Options

The City Commission has the following options:

- To award the bids as recommended
- To award the bids to non-recommended bidders
- To reject all bids and order staff to re-bid.

Recommendation

Staff recommends awarding the bid for a new front-end loader to Sellers Equipment for a Doosan DL220-5 front-end loader in the amount of \$127,150.

Action Requested

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, to be funded out of the New Equipment Reserve

Supporting Documentation

Bid tabulation

Page 178 of the 2016 Budget Book.

City of Hays
Public Works Department
Tabulation of Bids
15-Mar-16

Front End Loader

	Sellers	VLP	Van Keppel	Foley	Murphy
	Doosan	Case	Volvo	Cat	JD
	DL220-5	621F	L70H	930M	544K
Out-Right	\$ 144,000.00	\$ 149,107.89	\$ 166,154.00	\$ 162,845.00	\$ 161,504.00
Trade-in Credit	\$ 18,500.00	\$ 11,000.00	\$ 28,000.00	\$ 15,600.00	\$ 8,000.00
Base	\$ 125,500.00	\$ 138,107.89	\$ 138,154.00	\$ 147,245.00	\$ 153,504.00
Option 1	\$ 1,650.00	\$ -	\$ 2,003.00	\$ 1,477.00	\$ -
Total	\$ 127,150.00	\$ 138,107.89	\$ 140,157.00	\$ 148,722.00	\$ 153,504.00
Delivery	90 days	90 days	90 days	4-6 weeks	45-60 days
Warranty	1 yr/1500 hr full 5 yr/7500 hr Ptrain	3 yr/3000 hr	1 yr/2500 hrs	1 yr/unl hrs	2 yrs/2000hrs
Exceptions					
1) 160 Hp			170		163
2) 425 Cl engine	360	411	348		414
3) 345 ft-lbs torque			629		504
4) 6 cyl Diesel turbo			N		
5) 115 amp alternator			80		130
11) slip differentials f&b				diff lock on front	hyd locking
12) 28 deg axle oscillation		24	13	10.5	
14) self adjusting/equalizing			blank		
17) auto Park Brake				manual	
21) Z bar			TP linkage		
27) 27000 breakout force	25000	23966	22400		19824
28) gear driven steering pump				var. displacem	axial piston
30) Loader pump 56 gpm		45.2	40.7	50	50
41) analog oil gauge			digital		

**VEHICLE/LARGE EQUIPMENT REPLACEMENT SCHEDULE
CITY OF HAYS - 2016 BUDGET**

Department/ Division	2016 Purchases	Fleet to be Replaced	Water & Sewer	General	CVB	Solid Waste	Public Safety	Airport	Stormwater
Parks	3/4 ton P/U 4x4 with Plow	412 2001 Chevy 1/2 ton P/U 4x4		\$31,400.00					
Parks	Truck with Dump Bed	410 2001 Chevy F-450 with Dump Bed		\$56,000.00					
Parks/Golf Course	Mower	478 2008 Jacobson Gplex III Mower		\$25,800.00					
Parks	Mower	480 2008 Jacobson HR 5111		\$62,500.00					
Parks/Golf Course	Mower	1008 2008 Tri-plex Reel Mower		\$27,600.00					
Public Works/PIE	1/2 ton P/U	805 2001 Ford F-150		\$20,000.00					
Public Works/Service	Front End Loader	815 1996 Case 621B		\$180,000.00					
Public Works/Service	Backhoe	848 1997 Case 580 SL		\$115,000.00					
Public Works/Service	Snow Blower	878 1985 Detroit		\$100,000.00					
Public Works/Storm	Car	862 2006 Ford Taurus							\$18,800.00
Utilites	1 Ton Truck w/ Dump	651 2001 F-450 with Dump Bed	\$56,000.00						
Utilites	3/4 Ton P/U 4x2	653 2001 F-250 with Utility Bed	\$25,000.00						
Fire Department	SCBA Air Compressor	1992 SCBA Compressor					\$30,000.00		
Police Department	Interceptor AWD SUV	129 2006 Chevy Impala					\$28,000.00		
Police Department	Interceptor AWD SUV	130 2006 Chevy Impala					\$28,000.00		
Police Department	Interceptor Sedan	132 2007 Chevy Impala					\$24,000.00		
Police Department	Interceptor Sedan	133 2007 Chevy Impala					\$24,000.00		
Police Department	Interceptor Sedan	135 2007 Chevy Impala					\$24,000.00		
Total			\$81,000.00	\$618,300.00	\$0.00	\$0.00	\$158,000.00	\$0.00	\$18,800.00

