

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Monday, February 19, 7:00 p.m.

MEETING #5091

CALL TO ORDER

ROLL CALL

INVOCATION BY

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

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).

CONSENT CALENDAR

1. Approval of City Commission Work Session, February 5, 2018;
2. Approval of City Commission Meeting Minutes, February 5, 2018;
3. Approval of City Commission Special Meeting Minutes, February 9, 2018;
4. Appropriation Ordinance No. 4, February 19, 2018;
5. Approval of Change to the Anti-Drug and Alcohol Misuse Prevention Policy.

ORDINANCES & RESOLUTIONS

UNFINISHED BUSINESS

1. Approval of Early Retirement Policy. Report by Interim Human Resource Director, Ernestor De La Rosa.

NEW BUSINESS

1. Approval of Memorandum of Understanding for Boot Hill Museum to Purchase the Chamber of Commerce Building. Report by City Manager, Cherise Tieben.

OTHER BUSINESS

ADJOURNMENT

CITY COMMISSION WORK SESSION MINUTES

City Hall Commission Chambers

Monday, February 5, 7:00 p.m.

6:30 p.m.

CALL TO ORDER

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

Ernestor De La Rosa presented the proposed Memo of Understanding with the Fraternal Order of Police, Lodge #49. This item will be on the regular meeting agenda for approval.

ADJOURNMENT

Commissioner Rick Sowers moved to adjourn the Work Session. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

Mayor

ATTEST:

City Clerk, Nannette Pogue

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Monday, February 5, 7:00 p.m.

MEETING #5090

CALL TO ORDER

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

INVOCATION by Mark Cowell

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

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).

CONSENT CALENDAR

1. Approval of City Commission Work Session Minutes, January 16, 2018;
2. Approval of City Commission Meeting Minutes, January 16, 2018;
3. Appropriation Ordinance No. 3, February 4, 2018;
4. Cereal Malt Beverage License:
 - a. Don Hectors, 208 S. 2nd Avenue
5. Approval of Change Order No. 3 for Avenue A Bridge Deck Replacement.
6. Agreement for Federal-Aid Fund Exchange Master Agreement.

Commissioner Jan Scoggins moved to approve the Consent Calendar as presented.
Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

NEW BUSINESS

1. Commissioner Joyce Warshaw moved to approve the bid from Toter in the amount of \$88,996.10 for 1,795 - 96 Gallon Wheeled Trash Carts for the Sanitation Department. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.
2. Commissioner Joyce Warshaw moved to approve the bid from SPS VAR in the amount of \$34,650 for an IBM Power System for the Police Department. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

3. Commissioner Brian Delzeit moved to approve the Surcharge and Resolution Agreement between the City of Dodge City and National Beef Processors. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.
4. Commissioner Jan Scoggins moved to approve the revisions to the Consulting Service Agreement with PEC for the design of a Sampling Basin and Force Main with PEC Consultants for an additional amount of \$32,250 for design services and videoing. The funding will be split 50%-50% between the City of Dodge City and National Beef. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.
5. Commissioner Jan Scoggins moved to approve the appointment of Troy Brown to fill the unexpired term on the Horse Thief Reservoir Board of Directors. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.
6. Commissioner Kent Smoll moved to approve the appointment of Commissioner Brian Delzeit and Commissioner Jan Scoggins to the Dodge City/Ford County Development Corporation Board of Directors, Commissioner Joyce Warshaw to the Dodge City YMCA Local Board and to the YMCA Corporate Board, and Rick Sowers to the Community Facilities Advisory Board. Commissioner Rick Sowers seconded the motion. The motion carried unanimously.
7. Commissioner moved to approve the following to the Appointment to Boards and Commissions:

Airport Advisory Board – Appointment to fill vacant position, Bob Groth.
Reappointment of RaeAnna Bolmer, Jeff Hutton, Steve Durant, Paul Yaroslaki

Building Board of Appeals – Appointment of Winston Hines. Reappointment of Mike Weber, Eli Cook, Leonard Bockleman

Community Facilities Advisory Board – Reappointment of Michael Burns

Convention & Visitors Bureau – Appointment for Hospitality, Meranda Reyes;
Reappointment for At-large, Beth Rhoten.

