

# **CITY COMMISSION MEETING AGENDA**

City Hall Commission Chambers

Monday, August 5 2019

7:00 p.m.

MEETING #5131

## **CALL TO ORDER**

## **ROLL CALL**

**INVOCATION BY** Father Wesley Schawe of Cathedral of Our Lady of Guadalupe Church

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF AGENDA**

## **PETITIONS & PROCLAMATIONS**

American Wind Energy Proclamation

Community Supporting Breastfeeding Proclamation

**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, July15, 2019;
2. Approval of City Commission Meeting Minutes, July15, 2019;
3. Appropriation Ordinance No.15, August 5, 2019;
4. Cereal Malt Beverage License:
  - a. Dillon's Store, 1700 N 14<sup>th</sup> Avenue;
  - b. Playa Dorada, Restaurant, 307 Military Avenue;
  - c. Spee-D-Stop, 2615 Gary Avenue;
  - d. River Stop, 705 S. 14<sup>th</sup> Avenue;
5. Approval of Change Order No. 3 for Asphalt Street Projects.

## **ORDNANCES & RESOLUTIONS**

**Ordinance No. 3720:** An Ordinance Regulating Traffic within The Corporate Limits of the City of Dodge City, Kansas; Incorporating by Reference the “Standard Traffic Ordinance for Kansas Cities, Edition 2019” and Repealing Ordinance No. 3693. Report by City Clerk/Finance Technician, Connie Marquez.

**Ordinance No. 3721:** An Ordinance Regulating Public Offenses within the Corporate Limits of the City of Dodge City, Kansas; Incorporating by Reference the “Uniform Public Offense Code for Kansas Cities, Edition 2019” and Repealing Ordinance No. 3694. Report by City Clerk/Finance Technician, Connie Marquez.

## **UNFINISHED BUSINESS**

1. Consideration and Deliberation of the State Historic Preservation Office Determinations. Report by City Attorney, Brad Ralph.

## **NEW BUSINESS**

1. Approval of Bids for the Demolition of Various Structures. Report by Director of Administration, Ryan Reid.
2. Approval of Bids for two Vehicles for the Police Department. Report by Director of Administration, Ryan Reid.
3. Approval of Wright Park Zoo Logo. Report by Public Information Specialist, Abbey Martin.
4. Approval of Bids for Bell Tower Roof. Report by Parks & Facilities Director, Troy Brown.
5. Approval of Standguard Aquatics Agreement Extension. Report by Parks & Facilities Director, Troy Brown.
6. Approval of Recommendations for EAS. Report by Superintendent of Public Works, Corey Keller.

## **OTHER BUSINESS**

## **ADJOURNMENT**

## PROCLAMATION

**WHEREAS**, wind powers opportunity with 114,000 well-paying American jobs, including in U.S. factories, with wind turbine service technician being the second fastest growing occupation in the country.

**WHEREAS**, the wind industry's private investment continues to soar with \$142 billion invested over the last decade in the U.S. economy.

**WHEREAS, U.S.** wind farms contribute over \$1 billion each year in state and local taxes and land lease payments, with nearly all of those funds being directed towards rural communities.

**WHEREAS**, American Fortune 500 companies, cities, universities, and utilities purchased a record amount of wind energy last year.

**WHEREAS**, the cost of wind energy has fallen 69 percent over the last decade, making it one of the most affordable and competitive options for generating electricity in the U.S.

**WHEREAS**, the wind industry now reliably supplies enough clean energy to power over 26 million American homes.

**THEREFORE** I, Brian Delzeit, MAYOR for the city of Dodge City, do hereby proclaim August 11-17, 2019: American Wind Week in the city of Dodge City and encourage the residents of our city to learn about and celebrate wind energy.

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Brian Delzeit, Mayor

SEAL

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Connie Marquez, City Clerk

# ***PROCLAMATION***

**WHEREAS**, breastfeeding is a proven primary prevention strategy, protecting both infants and mothers from a host of chronic and acute diseases and conditions and building a foundation for life-long health and wellness; and

**WHEREAS**, employers that provide workplace lactation support experience an impressive return on investment, including lower health care costs, absenteeism, and turnover rates, and improved morale, job satisfaction, and productivity, and breastfeeding is economical, providing its benefits at little or no cost and providing a safe, renewable food source, especially critical during natural disaster and emergency situations; and

**WHEREAS**, all major medical authorities recommend that mothers breastfeed exclusively for six months and continue breastfeeding for at least the first year of a child's life, yet breastfeeding rates continue to fall short of the nation's Healthy People 2020 objectives; and

**WHEREAS**, Western Plains Medical Complex is committed to providing maternity care practices supportive of breastfeeding as evidence by their recognition as "*High 5 for Mom & Baby*" hospitals; and

**WHEREAS**, Dodge City has an active and effective local breastfeeding coalition, a local breastfeeding support group, and 26 public establishments supportive of mothers needing to nurse in public as evidenced by their participation in the "*Breastfeeding Welcome Here*" program; and

**WHEREAS**, Dodge City has five (5) employers who have received the "*Breastfeeding Employee Support Award*" in recognition of their high-level support of their breastfeeding employees, and 20 child care providers who have completed a course in "*How to Support the Breastfeeding Family*"; and

**WHEREAS**, Dodge City has built a culture of breastfeeding support through the above activities and has met all criteria established by the Kansas Breastfeeding Coalition to be recognized as a community supporting breastfeeding.

**NOW, THEREFORE, I**, \_\_\_\_\_, Dodge City Mayor, do hereby proclaim Dodge City, Kansas as a

## **Community Supporting Breastfeeding**

and encourage all citizens to support breastfeeding families wherever and whenever possible.

**IN WITNESS WHEREOF**, I hereunto set my hand and caused the seal of Dodge City, Kansas, to be affixed this 5th day of August, 2019.

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Dodge City Mayor

**CITY COMMISSION WORK SESSION MINUTES**  
City Hall Commission Chambers  
Monday, July 15, 2019  
6:00 p.m.

**CALL TO ORDER**

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

Attorney Brad Ralph presented the hearing on the application received by Mr Zuniga for the property of 306 and 308 Gunsmoke which was reviewed by the Historical Society and was sent to State Historic Preservation Office. Nathan Littrell presented the timeline and process of application. Mr Zuniga presented his case in this matter.

Nathan Littrel presented the development plan for North 14<sup>th</sup> Avenue area from Iron Road to Horseshoe Road. Kurth Lancaster of SMH made a presentation on the project.

Nicole May, Finance Director discussed the 2020 Budget.

**ADJOURNMENT**

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

The meeting was adjourned on a motion by Commissioner Brian Delzeit. Commissioner Joyce Warshaw seconded the motion. The motion carried carried.4 - 0.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY COMMISSION MEETING MINUTES**  
City Hall Commission Chambers  
Monday, July 15, 2019  
7:00 p.m.  
MEETING #5130

**CALL TO ORDER**

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

**INVOCATION by**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

Mayor Brian Delzeit moved to amend the agenda and add item #6 to approve sale of Cereal Malt Beverage on public property. Commissioner Joyce Warshaw moved to approve and Commissioner Jan Scoggins seconded the motion. The motion carried 5 – 0.

**PETITIONS & PROCLAMATIONS**

Mayor Brian Delzeit read the proclamation on National Day of Cowboys. Robin Bailey of Convention and Visitors Bureau and organizer of National Day of the Cowboy spoke about its history in Dodge City. Ray Schrader a member of the Dodge City Drovers competed the City Commissioners on their support on continuing to celebrate National Day of the Cowboy and also spoke about the Cowboy History.

Mayor Brian Delzeit read the proclamation on National Health Week Uriel Campos, Special Projects Coordinator of Genesis Family Health spoke about Health Services and have served southwestern Kansas over 45 years. This past year they have served over 10,000 patients in the South Western Kansas area providing different services to help make Kansas a healthier place to live in.

**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 Meeting Minutes, July1, 2019;
2. Appropriation Ordinance No.14, July 17, 2019;
3. Cereal Malt Beverage License:
  - a. Wal-Mart, 1905 N. 14<sup>th</sup> Avenue
  - b. Dodge House Restaurant, 2300 W. Wyatt Earp Blvd.

Commissioner Jan Scoggins moved to approve the consent calendar as presented. Commissioner Joyce Warshaw seconded the motion. The motion carried 5 – 0.

#### **EXECUTIVE SESSION**

At 7: 12 p.m., Commissioner Scoggins moved to recess into executive session pursuant to exception found in K.S.A. 75-4319(b)(2) for consultation with legal counsel. The justification for closing the meeting is to protect the privilege nature of legal advice from legal counsel regarding potential litigations. The open meeting will resume in the City Commission Chambers in 15 minutes at 7:33 pm. The commission will not take any action upon returning to open session and prior to the adjournment.