	2015 Transfer Amounts	2016 Transfer Amounts
IT	\$1,087.19	\$1,624.24
CMO	\$0.00	\$0.00
Parks	\$137,126.90	\$139,139.46
PW	\$149,892.58	\$155,468.81
General Fund	\$288,106.67	\$296,232.51
Airport	\$6,053.00	\$6,829.14
Utilities	\$52,184.21	\$53,565.35
Sports Complex	\$19,524.11	\$19,524.11
Solid Waste	\$114,860.00	\$109,900.02
CVB	\$2,760.07	\$2,760.07
Fire	\$170,706.00	\$205,662.00
Police	\$128,891.00	\$161,196.00
Stormwater	\$1,790.00	\$0.00

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 8

MEETING DATE: 4-14-16

TOPIC:

Purchase of a Backhoe for Public Works Service Division

ACTION REQUESTED:

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 to be funded out of the New Equipment Reserve Fund.

NARRATIVE:

The Fleet Replacement Schedule for 2016 includes a new backhoe/loader for the Public Works Service Division. The 2016 budget includes \$115,000 from the New Equipment Reserve Fund for this purchase. The low bidder was Sellers Equipment with a JCB 3CX-14 Super backhoe/loader in the amount of \$88,500. Staff recommends accepting the low bid.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Director of Public Works Greg Sund

ADMINISTRATION RECOMMENDATION:

Staff recommends awarding the bid for a new backhoe/loader to Sellers Equipment for a JCB 3CX-14 Super backhoe/loader in the amount of \$88,500.

ATTACHMENTS:

Staff Memo
Page 178 of the 2016 budget with proposed equipment purchase highlighted
Bid Tabulation

Commission Work Session Agenda

Memo

From: Greg Sund, Director of Public Works

Work Session: April 7, 2016

Subject: Purchase of Backhoe/Loader for Public Works Service Division

Person(s) Responsible: Greg Sund, Director of Public Works

Summary

The Fleet Replacement Schedule for 2016 includes a new backhoe/loader for the Public Works Service Division. The 2016 budget includes \$115,000 from the New Equipment Reserve Fund for this purchase. The low bidder was Sellers Equipment with a JCB 3CX-14 Super backhoe/loader in the amount of \$88,500. Staff recommends accepting the low bid.

Background

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.

Discussion

The Public Works Department advertised for bids in February with an opening date of March 15, 2016. The City 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. Below is a quick reference bid tabulation. The full tabulation is enclosed.

Bid Tabulation

Vendor	Make/Model	Bid Amount
Sellers Equipment	JCB 3CX-14 Super	88,500.00
Murphy Tractor	John Deere 310SL	91,622.05
Foley	Cat 420F	91,759.00
VLP	Case 5805N Widetrack	93,748.00
Farm Implement	New Holland B95C TC T4	107,740.00

Legal Consideration

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

Financial Consideration

The proposed purchase of a new backhoe/loader is listed in the Vehicle/Large Equipment Replacement Schedule in the 2016 budget document on page 178 (enclosed). The 2016 Budget includes \$115,000 for the purchase of a new backhoe/loader. The bid from Sellers Equipment for a JCB 3CX-14 Super backhoe/loader was substantially below the budgeted amount. The New Equipment Reserve has adequate funds to cover this purchase.

Options

The City Commission has the following options:

- To award the bids as recommended
- To award the bids to non-recommended bidder
- To reject all bids and order staff to re-bid.

Recommendation

Staff recommends awarding the bid for a new backhoe/loader to Sellers Equipment for a JCB 3CX-14 Super backhoe/loader in the amount of \$88,500.

Action Requested

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 to be funded out of the New Equipment Reserve Fund.

Supporting Documentation

Bid tabulation

Page 178 of the 2016 Budget Book.