Cultural Relations Advisory Board – Appointment of Ashley Flores, representing Cargill
Reappointment of Robert Vinton, representing USD #443; Tara Burkhart, representing the Dodge City Area Chamber of Commerce

Dodge City Planning Commission – Appointment to fill vacant position, Tom Stanley.
Appointment of Jim Lembright. Reappointment of Laura Meade

Golf Advisory Board – Reappointment of Ron Herman

Historic Landmark Commission – Appointment to fill vacant position. Dana Williamson. Reappointment of Charles Meade, Darleen Clifton-Smith, Doug Austen

Housing Authority Board – Reappointment of Sarah Doll-Heeke

Library Board – Reappointment of Hailey Zimmerman, Beth Love

Recycling Advisory Board – Appointment to fill vacant position, Elise Stuckey

Santa Fe Trail Community Corrections –Reappointment of Melissa Rodriguez

Park and Recreation Advisory Board – Appointment of Trista Ferguson

Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

8. Commissioner Brian Delzeit moved to table the approval of the bid from Building Solutions for proposed improvements for Central Avenue and University Drive/Soule Street intersections until the next regular City Commission meeting. The staff was directed to bring back to the Commissioners more options. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.
9. Commissioner Joyce Warshaw moved to approve the 2018-2020 Memorandum of Understanding between the City of Dodge City and the Fraternal Order of Police (FOP) Lodge #49. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.
10. Commissioner Jan Scoggins moved to authorize the Mayor to sign the First Amendment to Sutherland's Development Agreement as presented with the exception of allowing the City Manager to complete negotiations regarding Section 8, specifically how we handle the removal of the abandoned water line. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.
11. Commissioner Jan Scoggins moved to authorize the Mayor to sign the Declaration of Reciprocal Easements, Covenants and Restrictions as presented with the exception of allowing the City Manager to complete negotiations regarding Section 3.2, specifically finalizing the outdoor storage area and removing Sutherlands as a party to the Declaration since they do not own the property as of today. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

OTHER BUSINESS

- Explained that the Consent Calendar on the agenda was done in one motion and each individual item included in the Consent Calendar is not mention when the motion is made. The Consent Calendar includes regular items that need approved at every meeting, but are normal day to day items including the minutes, appropriation ordinance and Cereal Malt Beverage Licenses.
- Attended a tour of the USD #443 construction projects at all of the schools that was a result of the bond issue that was approved. Encourage everyone to go to the open houses at the schools.

Commissioner Brian Delzeit

- Being a Real Estate Agent he has the opportunity to see a lot of homes and yards. Dodge City is in a drought and has seen big crack in yards and has seen separation of the yard from the foundation or from the porches. If you have that, take a soaker hose and soak the ground with water to fill in those cracks. If the separation continues, when it rains, that separation is what causes basements to flood.

Mayor, Kent Smoll

- Attended the open house for Boutique Air last week. Since they have started their flights at Dodge City Regional Airport, the ridership has increased. Encourage everyone who can to fly out of Dodge City. They co-chair with United.

ADJOURNMENT

Commissioner Joyce Warshaw moved to adjourn the meeting. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

Mayor

ATTEST:

City Clerk, Nannette Pogue

SPECIAL CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Friday, February 9, 2018

8:00 a.m.

ROLL CALL: Mayor Kent Smoll, Commissioners Rick Sowers, Jan Scoggins, Joyce Warshaw, and Commissioner Brian Delzeit was reported absent.

City Manager, Cherise Tieben presented the Real Estate Purchase Agreement with Casey's Retail Company.

Commissioner Joyce Warshaw moved to approve the Real Estate Purchase Agreement with Casey's Retail Company in the amount of \$455,500.00 for the sale of the lot and upon closing of this sale and receipt of final payment, we will in turn pay Dodge City Community College \$270,072.00 for two dollars (\$2.00) per square foot for their three plus (3.1) acres. Commissioner Jan Scoggins seconded the motion. The motion carried 4-0.

ADJOURNMENT

Commissioner Jan Scoggins moved to adjourn the meeting. Commissioner Joyce Warshaw seconded the motion. The motion carried 4-0.

