

# **CITY COMMISSION MEETING MINUTES**

City Hall Commission Chambers

Monday, November 7, 2016

7:00 p.m.

MEETING #5049

## **CALL TO ORDER**

**ROLL CALL:** Mayor Rick Sowers, Commissioners Kent Smoll, Jan Scoggins, Joyce Warshaw, Brian Delzeit.

**INVOCATION** by Larry Roberts, Christian Motorcyclist Association

## **PLEDGE OF ALLEGIANCE**

## **PETITIONS & PROCLAMATIONS**

Brad Ralph presented a Proclamation for Dodge City High School Red Demon Soccer Team Day. The Dodge City Red Demon Soccer Team won the 6A State Championship in 2016, with a record of 21 wins and no losses. The Mayor proclaimed November 10, 2016, as Dodge City High School Red Demon Soccer Team Day. The entire soccer team and their coaches were in attendance at the meeting.

Krissy Pulkrabek, Main Street Coordinator, presented information on Small Business Saturday and talked about the activities being held in downtown. Mayor Rick Sowers proclaimed Saturday, November 26, 2016, as Small Business Saturday

**VISITORS (Limit of five minutes per individual and fifteen minutes per topic. Final action may be deferred until the next City Commission meeting unless an emergency situation does exist).**

John Thomas – Addressed the Commission about Dodge City Community College. He has heard stories that there is approximately 46 acres of DCCC land that they want to sell for a retail development.

Bill Hammond – There has been a developing discussion regarding retail development on land currently owned by DCCC. He has several concerns about the discussions: 1) discussion to date has not included the public; 2) sale of property could potentially limit the growth of the college; 3) not necessarily cost effective for the college; 4) sale price is only \$5,000,000; 5) No site plan has been offered to the public; 6) wants to congratulate the group involved in the Economic Development discussions.

Mike Miller – He is in opposition to selling the DCCC land. He asked the City Commission what their plans are for retail development in that area.

Cherise Tieben, City Manager, commented.

John Thomas asked about a city employee involved in skirting the Open Meetings Act with regard to the DCCC Board of Trustees.

Brad Ralph responded that no city employee was involved with skirting the Open Meetings Act.

#### **CONSENT CALENDAR**

1. Approval of City Commission Meeting Minutes, October 17, 2016;
2. Appropriation Ordinance No. 21, November 7, 2016;
3. Cereal Malt Beverage License:
  - a. Kates, E Trail St.,
  - b. Murphy Oil USA, Inc. 1907 N. 14<sup>th</sup> Avenue,
4. Approval of Contract with KDOT for Heritage Landscaping.

Commissioner Jan Scoggins moved to approve the consent Calendar as presented. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.

#### **ORDINANCES & RESOLUTIONS**

**Charter Ordinance No. 41:** A Charter Ordinance exempting the City of Dodge City, Kansas from the provisions of K.S.A. 13-1024a and providing substitute and additional provisions on the same subject relating to the general improvements and the issuance of bonds for the purpose of paying said improvements was approved on a motion by Commissioner Kent Smoll. Commissioner Brian Delzeit seconded the motion; the motion carried unanimously.

**Ordinance No. 3641:** An Ordinance authorizing the City of Dodge City, Kansas, to enter into a Lease Purchase Agreement, the proceeds of which will be used to pay the costs to purchase radio and communication equipment for use in the Police, Fire and Public Works Departments; and to approve the execution of certain documents in connection therewith was approved on a motion by Commissioner Brian Delzeit; seconded by Commissioner Jan Scoggins. The motion carried unanimously.

**Ordinance No. 3642:** An Ordinance designating certain streets within the City of Dodge City, Kansas, as main trafficways was approved on a motion by Commissioner Jan Scoggins. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.

**Resolution No. 2016-26:** A Resolution Approving Year End Bonuses was approved on a motion by Commissioner Brian Delzeit; Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.