The executive session shall include Assistant City Manager, Ernestor Delarosa, City Attorney, Brad Ralph, City Manager, Cherise Tieben via telephone.

The regular meeting resumed at 7:33 pm

#### **ORDINANCES & RESOLUTIONS**

#### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

1. Commissioner Joyce Warshaw moved to approve the bid from Diamond Roofing in the amount of \$91,323 to replace the roof at the Dodge City Regional Airport. Commissioner Kent Smoll seconded the motion. The motion carried 5 – 0.
2. Commissioner Jan Scoggins moved to approve the bid from Fairbank in the amount of \$42,386.88 to purchase a 2019 Bandit 250XL Brush Chipper which includes a trade in of our current Brush Chipper for \$5000 to be used by the City's Parks Department. Commissioner Kent Smoll seconded the motion. The motion carried 5 -0.
3. Commissioner Rick Sowers moved to approve staff to enter into negotiations with Nowak Construction to continue to facilitate the project for National Beef Processors Wastewater System Improvements. Commissioner Joyce Warshaw seconded the motion. The motion carried 5 – 0.
4. Commissioner Kent Smoll moved to approve the application of the final Plat for United Plaza Development. Commissioner Jan Scoggins seconded the motion. The motion carried 5 - 0.
5. Commissioner Rick Sowers moved to approve the bid from SMH in the amount of 26,310 for the North Fourteenth Avenue Development Commissioner Jan Scoggins seconded the motion. The motion carried 5 – 0.

6. Commissioner Joyce Warshaw moved that the provision against the sale service or consumption of Cereal Malt Beverage, enhanced Cereal Malt Beverage and alcoholic liquor as found in the city code shall not apply to the event of Boot Hill Bull Fry and Bash on July 26<sup>th</sup> 2019 to be located on the city parking lot property located directly south of Dodge City Brewery and east of the Boot Hill Distillery. This motion is provided for pursuant to city code 3-102d. Commissioner Kent Smoll seconded the motion. The motion carried 5 -0.

**OTHER BUSINESS**

Reports of Staff and City Commissioners.

**ADJOURNMENT**

Commissioner Joyce Warshaw moved to adjourn the meeting. Commissioner Jan Scoggins seconded the motion. The motion carried 5 – 0.

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Mayor

ATTEST:

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City Clerk

# 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): 0044801956590F01

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

Name of Corporation Dillon Stores, Div of Dillon Companies, Inc		Principal Place of Business 2700 E. 4th., P.O. Box 1608	
Corporation Street Address 2700 E. 4th., P.O. Box 1608		Corporation City Hutchinson	State KS
		Zip Code 67501	
Date of Incorporation 05/13/1921	Articles of Incorporation are on file with the Secretary of State.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Resident Agent Name		Phone No.	
Residence Street Address		City	State
		Zip Code	

## SECTION 3 – LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)
DBA Name Dillon's #1	Name Kroger Business License Dept
Business Location Address 1700 N 14th St	Address P.O. Box 305103
City Dodge City, KS 67801	City Nashville, TN 37230-5103
State	State
Zip	Zip
Business Phone No. 620-225-6130	<input type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location.
Business Location Owner Name(s)	

## 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 Joseph Grieshaber	Position President	Date of Birth 12/02/57
Residence Street Address 3904 Aspen Court	City Hutchinson	State KS
		Zip Code 67502
Spouse Name	Position	Date of Birth
Residence Street Address	City	State
		Zip Code
Name Michael Gerwert	Position Vice President, Asst. Secretary	Date of Birth 07/26/69
Residence Street Address 209 Carey Place	City Hutchinson	State KS
		Zip Code 67502
Spouse Name	Position	Age
Residence Street Address	City	State
		Zip Code
Name William Lewton	Position Vice President	Date of Birth 02/11/73
Residence Street Address 908 East 32nd Ave	City Hutchinson	State KS
		Zip Code 67502
Spouse Name	Position	Age
Residence Street Address	City	State
		Zip Code

**INDIVIDUAL/SOLE PROPRIETOR  
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**

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

City or  County of Ford

**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 licenses premises.

**SECTION 2 - APPLICANT INFORMATION**

Kansas Sales Tax Registration Number (required): 004-81-2935270F-01

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

Name <u>Marco Valdez</u>	Phone No. <u>620 801 5004</u>	Date of Birth <u>5-30-95</u>
Residence Street Address <u>1020 Hoover Way</u>	City <u>Dodge City</u>	Zip Code <u>67801</u>

**Applicant Spousal Information**

Spouse Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code

**SECTION 3 - LICENSED PREMISE**

Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)
DBA Name <u>Paya Baracuda</u>	Name
Business Location Address <u>307 Military Ave</u>	Address
City <u>Dodge City</u> State <u>KS</u> Zip <u>67801</u>	City State Zip
Business Phone No. <u>620 801 5211</u>	<input type="checkbox"/> I own the proposed business location. <input checked="" type="checkbox"/> I do not own the proposed business location.
Business Location Owner Name(s) <u>Marco</u>	

**SECTION 4 - APPLICANT QUALIFICATION**

I am a U.S. Citizen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of Kansas for at least one year prior to application.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have resided within the state of Kansas for <u>24</u> years.	
I am at least 21 years old.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of this county for at least 6 months.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse* have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has previously held a CMB license.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**INDIVIDUAL/SOLE PROPRIETOR  
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**

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

City or  County of Ford

<b>SECTION 1 – LICENSE TYPE</b>			
Check One: <input type="checkbox"/> New License <input checked="" type="checkbox"/> Renew License <input type="checkbox"/> Special Event Permit			
Check One: <input type="checkbox"/> License to sell cereal malt beverages for consumption on the premises. <input checked="" type="checkbox"/> License to sell cereal malt beverages in original and unopened containers and not for consumption on the licenses premises.			
<b>SECTION 2 – APPLICANT INFORMATION</b>			
Kansas Sales Tax Registration Number (required): <u>01.0790866</u>			
I have registered as an Alcohol Dealer with the TTB. <input checked="" type="checkbox"/> Yes (required for new application)			
Name <u>Nageen Alhaj</u>		Phone No. <u>620-408-7711</u>	Date of Birth <u>01-01-1968</u>
Residence Street Address <u>3206 Gary Ave</u>		City <u>Dodge City KS</u>	Zip Code <u>67801</u>
<b>Applicant Spousal Information</b>			
Spouse Name <u>Laura Alhaj</u>		Phone No. <u>620-408-7711</u>	Date of Birth <u>07-16-1983</u>
Residence Street Address <u>3206 Gary Ave</u>		City <u>Dodge City KS</u>	Zip Code <u>67801</u>
<b>SECTION 3 – LICENSED PREMISE</b>			
<b>Licensed Premise</b> (Business Location or Location of Special Event)		<b>Mailing Address</b> (If different from business address)	
DBA Name <u>Speed D Stop</u>		Name	
Business Location Address <u>2015 Gary Ave</u>		Address	
City <u>Dodge City</u> State <u>KS</u> Zip <u>67801</u>		City State Zip	
Business Phone No. <u>620-225-1695</u>		<input type="checkbox"/> I own the proposed business location. <input type="checkbox"/> I do not own the proposed business location.	
Business Location Owner Name(s) <u>Nageeb Alhaj.</u>			
<b>SECTION 4 – APPLICANT QUALIFICATION</b>			
I am a U.S. Citizen			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of Kansas for at least one year prior to application.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have resided within the state of Kansas for <u>16</u> years.			
I am at least 21 years old.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of this county for at least 6 months.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse* have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has previously held a CMB license.			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed.			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**INDIVIDUAL/SOLE PROPRIETOR  
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**

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

City or  County of Ford

**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 licenses premises.

**SECTION 2 – APPLICANT INFORMATION**

Kansas Sales Tax Registration Number (required): 01-0790866

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

Name <u>Nageeb Alhaj</u>	Phone No. <u>620-408-7716</u>	Date of Birth <u>01-01-1968</u>
Residence Street Address <u>3206 Gary Ave</u>	City <u>Dodge City KS 67801</u>	Zip Code

**Applicant Spousal Information**

Spouse Name <u>Laura Alhaj</u>	Phone No. <u>620-408-7716</u>	Date of Birth <u>07-11-1983</u>
Residence Street Address <u>3206 Gary Ave</u>	City <u>Dodge City KS 67801</u>	Zip Code

**SECTION 3 – LICENSED PREMISE**

Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)
DBA Name <u>River Stop</u>	Name
Business Location Address <u>705 S. 14th Ave</u>	Address
City <u>Dodge City KS 67801</u>	City State Zip
Business Phone No. <u>620-227-9511</u>	<input type="checkbox"/> I own the proposed business location. <input type="checkbox"/> I do not own the proposed business location.
Business Location Owner Name(s) <u>Nageeb Alhaj</u>	

**SECTION 4 – APPLICANT QUALIFICATION**

I am a U.S. Citizen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of Kansas for at least one year prior to application.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have resided within the state of Kansas for <u>16</u> years.	
I am at least 21 years old.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of this county for at least 6 months.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse* have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has previously held a CMB license.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

# Memorandum

*To: City Manager  
City Commissioners*

*From: Ray Slattery, Director of Engineering Services*

*Date: July 23, 2019*

*Subject: Soule Street Extension  
(CA 1703)*

*Agenda Item: Consent Calendar*

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**Recommendation:** Approve Change Order No. 3 for Asphalt Street Projects.

