

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Monday, April 17, 2017

7:00 p.m.

MEETING #5064

CALL TO ORDER

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

INVOCATION by Kurt Larson of Grace Community Church

PLEDGE OF ALLEGIANCE

Mayor Rick Sowers made a motion to add an Executive Session to the meeting tonight not to exceed forty five minutes. Commissioner Jan Scoggins moved to approve and Commissioner Brian Delzeit seconded the motion. The motion carried 5-0.

PETITIONS & PROCLAMATIONS

Melissa McCoy read the Arbor Day Proclamation. Mayor Rick Sowers proclaimed April 28, 2017 as Arbor Day, The City of Dodge City urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands and further urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Melissa spoke about the various activities promoting Arbor Day. This year marks the 41st year that Dodge City has been recognized as a Tree City USA community by the Arbor Day Foundation. This dates back to when the program was established in 1975. Dodge City is one of four communities in Kansas and one of sixteen across the country to achieve this award. Shade Tree Commission will celebrate Arbor Day on April 28 with a project a Mariah Hills Golf Course to start replacing trees that were lost during the January ice storm. Tree plantings will take place at Beeson Arboretum, Boot Hill Distillery, and Arrowhead West Life Skills Center. The Shade Tree Commission will be planting two dedication trees at Boot Hill Distillery. A tree will be planted in recognition of Dr. Carl Vierthaler in his memory and a second tree in memory of Jill Kelman.

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).

Mark Vierthaler spoke, as a son, as an employee of Boothill Distillery and a friend of the Kelmans expressing their gratitude to the City of Dodge City, Shade Tree Commission and all

who express support in planting the trees. April 28th about noon there will be tree planting in memory of Jill Kelman the mother of Hayes Kelman owner of Boot Hill Distillery and Mark's father Dr Carl Vierthaler. It means a lot to us to have the City recognize our parents and the impact they had in the city and to continue to beautify the downtown Dodge City. We want to extend the invitation to anyone and everyone to come celebrate the lives of two amazing people of Dodge City and continue their memory in down town Dodge City.

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, April 3, 2017
2. Appropriation Ordinance No. 8, April 17, 2017
3. Cereal Malt Beverage License:
 - a. Lotus Garden Restaurant, 1202 E. Wyatt Earp Blvd.
4. Approval of Interlocal Cooperative Agreement with Gray County.
5. Approval of Eli Cook, Building Board of Appeals Advisory Boards.

Commissioner Joyce Warshaw moved to approve the Consent Calendar as presented; Commissioner Jan Scoggins seconded the motion. The motion carried 5-0.

ORDINANCES & RESOLUTIONS

Resolution No. 2017-13: A Resolution Authorizing the Offering for Sale of General Obligation Bonds, Series 2017-A, of the City of Dodge City, Kansas was approved on a motion by Commissioner Brian Delzeit. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

NEW BUSINESS

1. Commissioner Brian Delzeit moved to approve the Guarantee Maximum Price included in the Exhibits that will be included to the Agreement with UCI in the amount of \$4,405,000.00 pending review by City Attorney and KDHE. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.
2. Commissioner Jan Scoggins moved to approve the Sales Agreement of the Renewable Bio-Gas produced at the South WWTP. The Sales Agreement has been reviewed by the City's Fuel Marketer and City Attorney. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.
3. Commissioner Kent Smoll moved to approve the contract with Wald's All American Display Fireworks in the amount of \$25,000 for the July 4th firework display. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

4. Commissioner Kent Smoll moved to approve the proposal from Arbor Masters in the amount of \$59,375 for the abatement of hazardous limbs, trees and stumps on city right-of-ways and public grounds. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.

OTHER BUSINESS

City Manager, Cherise Tieben:

- Next week I will be gone to Washington DC, leaving Friday and back on Tuesday and will return and go to Kansas City to attend the Kansas Association of City/County Management Conference from Wednesday until Friday.

Melissa McCoy:

- We will have a Train Celebration on Saturday at the Santa Fe Depot on April 29th from 11:00 a.m. to 2:00 p.m.

Commissioner Rick Sowers - Condolences to Cherise for the loss of her uncle.

Commissioner, Kent Smoll:

- Shop local and shop often.
- Make a check donation to the City for the firework display.

Commissioner, Jan Scoggins:

- Read an article in Hutchinson paper about Brian Shirley, Levy Shirley and Wessel Iron. The fire in Ashland Ks that took so much land destroyed a wooden cross that stood on Mount Jesus. Brian Shirley, Levy Shirley and John Wessel of Wessel Iron and another person helped restore the Cross on Mount Jesus. The cross was erected just in time for Easter Sunrise Services. Thank you Brian, Levy, Wessel Iron and all that helped for your work on this. Great accomplishment.

Commissioner, Joyce Warshaw:

Commissioner, Brian Delzeit

- Keep an eye out on the United Wireless Arena website. There is a lot going on. The United Wireless Arena was named one of the top ten venues of its size across the United States. This is an enormous accomplishment for Dodge City.

Mayor, Rick Sowers:

At 7:45 p.m. Commissioner Brian Delzeit moved to recess into executive session pursuant to the preliminary discussions related to the acquisition of real property exception found in K.S.A. 75-4319(b)(6). The justification for closing the meeting is to protect the city's position in the negotiations and discuss legal advice from council regarding Kanas Statues and potential

Agreements. The open meeting will resume in City Commission Chambers in 45 minutes at 8:30 pm. The commission will not take action upon returning to the open session and prior to adjournment. Mayor Rick Sowers moved to recess into Executive Session not to exceed 45 minutes. Commissioner Smoll seconded the motion. The motion carried 5-0.

The open meeting resumed in the City Commission Chambers at 8:30 p.m.

ADJOURNMENT

Commissioner Jan Scoggins moved to adjourn the meeting. Commissioner Kent Smoll seconded. The motion carried 5-0.

Mayor

ATTEST:

City Clerk, Nannette Pogue