Mayor

ATTEST:

Nannette Pogue, City Clerk

Memorandum

To: City Commissioners
From: Ernestor DeLaRosa, HR Director
Date: February 15, 2018
*Subject: Anti-Drug and Alcohol Misuse
Prevention Policy Approval Page*
Agenda Item: Consent Calendar

Recommendation: Staff recommends approval of the Anti-Drug and Alcohol Misuse Prevention Policy. The policy reflects the name change of the drug and alcohol testing company, Compliance One who manage these services for the City of Dodge City and regulation changes from the Department of Transportation to add four commonly abused opiates to its test panel.

Background: TMHC Services (previous name) the company that manages our drug and alcohol testing and provides our employee assistance program changed names to Compliance One. No changes to program or services were made.

On December 5, 2017 the City was notified that the U.S. Department of Transportation (DOT) amended its regulations to add hydrocodone, hydromorphone, oxymorphone, and oxycodone, four commonly abused opiates, to its test panel. This change harmonizes DOT regulations with the revised HHS regulations. This final rule change, was published in the Federal Register on Monday, November 13, and the new testing standards went into effect on January 1, 2018.

Justification: Compliance One has been working with DOT, medical labs, and the Medical Review Officer to prepare for this regulation change. They have been excellent to work with that have made this change a smooth process.

Financial Considerations: None.

Purpose/Mission: Together we work honestly and with integrity, while respecting the rights of others.

Legal Considerations: The policy has been reviewed by Compliance One team.

Attachments: Anti-Drug and Alcohol Misuse Prevention Policy Approval Page. The full document is available for review in the Human Resources office.

Anti-Drug and Alcohol Misuse Prevention Policy Policy Approval

We have reviewed and concur with the contents of the City of Dodge City (TG3044) Anti-Drug and Alcohol Misuse Prevention Policy. Our signatures indicate approval of the policy and its contents.

City of Dodge City (TG3044) Governing Board

Date

City of Dodge City (TG3044) Governing Board

Date

City of Dodge City (TG3044) Governing Board

Date

Memorandum

To: City Commissioners
From: Ernestor DeLaRosa, HR Director
Nicole May, Asst. Finance Director
Date: February 15, 2018
Subject: Early Retirement Policy
Agenda Item: Unfinished Business

Recommendation: Staff recommends approval of the Early Retirement Policy as presented.

Background: In the past, staff has reviewed the potential of offering early retirement programs, however, when approached with the idea the risk was too significant in regards to loss of experienced workers and institutional knowledge. With numerous retirements taking place, we had been asked to consider an early retirement policy similar to that offered by Ford County. Following the review of multiple policies, this draft was prepared by staff to present to the Commission.

Justification: Since the time of earlier reviews, staff has worked to develop a succession plan to insure that inevitable retirements do not result in unnecessary risk to the organization. Upon reviewing the prepared policy, staff reviewed the financial benefit to the City to offering such an early retirement package. The savings was significant enough to move forward with further consideration.

Financial Considerations: Staff reviewed the opportunity with this policy through multiple lenses. In some cases, it is not necessary to bring in experienced workers, however, in other cases it is very necessary. A spreadsheet will be distributed at the meeting showing the savings generated over the next 5 years if all positions were filled by new employees (2018 - \$157,576.78) or if all positions were filled by experienced employees (2018 - \$125,419.26) or even if the vacant positions were filled by employees with significant experience (2018 - \$81,725.98).

Purpose/Mission: Together we work honestly and with integrity, while respecting the rights of others.

Legal Considerations: The policy has been reviewed by legal counsel and our Health Insurance Consultant.

Attachments: Early Retirement Program

Early Retirement Program

Regular Full-Time employees of the City of Dodge City who find it necessary or desirable to retire from employment with the City prior to the normal retirement age may elect to take early retirement under the terms and conditions set forth herein. Requesting early retirement is entirely voluntary and is at the discretion of the eligible Regular Full-Time employee.