**Background:** Asphalt Street Projects was approved on March 5, 2018.

**Justification:** Church Sewer Service Re-Work – This item was added to the contract because during the installation of the storm pie along the north side of the development, the existing sewer for the church presented a conflict. The contractor was able to relocate the service so the church continued to have service. The relocated service will also provide sewer service for the new development of the north lot along 14th Ave. in the development.

Fire Hydrant Extension – An extension was needed to be installed on two of the Fire Hydrants supplied by the City so that they were at the correct bury depth.

Restripe Existing Soule St. – With all of the construction taking place in the development, the existing traffic markings were in need of replacement. Staff requested a quote from the contractor to restripe the portion of Soule St. from 14th Ave. to the west property line of Farm Credit Bank. The quote was acceptable and this area was restriped when the “new” portion of Soule St. was striped.

8” Gate Valve, City Supplied – One gate valve was not needed for the contraction of the water system.

6” C900 Water Main, 6”x6”x6” MJ Tee, City Supplied, 5 ¼” Fire Hydrant Assembly, City Supplied, & Connect to Existing 6” Water Main – The reduction of these items was a result of a fire hydrant not being installed due to conflict with other infrastructure. Even though this fire hydrant was not installed all lots of the development have adequate fire coverage.

Excavation (Unclassified) – The reduction of 442 Cubic Yards represents adjusted field quantities placed during the construction.

30” Standard Curb & Gutter – The reduction of 23 LF represents adjusted field quantities placed during the construction.

5'-0"x6" Concrete Sidewalk – The reduction of 33 SY represents adjusted field quantities placed during the construction. Crosslands requested a section of sidewalk be omitted, so that they would have access to their laydown area and construction office. Crosslands installed this section of sidewalk.

Silt Fence – The reduction of 2340 LF represents adjusted field quantities placed during the construction.

Biodegradable Filter Sock – The reduction of 573 LF represents adjusted field quantities placed during the construction.

Inlet Protection – The reduction of 2 Each represents adjusted field quantities placed during the construction.

Construction Entrance – The reduction of 1 Each represents adjusted field quantities placed during the construction.

Temporary Seeding & Permanent Seeding – The reduction of 2.4 Acres of temporary seeding was due to the timing of when the seeding took place. The contractor was able to place Permanent Seeding and did not have to do any temporary seeding. This resulted in an overall addition of 1 Acre of Permanent Seeding.

**Financial Considerations:** Change Order No. 3 is for a decrease of \$ 8,016.71.

**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. 3



## *Memorandum*

*To: City Manager, Commissioners*  
*From: Connie Marquez*  
*Date: August 5, 2019*  
*Subject: Ordinance No. 3720*  
*Agenda Item: Ordinances and Resolutions*

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**Recommendation:** I recommend the approval of Ordinance No. 3720

**Background:** **Ordinance No. 3720** adopts the “2019 Edition of the Standard Traffic Ordinance” by reference. The changes made to the traffic code during the 2019 legislature include the following:

- Section 30.2. Preliminary Breath Tests. (Amended by HB 2104)
- Section 76. Obedience to Signal Indicating Approach of Train. (Amended by SB63)
- Section 114.1. Unlawful Operation of an All-Terrain Vehicle (ATV). (Amended by SB63).
- Section 114.5. Unlawful Operation of a Work-Site Utility Vehicle (UTV). (Amended by SB63)
- Section 114.4. (c) Unlawful Operator of a Golf Cart. (Amended by SB 63)
- Section 135.1. Electric-Assisted Scooters. Traffic Law Application. (New Section as well as an additional definition in Section 1 as part of SB 63)
- Section 169. Special Restrictions on Lamps. (Amended by SB63)
- Section 169.1. Transportation Network Lighting Devices. (New Section by SB 63)
- Section 181. One-Way Glass and Sun Screening Devices. (Amended by SB 63)
- Section 182.1 Seat Belts. (Amended by SB41)
- Section 192. Driver’s License. (Amended by SB 17)
- Section 193. Driver’s License in Possession. (Amended by HB 2125)
- Section 201.1. Failure to Comply with A Traffic Violation. (Amended by HB 2211)

The following Sections that were previously excluded were added by Editor.

- Section 6.1. Road Construction Zone. (Added by Editor)
- Section 33.1. Special Speed Limitations Applicable to Certain Vehicles and Portions of Highways; Powers of Secretary and Local Authorities; Violations,

- Evidence of Safe Speed. (Added by Editor)
- Section 38.1. Driving in Defiles or Canyons. (Added by Editor)
- Section 105.1. Criminal Penalties for Violation of Size and Weight Laws; Exceptions.  
(Added by Editor)
- Section 105.2. Width of Vehicles and Loads Thereon. (Added by Editor)
- Section 105.3. Loads on Passenger Vehicles Extending to Either Side. (Added by  
Editor)
- Section 105.4. Projecting Loads to the Front and Rear. (Added by Editor)
- Section 151.1. Air Conditioning Equipment. (Added by Editor)
- Section 158.1. Lights; Lamps and Reflectors on Farm Tractors; Slow-moving  
Vehicle and Slow-moving Vehicle Emblem Defined; Requirements for  
Slow-moving Vehicles; Unlawful Acts; Exception. (Added by Editor)

The following Sections were amended.

- Section 115. Unlawful Riding on Vehicles.
- Section 156. Lamps or Flags on Projecting Loads.
- Section 158. Lamps on Other Vehicles and Equipment.

**Justification:** Each year the State Legislature passes numerous statutes that affect the laws of the State as well as those of the individual cities. The League of Kansas Municipalities compiles a small booklet which incorporates all of the laws in Kansas that deal with traffic offenses. This booklet constitutes the “2019 Standard Traffic Ordinance for Kansas Cities”. Cities are allowed to adopt this ordinance by reference, so the entire traffic code is not included in the adopting ordinance. Each employee who deals with any of these offenses is furnished access to reference when necessary.

**Financial Considerations:** The cost of the booklets for the pertinent employees’ use is approximately \$7.00 per booklet.

**Purpose/Mission:** Ensure the City is up-to-date on all of the laws passed in the State of Kansas as well as make sure all employees have easy access to these laws.

**Legal Considerations:** None

**Attachments:** Ordinance No. 3720. The 2019 Standard Traffic Ordinance for Kansas Cities.

The booklets are available in my office if any one would like to review them.

**ORDINANCE NO. 3720**

**AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF DODGE CITY, KANSAS; INCORPORATING BY REFERENCE THE "2019 STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" AND REPEALING ORDINANCE NO. 3693**

Be it Ordained by the Governing Body of the City of Dodge City:

**Section 1: INCORPORATING STANDARD TRAFFIC ORDINANCE.** There is hereby incorporated by Reference for the purpose of regulating traffic within the corporate limits of the City of Dodge City, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities", prepared and published in book form by the League of Kansas Municipalities, Topeka Kansas. One copy of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 3720" and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of said Standard Traffic Ordinance similarly marked, as may be deemed expedient.

**Section 2: TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.**

- (a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118.
- (b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (a) of this section shall be considered traffic offenses.

**Section 3: REPEAL.** Ordinance No. 3693 is hereby repealed.

**Section 4: EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the governing body of the City of Dodge City, Kansas, this 5th day of August, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

## *Memorandum*

*To: City Manager, Commissioners*  
*From: Connie Marquez*  
*Date: August 5, 2019*  
*Subject: Ordinance No. 3721*  
*Agenda Item: Ordinances and Resolutions*

---

**Recommendation:** I recommend the approval of Ordinance No. 3721

**Background:** **Ordinance No. 3721** adopts the “2019 Uniform Public Offense Code for Kansas Cities” by reference. The following sections were added or modified to the 2019 Uniform Public Offense Code for Kansas Cities during the 2019 legislative session:

- Section 1.1 Cannabidiol Treatment Preparation and Debilitating Medical Condition.  
(Created by SB28)
- Section 9.9.1. Unlawful Possession of Marijuana and Tetrahydrocannabinols. (Amended by SB 28)

The following sections were added or modified.