**Resolution No. 2016-27:** A Resolution authorizing the offering for sale of General Obligation Refunding and Improvement Bonds, Series 2016-B of the City of Dodge City was approved on a

motion by Commissioner Kent Smoll. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

#### **NEW BUSINESS**

1. Commissioner Brian Delzeit moved to approve the agreement with Kansas Department of Transportation for Federal Fund Exchange. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.
2. Commissioner Jan Scoggins moved to approve the 2017 State/Federal Legislative Policy. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.
3. Commissioner Kent Smoll moved to approve the Memorandum of Understanding between the Board of Trustees of Dodge City Public Library and the City of Dodge City, Kansas. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.
4. Commissioner Brian Delzeit moved to approve the Grant Application for Transportation Funds in the amount of \$432,246 with a 50% local match. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.
5. Commissioner Joyce Warshaw moved to approve the Memorandum of Understanding Agreement with the Dodge City YMCA for the use of Metal Buildings that are being constructed on St. Mary of the Plains Complex. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

#### **OTHER BUSINESS**

City Manager, Cherise Tieben

- Go Vote
- Groundbreaking for Reflection Living will be at 1:30 p.m. on November 8, 2016;
- Groundbreaking for the Dodge City Brewing will be at 11:00 a.m. on November 10;
- The State of College will be at 11:30 a.m. at the DCCC Activity Center;
- The City offices will be closed on November 11 for Veterans Day;
- No meetings with Commissioners this week;
- On November 17, I will be speaking at WSU's Clerk Conference regarding partnerships;
- On November 14 at 9:30 a.m., there will be a Joint City/County Commission meeting in the City Commission Chambers. Included on the agenda is the Sales Tax Projects Budget, turf project at Legends Field, and organizational funding recommendations;
- Martina McBride will be performing at the United Wireless Arena on November 18;
- On November 21 there will be a regular City Commission meeting;
- On December 5, there will be a regular City Commission meeting and a Joint City/County Commission meeting at 5:30 in the Rose Room. Topics on the agenda will include the Communications Agreement and shared city/county roads.

Commissioner, Kent Smoll

- Black Friday is coming soon, please shop local and shop often. It is so important to the local economy to shop local.

Commissioner, Jan Scoggins

- Congratulations to the Dodge City Red Demon Soccer Team for their victory in the 6A State Championships;
- Thanks to the Park and Recreation Department for the outdoor exercise equipment near Sheridan Activity Center;
- Reported on the public ice skating at United Wireless Arena. Encourage all to stay healthy.

Commissioner Joyce Warshaw

- It is important to go out and vote. It is not only a right, but a duty. If you don't vote, you can't complain.

Commissioner, Brian Delzeit

- Christmas shopping is right around the corner. If you can buy it locally, please do. Local businesses put ads in the newspaper for local school activities. Local business provide a lot of support for activities throughout the community, so please return the support.
- Congratulations to the Dodge City Red Demon Soccer Team. They have consistently shown respect on and off of the field;
- Commented to John who was a visitor and spoke during the visitor's section about admiring his passion for the college. Wanted to reassure him and others that no one is attacking the college.

Mayor, Rick Sowers

- Good luck to all of the people who are running for office and are on the ballot tomorrow.

#### **EXECUTIVE SESSION**

At 8:10 p.m. Commissioner Kent Smoll moved to recess into executive session pursuant to the "privileged consultation with the City's attorney" exception found in K.S.A. 75-4319(b)(2) The justification for closing the meeting is to discuss legal advice from counsel regarding biogas contracts for 10 minutes and then a separate matter regarding strategy for potential claims for 30 minutes. The open meeting will resume in the City Commission Chambers in 40 minutes at 9:05 p.m. The Commission will not take action upon returning to open session and prior to adjournment.

The regular session reconvened at 9:05.

**ADJOURNMENT**

Commissioner Brian Delzeit moved to adjourn the meeting. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.

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Mayor, Rick Sowers

ATTEST:

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Nannette Pogue, City Clerk