- A. A Regular Full-Time employee is eligible for early retirement if such employee:
1. Is less than 65 years of age;
 2. Has ten (10) years or more of continuous full-time employment with the City immediately prior to applying for this incentive;
 3. Is eligible for full retirement benefits with the Kansas Public Employees Retirement System (KPERs) or the Kansas Police and Fireman's Retirement System (KP&F); and
 4. Is in good employment standing with the City.

Eligibility for early retirement will be confirmed by the City Manager during the application phase. A full-time employee applying for early retirement shall be responsible for providing all facts and information necessary to prove eligibility and to determine benefits to be paid.

- B. A Regular Full-Time employee may apply for early retirement by giving written notice to the Human Resources office at least ninety (90) days preceding the anticipated retirement date.

The application shall include the following information:

1. A statement of the applicant's desire to take early retirement,
2. The anticipated date of retirement,
3. The applicant's birthday and age on the date of retirement,
4. The current mailing address and telephone number of the applicant,
5. The number of years applicant had been employed full-time by the City of Dodge City,
6. The total number of years of service credit recognized by KPERs or KP & F,

7. Applicant's current base salary or hourly wage, and
8. Whether the applicant desires health insurance coverage through the City's health insurance program and the type of coverage desired.

The Human Resource Office shall submit to the City Manager all applications for early retirement. Following the decision by the City Manager on any application for early retirement, the Human Resource Office shall notify the applicant, in writing, of the final disposition and the date and amount of benefits to be paid.

- C. An eligible Regular Full-Time employee who receives early retirement shall be entitled to receive annual sum of seven thousand two hundred dollars (\$7,200) payable in equal installments of two hundred seventy six and .92 cents (\$276.92) following City payroll schedule. These payments will cease upon the early retiree reaching 65 years of age.
- D. The following terms and conditions shall apply to the early retirement incentive program:
 1. The City of Dodge City retains the right to adopt the early retirement incentive program on a year to year basis. Should the City choose to discontinue the program, notification shall be given by August 31st, immediately prior to discontinuing the program on December 31st.
 2. Should the City of Dodge City decide to discontinue the early retirement incentive program in any given year, all early retirees participating in the program prior to the date of discontinuation shall continue in the program and not be affected.
 3. An early retiree shall keep the Human Resource Office informed of his/her current mailing address and telephone number. This information shall be given to the Human Resources Office in writing.
 4. Early retirement incentive program benefits shall cease upon the death of the early retiree.
 5. If any provision of this early retirement incentive program is determined to be in violation of any federal or state law or regulation, the program shall then be immediately terminated by the City of Dodge City and shall not be in further force or effect unless re-adopted by the City.
- E. A Regular Full-Time employee who is approved for participation in the early retirement incentive program shall not thereafter be eligible for Full-Time, or Regular Part-Time, employment by the City of Dodge City.

A participant in the early retirement incentive program may be employed by the City of Dodge City as a Temporary Part-Time or Seasonal employee if approved by the City Manager.

Date of Adoption: _____



City of Dodge City

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Memorandum

To: City Commissioners
From: City Manager, Cherise Tieben
Date: February 16, 2018
Subject: Memorandum of Understanding for Boot Hill to purchase the Chamber Building
Agenda Item: New Business

Recommendation: Staff recommends acceptance of the Memorandum of Understanding between the City of Dodge City (“City”), Boot Hill Museum (“Boot Hill”), the Dodge City Area Chamber of Commerce (“Chamber”) and the Dodge City/Ford County Development Corporation (“Eco Devo”).

Background: With the expansion of Boot Hill, their administration identified some critical space issues that needed resolved. This included an issue with a main city water line which runs under the basement of Boot Hill where important archives and collections are stored, putting these items at risk. Another important issue was office space needed for administrative and curatorial staff since much of the current office space is not ADA accessible and is difficult for visitors to access.

In order to provide a secure space for the artifacts and collections as well as provide adequate office space for staff, Boot Hill received cost estimates for the construction of a basement under the new addition however, the \$800,000 was cost prohibitive. Therefore, Boot Hill Management decided to search for an alternate location. The Chamber Building was identified due to its close proximity to Boot Hill as well as its accessibility to the public. Upon approval from their board, Boot Hill entered negotiations with the Chamber for the purchase of the Chamber of Commerce Building located at 311 West Spruce Street.