- Section 3.1.1. Domestic Battery.
- Section 3.2.1 Sexual Battery.
- Section 3.4. Unlawful Interference with an Emergence Medical Services Attendant.
- Section 3.7.1. Interference with Custody of a Committed Person.
- Section 3.10. Hazing.
- Section 3.13. Stalking.
- Section 5.1.2. Unlawful Possession of a Visual Depiction of a Child.
- Section 5.1.3. Unlawful Transmission of a Visual Depiction of a Child.
- Section 5.3. Unlawfully Hosting Minors Consuming Alcoholic Liquor or Cereal Malt Beverages.
- Section 6.1. Theft.
- Section 6.6. Criminal Damage to Property.
- Section 6.7.1 Trespassing on Railroad Property.
- Section 6.16. Giving a Worthless Check.
- Section 6.23.1. Unlawful use of Recordings.
- Section 6.24. Commercial Fossil Hunting.
- Section 6.25. Counterfeiting.
- Section 6.26. Automobile Master Key Violation.

- Section 7.4. Interference with the Judicial Process.
- Section 7.15. Intimidation of a Witness or Victim.
- Section 7.16. Obstructing Apprehension or Prosecution.
- Section 8.2. Unlawful Disclosure of Tax Information.
- Section 8.3. Unjustifiably Exposing a Convicted or Charged Person.
- Section 9.9.2. Possession of Drug Paraphernalia and Stimulated Controlled Substances.
- Section 9.9.3. Unlawful Distribution of Controlled Substances.
- Section 9.9.4. Unlawful Possession of Controlled Substances.
- Section 9.9.5. Unlawful Possession of a Simulated Substance.
- Section 9.9.6. Distribution of a Non-controlled Substance.
- Section 10.2. Possession of a Firearm Under the Influence.
- Section 10.4. Failure to Register Explosives.
- Section 10.21. Selling Beverage Containers with Detachable Tabs.
- Section 10.28. Endangering the Food Supply.
- Section 11.1. Promoting Obscenity.
- Section 11.2. Promoting Obscenity to Minors.
- Section 11.9.1. Illegal Bingo Operation.
- Section 11.10. Possession of a Gambling Device.
- Section 11.11. Cruelty to Animals.
- Section 11.13. Unlawful Possession of Dog Fighting Paraphernalia; Unlawful Attendance of Dog Fighting.
- Section 11.14. Illegal Animal Ownership.
- Section 11.15. Permitting a Dangerous Animal to be At Large.
- Section 11.16. False Membership Claim.

**Justification:** Each year the State Legislature enacts numerous statutes that affect the laws of the State as well as those of the individual cities. The League of Kansas Municipalities compiles a small booklet which incorporates all of the laws in Kansas that deal with public offenses. This is the “Uniform Public Offense Code”. Cities are allowed to adopt this code by reference, so the entire code is not included in the adopting ordinance. Each employee who deals with any of these violations is furnished a book to reference when necessary.

**Financial Considerations:** The cost of the booklets for the pertinent employees’ use is approximately \$7.00 for each booklet.

**Purpose/Mission:** Ensure the City is up-to-date on all of the laws passed in the State of Kansas as well as make sure all employees have easy access to these laws.

**Legal Considerations:** None

**Attachments:** Ordinance No. 3721. The 2019 Uniform Public Offense Code for Kansas Cities booklets are available in my office if any one would like to review them.

**ORDINANCE NO. 3721**

**AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF DODGE CITY, KANSAS; INCORPORATING BY REFERENCE THE "2019 UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES" AND REPEALING ORDINANCE NO. 3694**

Be it Ordained by the Governing Body of the City of Dodge City:

**Section 1: INCORPORATING UNIFORM PUBLIC OFFENSE CODE.** There is hereby incorporated by Reference for the purpose of regulating public offenses within the corporate limits of the City of Dodge City, Kansas, that certain code known as the "2019 Uniform Public Offense Code for Kansas Cities", prepared and published in book form by the League of Kansas Municipalities, Topeka Kansas. One official copy of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 3721" and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

**Section 2: REPEAL.** Ordinance No. 3694 is hereby repealed.

**Section 3: EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the governing body of the City of Dodge City, Kansas, this 5th day of August 2019.

\_\_\_\_\_  
MAYOR

ATTEST

\_\_\_\_\_  
CITY CLERK

# Memorandum

*To: City Manager  
City Commissioners*  
*From: Ryan Reid*  
*Date: July 23, 2019*  
*Subject: Demolition Bundle*  
*Agenda Item: New Business*

---

**Recommendation:**

Purchase the services for demolition of various structures from G&G Dozer for \$58,320 (low bid).

**Structures**

1409 Park St  
1411 Park St  
1001 Ave F  
911 Ave D  
201 E. McArtor Lot 60  
925 May  
VFW Park restroom bldg

**Background/Justification**

Multiple structures damaged by fire were identified by Development Services as needing demolition. Additionally the City requires Park St. properties to be demolished as part of the project to setup the CREW building there. Staff bundled the projects together in an effort to get the City better bids.

**Financial Considerations:**

The Park St. properties will cost \$25,600. The remainder will cost \$32,720 and Development Services has \$43,000 budgeted for demolition projects this year.

**Attachments:** Bid tab

**Demolitions (Bundle) Bid Tab**

Bids opened 2019 07 18

<u>Vendor</u>	<u>Total</u>	
Mammoth Materials	\$66,787	
DTD	\$63,800	
Huberland Water	\$124,370	
<b>G&amp;G Dozer</b>	<b>\$58,320</b>	<b>Recommended-low bidder</b>

# *Memorandum*

*To: City Manager  
City Commissioners*  
*From: Ryan Reid*  
*Date: July 31<sup>st</sup>, 2019*  
*Subject: Two (2) SUVs for PD Patrol*  
*Agenda Item: New Business*

---

**Recommendation:** We opened bids July 23<sup>rd</sup> for police vehicles. This is a budgeted purchase. Staff is recommending the low bid with Lopp Motors for \$76,642.

**Background:** These vehicles replace two older police vehicles (2012 Tahoes) which will be sold on Purple Wave.

**Justification:** The SUV has been a good fit for the Dodge City Patrol Division. These vehicles are one of the main tools that Patrol uses to protect the residents of our community and respond to incidents. The vehicles serve as transportation, communication, and mobile offices for the police officers and are a vital tool for the department.

**Financial Considerations:**

The Ford Explorers we bought last year were \$32,560 each but Ford has increased the price on new units by \$5000 each. Additionally accessories for the Explorers are no longer transferrable to newer units due to frequent design changes and this cost is around \$5000 per car. Police and City Mechanics also agree that the mid-term reliability of the newer Explorers has not met expectations hence we believe trying the Durangos this year to be beneficial for the City. These Durangos are fully outfitted with accessories (included in the price).

**Attachments:** Bid tab

**Two (2) Police SUVs for Patrol**

Bids opened: July 23rd, 2019

<u>Vendor</u>	<u>Total</u>	<u>Notes</u>
Traffic Control Services	\$78,968	V6,2019 might not be available
Superior	\$84,689	2019, V8 but might not be available
Superior	\$83,579	2020 would have to wait for availability
<b>Lopp's</b>	<b>\$76,642</b>	V6,2019
<b>Lopp's</b>	<b>\$81,794</b>	<b>V8, 2019</b>



Police Durango

# Memorandum

*To: City Commission*  
*From: Abbey Martin, Public Information Specialist*  
*Date: August 5, 2019*  
*Subject: Wright Park Zoo Logo*  
*Agenda Item: New Business*

---

**Recommendation:** Staff recommends approval of the winning logo design as the official Wright Park Zoo logo.

**Background:** Zoo staff has mentioned the possibility of having an identifying logo for some time now. During the master planning process, it was brought up by Stacey Ludlum with Felis Consulting that the zoo should be identifiable on its own with either a logo or even a new name. The staff that worked on the master plan determined that a new logo would be the best option at this time. To be able to include community participation, it was decided that a contest was the best course of action in finding a new logo. Staff launched the first portion of the contest on June 19<sup>th</sup> notifying the public of the contest and submission process. The submission portion of the contest ended on July 12<sup>th</sup> and a selection committee made up of Troy Brown, Director of Parks and Facilities, Hannah Schroder, Head Zoo Keeper, Abbey Martin, Public Information Specialist, and Jill Ewy and Krista Amaro, Friends of Wright Park Zoo officers, reviewed the 25 design entries and selected their top three. Those top three designs were placed in a poll that was released for the public to cast a final vote for the winning design. Polling ended on July 26<sup>th</sup> at noon with 1247 recorded votes, the top pick received 630 votes, runner-up received 444, and the last design received 173 votes. The logo selected by the public through the poll was submitted by Minneola resident, Rachel Knowles, and is a circular design that incorporates three animals representing the different areas included in the master plan.

**Justification:** With the approval of the Wright Park Zoo Master Plan including the need of generated revenue by the Zoo, it is necessary to market the Zoo to help it become more recognized, not only by the public but by visitors as well. With an official logo comes more opportunities for promotion and sales.

**Financial Considerations:** Possible \$9 licensing fee to be able to use the font in the submitted logo properly, however per contest rules, we do have the right to change this font and can find one with a creative commons license that is no cost. There are no other costs associated with the approval of the logo. Promotional items, uniforms, and different ways of using the logo will be budgeted by the Parks and Facilities department for the Zoo.

**Purpose/Mission:** The proposed program is consistent with the City's Core Purpose of "Together We Serve to Make Dodge City the Best Place to be." As well as the core values of "Ongoing Improvement" and "Working Towards Excellence."

**Legal Considerations:** None at this time, the contest rules and entry form states that the winning design would become the sole property of the City of Dodge City. ,

**Attachments:**

Top three designs that were chosen from contest submissions by the selection committee, in order of public polling placings.

1<sup>st</sup> place logo



2<sup>nd</sup> place logo



3<sup>rd</sup> place logo





# City of Dodge City

## PARKS AND FACILITIES

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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: August 1, 2019  
Subject: Hennessy Bell Tower Roof

---

**Recommendation:** Staff recommends approving the lone bid we received from Diamond Roofing for \$29,800.

**Background:** In late October of 2018 we became aware of some issues with the roof on the bell tower when we discovered some minor leaks. Although we had some other precipitation events prior to May of 2019, we didn't notice any other leaks. That all changed in late May when we received some heavy rains and the leaks were worse. The only way to access the roof is by climbing a wooden ladder inside the tower. However the ladder is no longer safe to use due to its age. With the assistance from DCPD and their drone, we were able to see just how bad the roof looked. We are unsure about the last time this roof had any work done to it. It was not part of the rest of Hennessy's Halls roof project a few years ago.

**Justification:** The roof on the bell tower is no longer capable of keeping water from penetrating the tower and conditions will continue to deteriorate.

**Financial Considerations:** The funds will come from the roof insurance fund.

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

**Legal Considerations:** N.A.

**Attachments:** Project Proposal Bid Sheet

Coordination by United -

1 WK WORK, 2 WKS then  
a month or there -

### Project Proposal

To: City Clerk  
City of Dodge City  
Dodge City Kansas

Re: Bell Tower Roof

The undersigned (hereinafter referred to as Bidder), having carefully examined the general provisions, specifications, drawings and all other bid documents, as well as having checked the site and all conditions affecting the work, agrees to furnish all labor, materials and equipment required to complete in a thorough, first class and satisfactory manner, all work indicated on the Drawings and/or called for in the Specifications, including mechanical and electrical work, for the sum of:

Bid	Amount
Bell Tower Base Bid	\$ <u>29,800</u> .00

Addenda numbered 0 are included in this proposal.

Respectfully submitted this 11 day of July, 2019

Firm: Gwattney LLC dba Diamond Roofing

By: Kevin Gwattney

Signature: Kevin Gwattney

Address: 100 McArthur Road  
Dodge City, KS 67801

Email: : kevin@diamond-roofing.com

Phone: 620 225-2622

Bidders Check List	
Please make sure you have completed the following with your proposal	
<input checked="" type="checkbox"/>	Completed and signed the Construction Proposal form.
<input type="checkbox"/>	Included a Bid Bond and <del>Performance Bond or Cashier's Check</del> <sup>&lt; \$50,000</sup> & proof of insurance
<input checked="" type="checkbox"/>	Acknowledged any addenda.



# City of Dodge City

## PARKS AND FACILITIES

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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: August 1, 2019

Subject: StandGuard Aquatics Management Agreement Amendment

---

**Recommendation:** Staff recommends approving the amendment of the management agreement with StandGuard Aquatics.

**Background:** The City of Dodge City and Ford County entered into a Management Agreement with StandGuard Aquatics, LLC in February of 2016 for the management of Long Branch Lagoon. The term of the agreement was from March 1, 2016 through September 1, 2019. According to the agreement it may be extended for an additional thirty-six (36) months by mutual approval of the Parties, given in writing no later than August 1, 2019. Overall City staff has been pleased with the current agreement however there are a few items in the agreement that need clarification and to be revised. The City and StandGuard Aquatics wish to amend the current agreement to extend its term for 13 months to and until October 1, 2020 and then to work on developing a new management agreement to address these issues.

**Justification:** Current management agreement expires September 1, 2019.

**Financial Considerations:** The cost of the current agreement will not change during this one year extension.

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

**Legal Considerations:** The extension has been reviewed by city attorney.

**Attachments:** One (1) year management agreement extension.

## **FIRST EXTENSION - StandGuard Management Agreement**

This AGREEMENT ("Agreement"), is made by and between the City of Dodge City, Kansas ("**City**") and the County of Ford County, Kansas ("**County**"), together and independently referenced herein as "**OWNER**" and StandGuard Aquatics, Inc., a Georgia domestic profit corporation, with offices at 5665 Atlanta Hwy, Suite 103-168, Alpharetta, GA, 30004 ("**STANDGUARD**") (collectively the "Parties").

WHEREAS, **OWNER** has engaged **STANDGUARD** to perform certain management operations and food and beverage services of the Facility, and **STANDGUARD** has previously accepted such engagement pursuant to the terms and conditions contained within the Standguard Management Agreement dated March 1, 2016; and,

WHEREAS, the Parties desire to extend the term of said Management Agreement for an additional thirteen (13) months.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other considerations, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The Original Management Agreement as modified by this amendment shall be referred to as the "Management Agreement".
2. All other terms of the Management Agreement not amended hereby shall remain in full force and effect. In the event of any inconsistency between the terms of this Amendment and the Management Agreement, the terms of this Amendment shall govern and control.
3. The first sentence of Article 2 of the Management Agreement will now read "The term of this Agreement shall begin March 1, 2016, and continue through October 1, 2020." The second sentence of Article 2 is hereby deleted.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

For **OWNER**  
City of Dodge City

County Commission of Ford County

\_\_\_\_\_  
Brian Delzeit, Mayor

\_\_\_\_\_  
Ken Snook

\_\_\_\_\_  
Chris Boys

\_\_\_\_\_  
Shawn Tassett

ATTEST:

\_\_\_\_\_  
Connie Marquez, City Clerk

\_\_\_\_\_  
Debbie Cox, County Clerk

For **STANDGUARD AQUATICS, INC,**

\_\_\_\_\_  
By: Matt Satterly  
Its: President

DATE

## Memorandum

*To: City Manager  
City Commissioners*

*From: Corey Keller*

*Date: August 1, 2019*

*Subject: Airline Selection Committee  
Recommendation*

*Agenda Item: New Business*

---

**Recommendation:** Staff, the Airport Advisory Board, and the Airline Selection Committee recommend that Commission allow staff to recommend SkyWest Airways offering 12 weekly flights for a three year term with a total subsidy of \$3,774,652.00 annually to the Federal Department of Transportation (DOT) to be the Essential Air Service (EAS) provider for Dodge City.

**Background:** On June 13, 2019 the DOT accepted proposals for Dodge City and Liberal/Guymon for the next EAS term. Dodge City received 3 proposals for air service from the DOT. The proposals received for Dodge City were;

1. Boutique Air offering 18 weekly round trip flights utilizing an 8 seat Pilatus PC-12. The Total annual subsidy for this option is \$3,621,182.00
2. Denver Air Connection (DAC) offering 12 Round trip flights each week. Schedule will be adjusted to meet the services demand. DAC will utilize the Dornier 328 a 30 seat passenger jet for this service with the possibility to transition to the Embraer ERJ-145 with 50 seat capacity. The total annual subsidy for this service is \$4,414,466.00
3. SkyWest offering 12 round trip flights each week. The morning flight will be shared with Liberal and the second flight would not be shared. Dodge City would always receive the direct flight to Denver. SkyWest would utilize the Bombardier CRJ-200 with 50 seat capacity. The total annual subsidy for this service \$3,774,652.00

On July 24, 2019 and July 31, 2019 the Airline Selection Committee made up of Susan Otterstein, Mellissa McCoy, Bob Groth, Dan Cammack, Kent Smoll, Cherise Tieben, And Corey Keller met with all three airlines to discuss each proposal in detail. During this meeting the committee unanimously agreed that the proposal from SkyWest would be the best option to provide commercial air service for Dodge City. The Airport Advisory Board has also agreed that the proposal from SkyWest should be staff's recommendation to the DOT.

Since about 2014 Dodge City has seen drastic declines in the enplanements at the airport due to unreliable service provided by the air carriers. In 2018 we chose Boutique Airlines to provide our EAS and they have done an excellent job to bring back the stability Dodge City needed to continue in the EAS program. We are greatly appreciative to Boutique for the service they have provided to Dodge City these past two years.

**Justification:** To continue on with this growth and ensure Dodge City's EAS has a stable reliable service that can connect our region to anywhere in the world we feel it is necessary to except the SkyWest proposal for a three year term. SkyWest has the necessary partnerships with most major airlines to guarantee seamless connections all over the world. With SkyWest we also receive worldwide pricing to ensure customers receive the best prices no matter the destination, not just the best price to Denver. SkyWest will work with us to ensure we have the best schedule and marketing programs grow our air service market to the best it can be.

**Financial Considerations:** The recommendation has no monetary value to City Of Dodge City.

This is only a recommendation, the final decision will be made by the US Secretary of Transportation with assistance from the Department of Essential Air Service office.

**Attachments:**

Airline Proposals  
Bid Comparison Sheet for Dodge City

# **Air Service Proposal**



**Dodge City**

**DOT-OST-1998-3502**

**July 15, 2019**



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## About Boutique Air

### Our Story

Headquartered in San Francisco, California, Boutique Air has been in operation since 2007. We began by flying fire surveillance missions for the U.S. Forestry Service and Bureau of Land Management. We evolved to provide air charter services across the west coast with our fleet of Pilatus and Cessna aircraft. As a charter operator we have received certifications from both industry-leading safety organizations, ARG/US and Wyvern. Boutique Air employs pilots that are highly experienced and hold the most advanced FAA ratings - a key reason for our continued perfect safety record.

In July of 2012, Boutique Air applied for commuter operating authority from the Department of Transportation. We quickly passed tests on financial fitness and management competency, receiving authority for scheduled service in January of 2014. We began flying scheduled service between Los Angeles and Las Vegas in January of 2014.

We have worked to develop effective distribution channels. We have connections in place with all of the major Global Distribution Systems (GDSs), which travel agents use to access the market. You will find us on Worldspan and Galileo (Travelport), Sabre, and Amadeus. In addition, we are on the major Online Travel Agencies (OTAs), including Expedia, Travelocity, Priceline, Orbitz, CheapTickets, and CheapOAir.

### EAS Contracts

On April 22, 2014 Boutique Air received its first EAS contract when the DOT selected the airline to provide service between Clovis and DFW. Since then, we have continued our track record of success and now serve 16 different EAS communities and operate out of 30 different airports. Continuing on a path of successful growth in the EAS market, Boutique Air began service to Johnstown, PA and Victoria, TX in November of 2018, and has been recommended by the town of Rutland, VT to become their next air service carrier.



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## What People Are Saying About Boutique Air

*Boutique Air PC-12, one of the **best turboprop aircraft** on the market!... Give them a try!!*

-Tarek A. via Yelp.com

*We also feel that the PC-12 aircraft bid by Boutique Air presents the **safest and most comfortable option for the traveling public.***

-Hon. Mayor David Lansford in Recommendation Letter  
City of Clovis, NM

*Flew with Boutique from LA to Vegas and back and must say I was extremely surprised. From the ease of check-in, To the flight itself, **the whole process was great.** Price was competitive with any other airline out there. I plan on flying boutique for all my Vegas outings, and may even look into renting the whole plane for a group trip. Thanks Boutique!*

-Kevin J. via Yelp.com

*We find that Boutique Air is fit, willing and able to operate as a commuter air carrier, and **capable of providing reliable Essential Air Service...***

-Susan L. Kurland in Clovis EAS Award  
Asst. Sec. for Aviation and International Affairs  
US DOT

*Right now Boutique Air is a **very cool secret.***

-Examiner.com

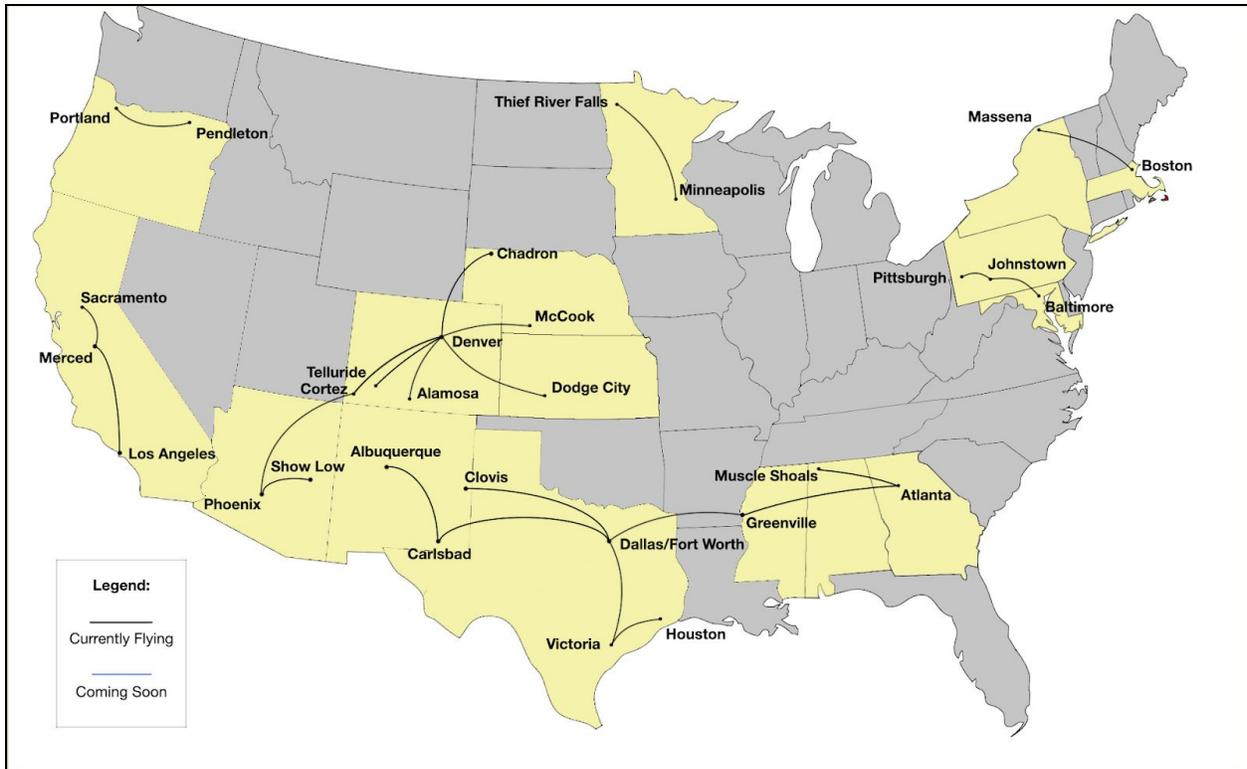
*Flew with Boutique Air from LA to Las Vegas round trip and it was a great experience. **Good service, on time departures, and a hassle free and nice way to travel in general.** A really nice pilot and copilot as well.*

-Patrick S. via Yelp.com

***Smooth flights and personable staff are part of the experience...***

-Clovis News Journal

## Route Map



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## Aircraft:

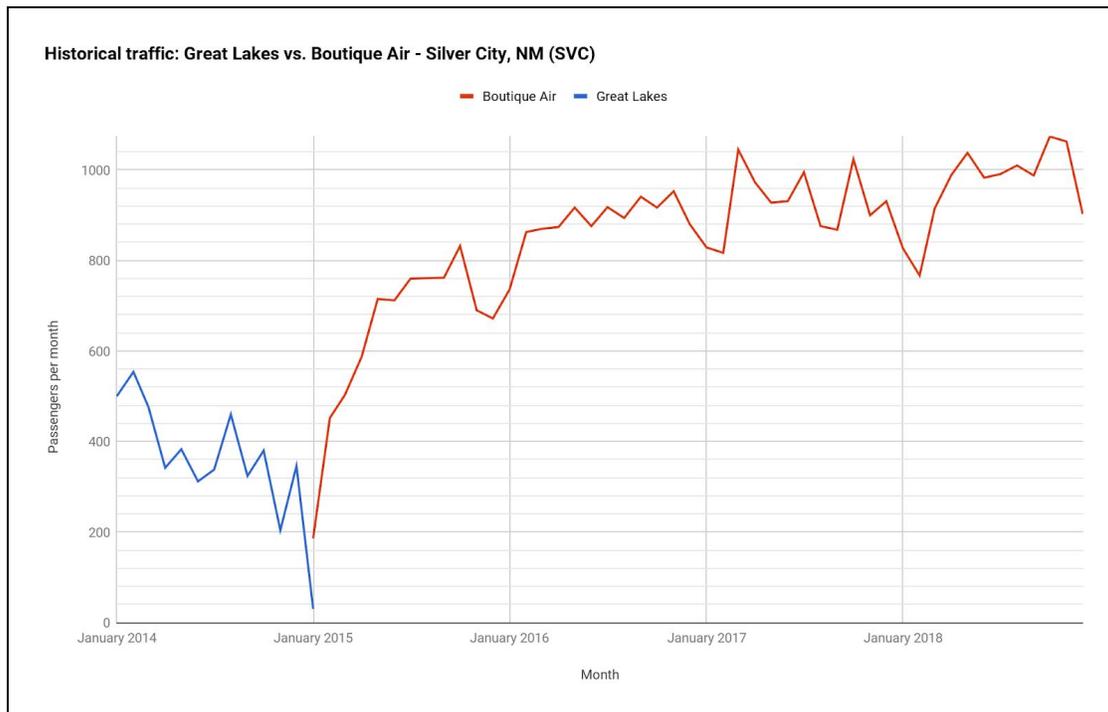
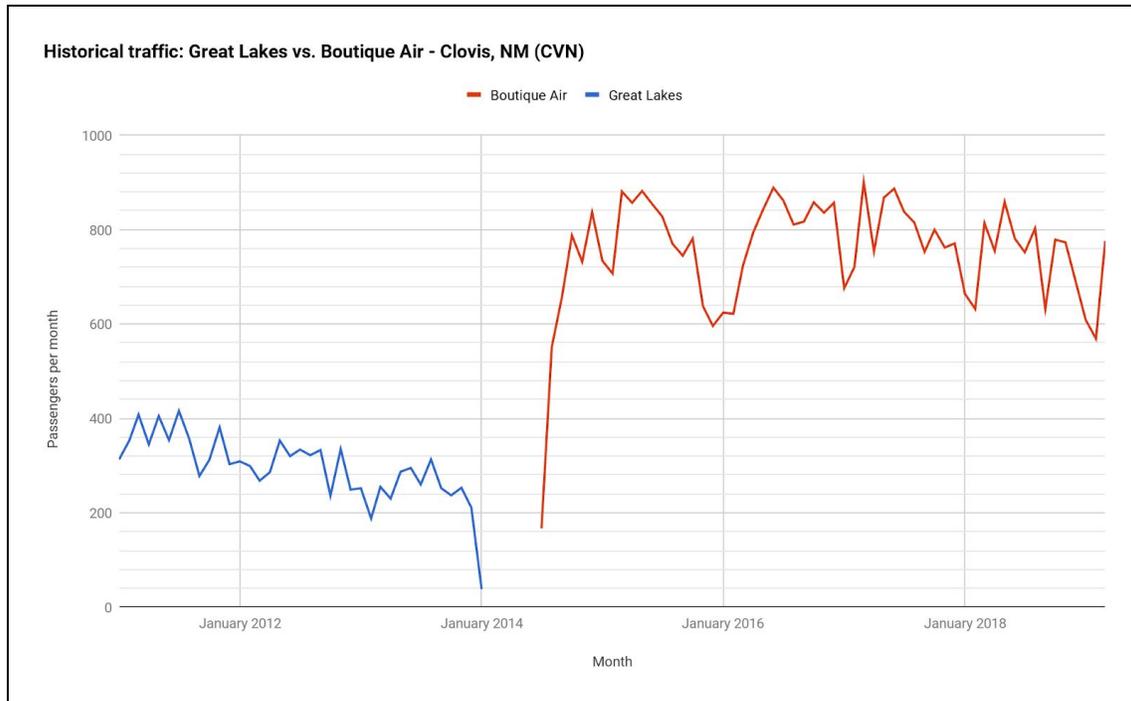
Boutique Air currently operates a modern fleet of Pilatus PC-12 aircraft. All flights are flown by Captains with over 1,200 hours of flight experience and an instrument rating. While we are certified to fly single pilot we opt to fly with a two pilot crew. Boutique Air ensures pilots provide a level of customer service beyond that of normal commercial airlines.

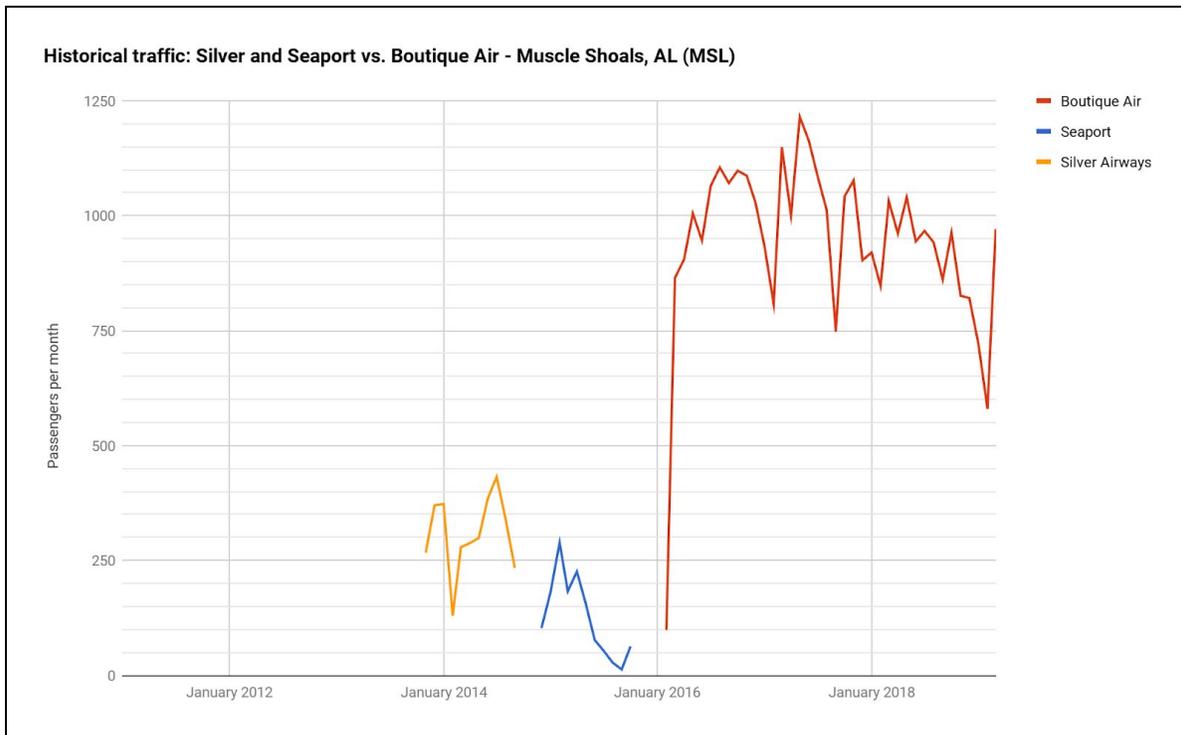
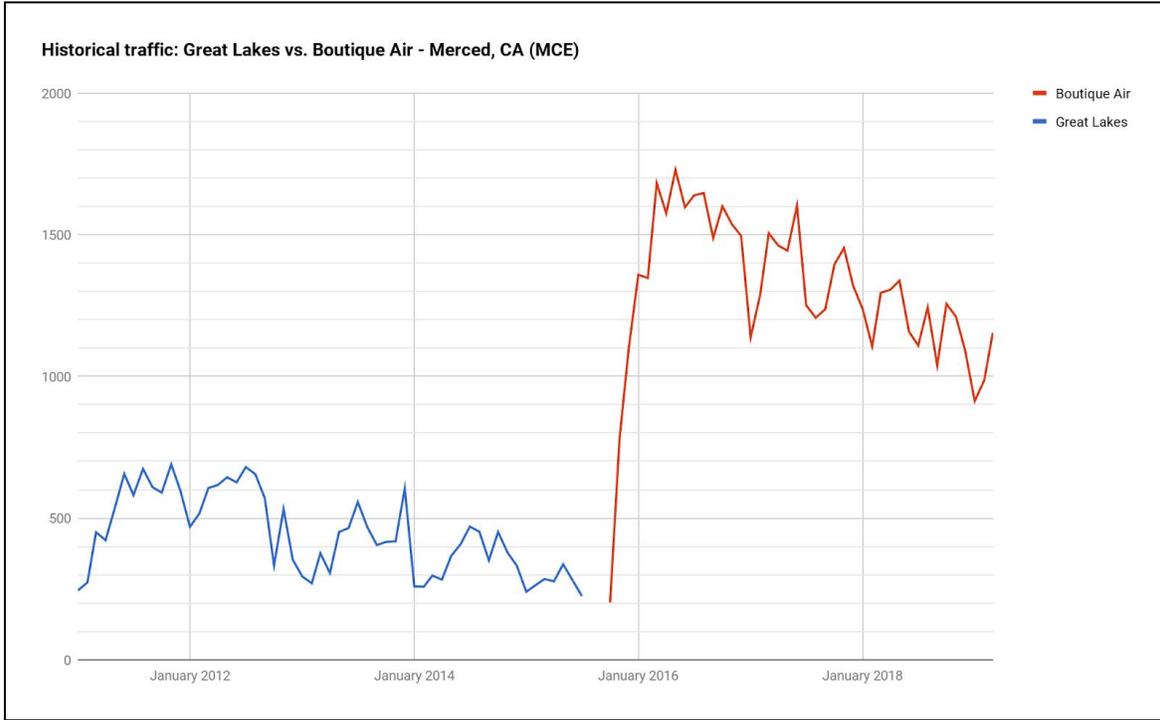
- 8 Passenger Executive Configuration or 9 Passenger Commuter Configuration
- Pressurized Cabin
- Power Outlets
- Enclosed Lavatory