City of Hays
 Public Works Department
 Tabulation of Bids
 15-Mar-16

Backhoe

	Murphy	Sellers	Murphy	Foley	VLP	Farm Imp
	JD	JCB	JD	Cat	Case	New Holland
	310L	3CX-14 Super	310SL	420F	5805N widetrack	B95C TC T4
Base	\$ 88,470.60	\$ 88,500.00	\$ 91,622.05	\$ 89,916.00	\$ 91,748.00	\$ 106,690.00
Option 1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Option 2	\$ -	\$ -	\$ -	\$ 1,843.00	\$ 2,000.00	\$ 1,050.00
Total	\$ 88,470.60	\$ 88,500.00	\$ 91,622.05	\$ 91,759.00	\$ 93,748.00	\$ 107,740.00
Delivery	45-60 days	90 days	45-60 days	4-6 weeks	45 days	mid June
Warranty	2 yrs/2000hrs	2 yrs/2000hrs	2 yrs/2000hrs	1 yr/unl hrs	1 yrs/2000hrs	1 yr/unl hrs 5 yr/3000 hrs engine
Exceptions						
4) Turbo II precleaner	new design		new design			
9) inboard planetary	outboard drives	limited slip out	outboard			
10) diff locks on the go		N/A with limited slip				
12) rear diff dip stick				plug	no	plug
13) inboard wet disk brakes					no	
17) auto park brake		mechanical		manual		
19) 11Lx16 front tire		14-17.5				
20) 1.5 CY bucket	1.25		1.31		no	1.3
21) 89" cutting edge	86	96 or 92				
23) built in lift loops		?		not available		
25) 2-spool 1 lever elect cut off					no	
26) 7,230# lifting	6469				7044	
27) 12000 breakout	8978		10532	11500	10947	
30) open center HYD pump				var flow piston		var displacement
31) 35 gpm HYD	28				41	
44) light package					2 front 2 side	
46) dual 1250 CCA batteries						1200 and 900
52) reversible stabilzer	no					

**Does not Meet
 Specifications**

**VEHICLE/LARGE EQUIPMENT REPLACEMENT SCHEDULE
CITY OF HAYS - 2016 BUDGET**

Department/ Division	2016 Purchases	Fleet to be Replaced	Water & Sewer	General	CVB	Solid Waste	Public Safety	Airport	Stormwater
Parks	3/4 ton P/U 4x4 with Plow	412 2001 Chevy 1/2 ton P/U 4x4		\$31,400.00					
Parks	Truck with Dump Bed	410 2001 Chevy F-450 with Dump Bed		\$56,000.00					
Parks/Golf Course	Mower	478 2008 Jacobson Gplex III Mower		\$25,800.00					
Parks	Mower	480 2008 Jacobson HR 5111		\$62,500.00					
Parks/Golf Course	Mower	1008 2008 Tri-plex Reel Mower		\$27,600.00					
Public Works/PIE	1/2 ton P/U	805 2001 Ford F-150		\$20,000.00					
Public Works/Service	Front End Loader	815 1996 Case 621B		\$180,000.00					
Public Works/Service	Backhoe	848 1997 Case 580 SL		\$115,000.00					
Public Works/Service	Snow Blower	878 1985 Detroit		\$100,000.00					
Public Works/Storm	Car	862 2006 Ford Taurus							\$18,800.00
Utilites	1 Ton Truck w/ Dump	651 2001 F-450 with Dump Bed	\$56,000.00						
Utilites	3/4 Ton P/U 4x2	653 2001 F-250 with Utility Bed	\$25,000.00						
Fire Department	SCBA Air Compressor	1992 SCBA Compressor					\$30,000.00		
Police Department	Interceptor AWD SUV	129 2006 Chevy Impala					\$28,000.00		
Police Department	Interceptor AWD SUV	130 2006 Chevy Impala					\$28,000.00		
Police Department	Interceptor Sedan	132 2007 Chevy Impala					\$24,000.00		
Police Department	Interceptor Sedan	133 2007 Chevy Impala					\$24,000.00		
Police Department	Interceptor Sedan	135 2007 Chevy Impala					\$24,000.00		
Total			\$81,000.00	\$618,300.00	\$0.00	\$0.00	\$158,000.00	\$0.00	\$18,800.00

	<u>2015 Transfer Amounts</u>	<u>2016 Transfer Amounts</u>
IT	\$1,087.19	\$1,624.24
CMO	\$0.00	\$0.00
Parks	\$137,126.90	\$139,139.46
PW	\$149,892.58	\$155,468.81
General Fund	\$288,106.67	\$296,232.51
Airport	\$6,053.00	\$6,829.14
Utilities	\$52,184.21	\$53,565.35
Sports Complex	\$19,524.11	\$19,524.11
Solid Waste	\$114,860.00	\$109,900.02
CVB	\$2,760.07	\$2,760.07
Fire	\$170,706.00	\$205,662.00
Police	\$128,891.00	\$161,196.00
Stormwater	\$1,790.00	\$0.00