Justification: The City has offered to assist Boot Hill with funding a portion of the purchase of the Chamber building with no obligation for repayment. Eco Devo agreed to allow the debt owed by the Chamber to Eco Devo to be transferred to Boot Hill.

The City has agreed to provide Boot Hill the necessary documents to start a Community Incentive District (“CID”) where Boot Hill has agreed to place a 1 cent sales tax on all sales made within the CID once the new addition is complete and open for business. The full proceeds of the CID

sales tax will be used to fulfill the financial obligation to Eco Devo. Eco Devo has agreed to accept payments over time from Boot Hill to fulfill the owed obligation.

Financial Considerations: The City will provide \$136,008 to Boot Hill to fund a portion of the purchase of the Chamber Building. The funds are readily available in the 2% guest tax reserve. Boot Hill will pay the financial obligation of \$113,992 to Eco Devo utilizing funds generated from the CID.

Legal Considerations:

The Interim City Attorney reviewed the MOU and does not have any concerns and the boards from Boot Hill, the Chamber and Eco Devo have all approved the terms of this MOU. Upon full payment of the obligation to Eco Devo, Boot Hill may repurpose the CID for other statutorily allowed expenses until the expiration of the CID.

Purpose /Mission: This projects fulfills the City of Dodge City's mission by preserving our heritage to foster a better future. It also meets our core purpose of making Dodge City the best place to be while matching the core value of ongoing improvement.

Attachments:

Memorandum of Understanding for the financing for Boot Hill to purchase the Chamber Building.

Memorandum of Understanding

WHEREAS, Boot Hill Museum, hereinafter referred to as “Boot Hill” and the Dodge City Area Chamber of Commerce, hereinafter referred to as the “Chamber”, have negotiated a purchase price for the Chamber of Commerce building which is located at 311 W. Spruce, hereinafter referred to as the “Chamber Building”; and

WHEREAS, Boot Hill and the Chamber have agreed to a price of two hundred fifty thousand dollars (\$250,000.00) as the sale price; and

WHEREAS, the City of Dodge City, hereinafter referred to as the “City”, will assist Boot Hill by providing one hundred thirty-six thousand eight dollars (\$136,008) to Boot Hill to fund a portion of the purchase of the Chamber Building with no obligation for repayment; and

WHEREAS, the Dodge City/Ford County Development Corporation, hereinafter referred to as “Eco Devo”, is owed one hundred thirteen thousand nine hundred ninety two dollars (\$113,992) by the Chamber upon sale of the Chamber Building; and

WHEREAS, Eco Devo has agreed to allow the debt owed by the Chamber to be transferred to Boot Hill; and

WHEREAS, Eco Devo has agreed to accept payments over time from Boot Hill in order to fulfill the transferred obligation; and

WHEREAS, the City has agreed to provide Boot Hill with all documents necessary to start a Community Incentive District, hereinafter referred to as the “CID”, as soon as reasonably possible following the closing of the Chamber Building sale; and

WHEREAS, Boot Hill has agreed to place a 1 cent sales tax on all sales made within the CID once the new addition to the Boot Hill Museum is completed and is open for business, and to use the full proceeds of said sales tax to fulfill the obligation due to Eco Devo; and

WHEREAS, upon full payment of the obligation to Dodge City/Ford County Development Corporation, Boot Hill may repurpose the CID for other statutorily eligible expenses until the expiration of the CID.

NOW THEREFORE all entities agree that this document contains the terms of their agreement, and by signing this document, the entities agree to the terms herein, and further agree that this document will serve to memorialize said agreement, excepting only those additional legal documents which may be necessary between the entities to fulfill and comply with the terms of this agreement.

Mayor, E. Kent Smoll

City of Dodge City

Date:

City Clerk, Nannette Pogue

City of Dodge City

Date:

Chairman Jeff Hiers

Dodge City/Ford County

Development Corporation

Date:

Chairman Michael Burns

Dodge City Area Chamber

Of Commerce

Date:

Chairman Kelly Henrichs

Boot Hill Museum

Date: