

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Monday, January 7, 2019

7:00 p.m.

MEETING #5116

CALL TO ORDER

ROLL CALL

INVOCATION BY Rev David Barber of First Christian Church

ELECTION OF MAYOR AND VICE MAYOR

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).

Larry Durr – Traffic on 16th Avenue

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, December 17, 2018;
2. Appropriation Ordinance No.1, January 7, 2019;
3. Cereal Malt Beverage License:
 - a. Walgreens #07817, 1801 N. 14th Avenue

ORDINANCES & RESOLUTIONS

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Wright Park Zoo Master Plan Contract. Report by Director of Parks, Troy Brown.
2. Approval of Change Order No. 2 for the 2018 Asphalt Street Projects. Report by Civil Engineer, Tanner Rutschman.

3. Approval of Bid for a HVAC System for the United Wireless Arena. Report by Director of Administration Ryan T. Reid.

OTHER BUSINESS

ADJOURNMENT

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Monday, December 17, 2018

7:00 p.m.

MEETING #5115

CALL TO ORDER

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

INVOCATION by Assistant Pastor Joshua Middlebrooks, Bible Baptist Church

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

The Mayor opened the Public Hearing on the 2018 Budget Amendments.

Nannette Pogue, Finance Director, reported on the proposed 2018 budget amendments. No other comments were heard.

Commissioner Jan Scoggins moved to close the public hearing; Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

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).

Assistant City Manager/Public Affairs Melissa McCoy gave an update on the Micro Racecar and Go Cart Track at Dodge City Raceway Park.

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, December 3, 2018;
2. Approval of City Commission Meeting, December 8, 2018;
3. Appropriation Ordinance No.24, December 17, 2018;
4. Approval of City Manager Contract Addendum.

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

ORDINANCES & RESOLUTIONS

Ordinance No. 3702: An Ordinance granting Black Hills/Kansas Gas Utility Company, LLC d/b/a Black Hills Energy, a Kansas Corporation, its lessees, successors and assigns a Natural Gas Franchise and the authority to construct, operate, maintain and extend a natural gas distribution plant and system, and granting the right to use the streets, alleys and other public places within the present or future corporate limits of the City of Dodge City was approved on a motion by Commissioner Rick Sowers. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

Resolution No. 2018-29: A Resolution designating the Fidelity State Bank and Trust Company, Dodge City, Kansas as an Official Depository Bank, and stating the official signers on the accounts was approved on a motion by Commissioner Brian Delzeit. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.

Resolution No. 2018-30: A Resolution designating the Bank of the West, Dodge City, Kansas as an Official Depository Bank, and Stating the official signers on the accounts was approved on a motion by Commissioner Brian Delzeit. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.

NEW BUSINESS

1. The 2018 Budget Amendments were approved on a motion by Commissioner Jan Scoggins. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.
2. The Heritage District Parking Lot Landscape Bid from Furr's Lawn Care, LLC in the amount of \$199,520.12 was approved on a motion by Commissioner Joyce Warshaw. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.
3. The quote for street lights for Soule Street extension from Victory Electric in the amount of \$30,958.97 was approved on a motion by Commissioner Joyce Warshaw. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.
4. The bid for Phase 3 of SCADA Replacement for water towers and wells and wastewater lift stations from R.E. Pedrotti Co. Inc. in the amount of \$294,560 was approved on a motion by Commissioner Jan Scoggins. Commissioner Rick Sowers seconded the motion. The motion carried unanimously.
5. Change orders #1, #2, #3, and #4 with Pavers Inc. for the airport runway construction project in the total amount of \$165,340.93, with the City's match of 5% being \$8,267.05 was approved on a motion by Commissioner Rick Sowers. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.

OTHER BUSINESS

Ray Slattery, Director of Engineering Services, updated the Commission on the Central Avenue Reconstruction Project.

City Manager Cherise Tieben

- Recognized Corey Keller and Ray Slattery for the huge amount of projects they have worked on in 2018 and will continue to work on going forward.
- Recognized Brad, Nicole and Nannette for their assistance working on the Black Hills Franchise Agreement.
- There will be a Public Officials Exchange meeting in the Occident at Boot Hill on Thursday, December 20 at 6:30.
- Merry Christmas and Happy New Year

Brian Delzeit

- I want to wish everyone a Merry Christmas and Happy New Year!

Joyce Warshaw

- Merry Christmas and Happy Birthday to our City Manager, Cherise Tieben

Jan Scoggins

- Attended a reception at Boot Hill for retirees. Want Congratulate Brent Harris, Sally Brehm, Mildred and Richard Jensen.
- Thanked all in the community who put up Christmas Lights for all to enjoy.
- Thanked Glatha and Jack Denton for sponsoring the lights at Hoover Pavilion.

Rick Sowers

Kent Smoll

- Merry Christmas and Happy New Year!
- Still about 7 shopping days before Christmas. Shop in Dodge City.

ADJOURNMENT

Commissioner Brian Delzeit moved to adjourn the meeting. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.

Mayor

ATTEST:

City Clerk, Nannette Pogue

CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

City or County of Dodge City

SECTION 1 – LICENSE TYPE

Check One: New License Renew License Special Event Permit

Check One:

License to sell cereal malt beverages for consumption on the premises.

License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.

SECTION 2 – APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required): 004-361924025F-01

I have registered as an Alcohol Dealer with the TTB. Yes (required for new application)

Name of Corporation Walgreen Co.		Principal Place of Business 300 Wilmot Rd.	
Corporation Street Address 300 Wilmot Rd.		Corporation City Deerfield	State IL Zip Code 60015
Date of Incorporation 2-15-1909		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name Jessica Lindholm		Phone No. 620-225-6095	
Residence Street Address 1203 Hennessey St. Apt. 116		City Dodge City	State KS Zip Code 67801

SECTION 3 – LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)
DBA Name Walgreens #07817	Name Walgreens #07817
Business Location Address 1801 N. 14th Ave.	Address P.O. Box 901
City Dodge City State KS Zip 67801	City Deerfield State IL Zip 60015
Business Phone No 620-225-6095	<input type="checkbox"/> Applicant owns the proposed business location. <input checked="" type="checkbox"/> Applicant does not own the proposed business location.
Business Location Owner Name(s) WG-7817 KS LLC	

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK

List each person and their spouse*, if applicable. Attach additional pages if necessary

Name *Please see attached corporate rider*	Position	Date of Birth
Residence Street Address *Walgreen Co. is a publicly held company. To our knowledge, no one person owns as much as 25% of company stock.*	City	State Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Age
Residence Street Address	City	State Zip Code
Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Age
Residence Street Address	City	State Zip Code



City of Dodge City

PARKS AND FACILITIES

PO Box 880 • Dodge City KS 67801 • Phone: 620/225-8160 • Fax: 620/225-8144

Memorandum

To: Cherise Tieben, City Manager
City Commissioners
From: Troy Brown, Parks and Facilities Director
Date: December 28, 2018
Subject: Wright Park Zoo Master Plan Contract
Agenda Item: New Business

Recommendation: Staff recommends approving the contract with Felis Consulting LLC for the development of a Master Plan for Wright Park Zoo.

Background: The Commission approved developing a contract with Felis Consulting LLC at the October 15, 2018 commission meeting in the amount of \$61,000. The stipulation was the contract must be worded in such a manner that allows the City to cancel the contract should the community engagement (public feedback) portion indicate that the community does not support the continuation of the zoo. The “Contract” is attached to this memo.

The original amount approved for the entire project was \$61,000. The new amount of the contract is \$58,000.00. This includes \$48,500.00 for the analysis, strategic development plan, master plan, and an amount not to exceed \$9,500.00 for reimbursables. The City will pay for the community engagement software under a separate agreement for \$3,000.

Justification: This project is included in the capital improvement fund and funded for 2019.

Financial Considerations: The City's cost for this project is funded in the 2019 Capital Improvement fund in the amount of \$50,000. We will utilize funds from other approved 2019 CI projects to make up the difference.

Purpose/Mission: This project meets the City's core value of providing ongoing improvements for the citizens of this community.

Legal Considerations: The City Attorney has reviewed the agreement and does not have any further changes.

Attachments: Contract

CONTRACT AGREEMENT

Wright Park Zoo Master Plan

THIS AGREEMENT, made and entered into this 7th day of **January** 2019, by and between:

THE CITY OF DODGE CITY, KANSAS, a municipal corporation duly organized and existing under the laws of the State of Kansas, Party of the First Part, hereinafter referred to as "CITY"; and

Felis Consulting LLC, Party of the Second part and hereinafter referred to as "CONTRACTOR",

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, CONTRACTOR hereby agrees with the CITY to commence and complete the master plan described as follows:

Wright Park Zoo Master Plan (the "Master Plan")

and all extra work in connection therewith, under the terms as stated in the contract documents and at CONTRACTOR's own expense to furnish all materials, supplies, equipment, tools, superintendence, labor, insurance and other accessories and services necessary to complete said master plan in accordance with the contract documents as defined in the General Conditions.

GENERAL CONDITIONS

SCOPE OF WORK

Analysis of Existing Facility and Structures

- Existing building evaluation summary
- Animal care facilities
- Visitor amenities
- Existing utilities summary
- Existing infrastructure

Strategic Development Plan

- Assessment of community desires and support (*Community Engagement*)
- Revenue Strategies

The two parts of the Master Plan listed above must be completed by April 1, 2019.

Master Plan

- Concept development

- Exhibit plan/organizational theme
- Proposed animal list
- Enhancements to landscaping/public pathways
- Facility support services
- Visitor circulation plan
- Business plan
- Attendance and operational projections

All parts of Master Plan must be completed by Contractor on or before June 14, 2019.

Payment Schedule

January 23, 2019 – 25% - \$12,125

April 17, 2019 – 25% - \$12,125

May 22, 2019 – 25% - \$12,125

June 25, 2019 – 25% - \$12,125

Reimbursables such as mileage, hotel, meals, printing, and conference calls, etc. will be reimbursed separately after supplying the City with an invoice for expenses. It is suggested that Contractor follow IRS Guidelines regarding travel reimbursement. Attached to this is a policy the City abides by concerning its employees.

Reimbursable costs will be invoiced at the end of each month during the term of this contract.

The Contractor agrees to provide to the City copies of all data and documentation created and gathered in the course of the Scope of Work. The data and documentation will be provided no later than ten (10) days following the completion of each phase of the Scope of Work, or at such time as the City makes written request for the same.

The CITY agrees to pay the CONTRACTOR for the performance of the work embraced in this contract, subject to additions and deductions, the sum of **Forty-Eight Thousand Five Hundred Dollars** (\$48,500.00), as provided in the contract documents in the manner provided in the Request for Proposals. The CITY will also pay the CONTRACTOR a “NOT TO EXCEED” amount of \$9,500.00 for reimbursables.

It is hereby further agreed that work on the Master Plan by Contractor shall cease if community engagement, as demonstrated in the results of the first two (2) phases of the Scope of Work, indicates that the majority of area residents are not supportive of the continuation of Wright Park Zoo, as determined in the sole discretion of the City. If that were the case, the City would only be responsible to Contractor for the Analysis and Strategic Development Plan portion of the Scope of Work which is **Fifteen Thousand Dollars** (\$15,000.00).

CONTRACTOR hereby agrees to commence work within ten (10) days after the date written notice to proceed shall have been given to it and to substantially complete the work within the time specified in the contract documents.

The CITY and CONTRACTOR agree that time shall be considered the essence of the Contract and that the time of completion described hereinabove is a reasonable time for completion of the work. CONTRACTOR acknowledges that should it fail to complete the work within the time herein specified, or in any proper extension thereof granted by the CITY, CONTRACTOR does hereby agree to pay to the CITY the amount of One Hundred dollars (\$100.00) as liquidated damages for such breach of contract for each and every calendar day that CONTRACTOR shall be in default.

It is hereby agreed that the word "she" or "her" wherever used herein as referring to the Contractor shall be deemed to refer to paid Contractor, whether corporation, partnership or individual and this contract and all covenants and agreements thereof shall be binding upon and for the benefit of the heirs, executors, administrators, successors, and assigns of said Contractor.

It is hereby further agreed that any references herein to the "Contract" shall include all contract documents as specifically set out in the General Conditions and hereby made a part of this agreement as fully as if set out at length herein.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

CITY OF DODGE CITY, KANSAS,
a Municipal Corporation

CONTRACTOR

FELIS CONSULTING LLC

By _____
E. Kent Smoll, Mayor

By _____
Stacey Ludlum

Printed Name: _____

ATTEST:

TITLE: _____

NANNETTE POGUE
City Clerk

Memorandum

*To: City Manager
City Commissioners*

From: Tanner Rutschman, Civil Engineer TR

Date: January 7, 2019

*Subject: 2018 Asphalt Street Projects
(ST 1807)*

Agenda Item: New Business

Recommendation: Approve Change Order No. 2 for 2018 Asphalt Street Projects.

Background: 2018 Asphalt Street Project was approved on August 6, 2018.

Justification:

Asphalt Patching - This 3.25 Ton increase in quantity is due to the addition of asphalt patching on Burkhart Rd.

4" HMA Base Course - This 100.5 Ton decrease in quantity is due to the project locations not requiring as much surface course as estimated.

2" HMA Surface Course - This 47 Ton increase in quantity is a result of adding surface material to sections of Ave. F.

Manhole Adjustment - This reduction of 14 manhole adjustments is a result of omitting adjustments where they were not needed.

Water Valve Adjustment - This reduction of 11 water valve adjustments is due to omitting adjustments and substituting an alternate adjustment technique.

Manhole Adjustment w/ Ring - 6 manholes were adjusted utilizing this approved technique as a substitute.

Water Valve Adjustment w/ Ring - 8 water valves were adjusted utilizing this approved technique as a substitute.

Financial Considerations: Change Order No. 2 is for a decrease of \$17,130.00.

Purpose/Mission: One of the City's core values in Ongoing Improvements. With the construction of these improvements the City is preparing for the community's future and providing new possibilities for current and future citizens of our community.

Legal Considerations: N/A

Attachments: Change Order No. 2

Memorandum

*To: City Manager
City Commissioners*

From: Ryan Reid

Date: December 29th, 2018

Subject: United Wireless HVAC Bids

Agenda Item: New Business

Recommendation:

Approve the bid from Weber (option 4) for the United Wireless HVAC system and give Staff authority to negotiate the three year contract.

Background:

There have been a few issues at the United Wireless Arena that this bid was created to address. The software that runs the HVAC system there is challenging for staff to use and is outdated and in need of replacement. Additionally the Event Center does not have employees with HVAC expertise and this bid includes provisions to address that by creating a three year agreement that includes quarterly inspections and maintenance, as well as a negotiated labor rate with high availability. This plan should also address problems with continuity by standardizing the HVAC solution provider for both the software and the mechanical needs which we expect to result in improved operations and costs over time.

Originally, we sent out and reviewed bids in November. However, after discussions, we made the decision to rebid the project. The second bid added the option for quarterly maintenance and communicated the City's interest in energy savings.

Justification:

Staff is recommending the Weber's proposal with option 4 financing. Weber's solution should bring a number of enhancements to the Event Center including a simplified management system as well as improved reports and emailed reports/alarms and other more modern features. Additionally Weber's system emphasizes energy savings as a major priority of the system.

Even a modest improvement on energy costs at this site will save the City significantly (see attached). The Weber proposal should be the less expensive solution and has potential for energy savings after the first three years.

Financial Considerations:

The costs for the Quarterly Inspections and Maintenance would be paid from the United Wireless Event Center's operating budget. With Weber's Option 4 Financing plan we would pay \$1 up front for the software/controls system . For the duration of the three year agreement any energy savings we achieve would be paid to Weber for their system. This money would otherwise have been allocated and spent on energy costs. After the three year agreement period ends, the City keeps any energy savings that occur.

Attachments: (Yes).

United Wireless HVAC Bid Tab
2018 12 20

	P1 (Opt1)	P1 (Opt2)	Waldinger (Desigo)	Waldinger (Alerton)	Knipp/Trane	Weber Base	Weber (Full) W/Energy Savings
Software/system	\$38,500	\$79,800	\$49,850	\$278,435 plus \$1500 annual	\$183,900	\$128,000	\$235,000 *alternate financing options*
Hourly Labor	\$ 92.00 50 min per day van charge	\$ 92.00 50 min per day van charge	\$ 94.50	\$ 94.50	\$ 115.00 plus possible travel	\$ 108.00	\$ 108.00
Overtime Labor	\$ 128.00 50 min per day van charge	\$ 128.00 50 min per day van charge	\$ 127.50	\$ 127.50	\$ 172.50 Sundays/Holidays are X2	\$ 162.00	\$ 162.00
Quarterly Inspections	\$ 36,636.00	\$ 36,636.00	\$ 22,152.00	\$ 22,152.00	\$ 113,960.00	\$ 5,000.00	\$ 5,000.00
Quarterly Maintenance	\$ 33,240.00	\$ 33,240.00	\$ 39,981.00	\$ 39,981.00	\$ 36,688.00	\$ 27,623.00	\$ 27,623.00

Notes

Kurt and I did not think P1 had the staff in the area to be able to meet the 2/4 hour service requirement.

Strong basic solution with best labor rates.

Decent labor rates with strong inspection and maintenance rates. Potential energy savings could save the City \$70,000 to \$100,000 a year after three years.

Best price for Quarterly Inspections and Maintenance.

United Wireless HVAC Systems Bids

A) 5 Year Comparison			
	<u>Waldinger Desigo Solution</u>		<u>Weber (Full) w/ Option 4 Financing) & No energy savings</u>
Base (Capital) software cost	\$	49,850.00	\$ 1.00
quarterly inspections	\$	110,760.00	\$ 25,000.00
quarterly maintenance	\$	199,905.00	\$ 138,115.00
5 year Net Cost To City	\$	360,515.00	\$ 163,116.00

B) 5 Year Comparison			
	<u>Waldinger Desigo Solution</u>		<u>Weber (Full) w/ Option 4 Financing) & 20% energy Savings</u>
Base (Capital) software cost	\$	49,850.00	\$ 1.00
quarterly inspections	\$	110,760.00	\$ 25,000.00
quarterly maintenance	\$	199,905.00	\$ 138,115.00
3 year energy savings	\$	-	\$ -
Remaining 2 years energy savings			\$ (153,230.00)
5 year Net Cost To City	\$	360,515.00	\$ 9,886.00

C) 5 year Comparison			
	<u>Waldinger Desigo Solution</u>		<u>Weber (Full) w/ Option 4 Financing) & 30% energy Savings</u>
Base (Capital) software cost	\$	49,850.00	\$ 1.00
quarterly inspections	\$	110,760.00	\$ 25,000.00
quarterly maintenance	\$	199,905.00	\$ 138,115.00
3 year energy savings	\$	-	\$ -
Remaining 2 years energy savings			\$ (229,845.96)
5 year Net Cost To City	\$	360,515.00	\$ (66,729.96)

With the Weber option, we would pay them over three years with money saved from electric and natural gas usage. The base Weber system cost is \$235,000. After three years this arrangement ends and we keep all of the energy savings which is estimated at \$76,615 a year at 20% and \$114,922.98 at 30%.

Energy Info (2018 12 28)

UW Event Center

	Average
2017 monthly Elect	\$ 28,186.37
yearly	\$ 338,236.44
2017 monthly Nat Gas	\$3,736.68
Yearly	\$ 44,840.16

Combined Elect/Nat Gas	<u>1 year</u>	<u>2 years</u>	<u>3 years</u>	<u>4 years</u>	<u>5 years</u>
20% energy savings	\$ 76,615.32	\$ 153,230.64	\$ 229,845.96	\$ 306,461.28	\$ 383,076.60
30% energy savings	\$ 114,922.98	\$ 229,845.96	\$ 344,768.94	\$ 459,691.92	\$ 574,614.90