## Historical Passenger Traffic Performance

Boutique Air has established a proven track record in resuscitating air service in EAS communities which have been devastated by poor execution from prior carriers as illustrated by the passenger traffic graphs below.







## Note on Codeshare, Interline and MileagePlus Frequent Flyer Agreements

Boutique Air launched its interline agreement with United Airlines in May 2017 and its codeshare agreement in May 2018. Customers have flow-through ticketing and baggage capabilities for those flights that connect with United Airlines.

Passengers are also able to book through United.com and connect with any of United’s flights at our mutual hubs.

Boutique Air also participates in United Airlines’ MileagePlus Frequent Flyer Program. Passengers can earn and redeem award miles on all Boutique Air flights.

## Boutique Air is also proud to announce that it launched an interline agreement with American Airlines in December of 2018.

(Image of interline fares currently available from MCK through Denver to SFO on United.com)

**Departure:** McCook, NE, US → San Francisco, CA, US

*Info* Fares are for the entire one-way trip, per person, and include taxes and fees. [Additional bag charges may apply.](#)

Wed 9/11 \$152	Thu 9/12 \$172	Fri 9/13 \$172	<b>Sat 9/14 \$213</b>	Sun 9/15 \$269	Mon 9/16 \$172	Tue 9/17 \$152
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With stops **\$213** [Choose connecting airports](#) [Show fare type comparison ?](#)

Depart ↓	Arrive ↓	Stops ↓	Duration ↓	<b>Economy</b>	<b>Economy (flexible)</b>	<b>First (2-cabin, lowest)</b>
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7:30 am	11:33 am	1 stop	6h 3m	<a href="#">Details</a>	<a href="#">Seats</a>	<b>\$269</b>	<b>\$461</b>	<b>\$539</b>
Includes Travel Operated By Boutique Air						Select	Select	Select
						4 tickets left at this price	4 tickets left at this price	4 tickets left at this price

MileagePlus earnings (each way, per person):	Base award miles	1,190	2,080	2,445
	PQM   PQS   PQD	967   1   \$238	967   1   \$416	1,934   1.5   \$489

<b>McCook, NE, US (MCK) to Denver, CO, US (DEN)</b>	<b>Economy (B)</b>	<b>Economy (A) (flexible)</b>	<b>Economy (B) (2-cabin, lowest)</b>
7:30 am - 7:50 am (1h 20m)			
<b>4B 761</b>   Pilatus PC-12 Operated By Boutique Air			
1h 58m connection			
<b>Denver, CO, US (DEN) to San Francisco, CA, US (SFO)</b>	<b>United Economy (T)</b>	<b>United Economy (H) (flexible)</b>	<b>United First (Z) (2-cabin, lowest)</b>
9:48 am - 11:33 am (2h 45m)			
<b>UA 268</b>   Boeing 737-900	Meals for purchase	Meals for purchase	Snack
Wi-Fi	Power outlets		



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## Proposal

### Overview

Our proposals would be flown in eight or nine-seat, modern, pressurized Pilatus PC-12 aircraft. The term is for two years.

In order to increase brand recognition in Owensboro, Boutique Air will spend at least \$20,000 per year if it is selected for advertising & marketing to help ensure that air service for the community is a success. We will utilize a combination of radio, print, billboard, TV, and internet advertising.

### Note on Service Start Date

Boutique Air will begin service 60-90 days after the DOT issues the order selecting Boutique Air as the EAS carrier. Boutique air will start service as early as operationally possible and will coordinate with the incumbent carrier to ensure there is not a service interruption.

## Community Input

Shortly after the bids are complete, Boutique Air will schedule meetings with airport and/or city officials. This will allow us to answer any questions and provide additional information.

While we can't promise we will be able to implement everyone's suggestions, we welcome feedback from the community, as well as anyone who may have an interest in the proposed flights. What we can promise is that we will listen to your feedback, and give it the attention and consideration it deserves.

With respect and appreciation,

Shawn Simpson  
CEO

### Option 1: 18 Weekly Nonstop RTs DDC-DEN (3 Daily)

Operations	<b><u>PC-12</u></b>
Scheduled Flights	1,872
Completed Flights (98%)	1,835
Scheduled Block Hours	2,683
Scheduled Seats	14,976
Scheduled ASMs	4,372,992
Revenue	
Passengers	10,050
Average Fare	\$59
Fare Revenue	\$592,950
<b>Total Revenue</b>	<b>\$592,950</b>
Expenses	
Fuel	\$831,792
Ownership	\$960,000
Maintenance and Reserves	\$1,139,126
Crew	\$494,546
Airport Rent	\$183,600
Landing Fees	\$49,688
Staff	\$171,600
Insurance	\$20,000
Marketing and Distribution	\$20,000
Other Indirect Costs	\$143,107
<b>Total Costs</b>	<b>\$4,013,459</b>
Profit Element	<b>\$200,673</b>
Margin	5.0%
<b>Total Annual Subsidy</b>	<b>\$3,621,182</b>

Response to Order: 2019-6-9

Essential Air Service at

Dodge City, Kansas

Under **49 U.S.C. § 41731 *et seq.***

DOCKET **DOT-OST-1998-3502**

July 15, 2019



Denver Air

CONNECTION

A Key Lime Air Company



This document serves as a response to Order Requesting Proposals DOT-OST-1998-3502 posted on regulations.gov on June 13, 2019 by the United States Department of Transportation.

Key Lime Air was established as a small passenger and cargo operation in 1997. Over the past 22 years, it has not only grown to be one of the largest cargo feeder aircraft networks in the region but has also expanded into a substantial passenger charter and scheduled passenger airline operating as the Denver Air Connection and authorized

to conduct operations under FAR 135 (Commuter and On-demand) as well as FAR 121 (Domestic and Supplemental). The Denver Air Connection currently flies for over 30 NCAA sports teams, numerous oil companies, and clients in the movie and entertainment industry as well as providing the only scheduled air service from Sheridan and Riverton, Wyoming to Denver for the last 4 years. During this period, these communities have enjoyed 99.6% completed flights with an impressive 94.91% on time performance which is well above the industry standard. In addition to these flights, the Denver Air Connection has been flying between Grand Junction and Centennial Airport in Colorado five days per week since 2005 where the same level of consistency and reliability has been maintained to this very day.

Through its proven safe and reliable air service coupled with much hard work and perseverance, Key Lime Air/Denver Air Connection has an Interline Agreement with United Airlines. This interline agreement not only allows our customers and communities to search, book and purchase our tickets on United's web site, United.com; but also facilitates baggage transfers and thru-checks to and from any of United's 500 destinations in over 30 countries. No more baggage and security hassles at DIA.

In addition to the United Interline agreement, Key Lime Air/Denver Air Connection has joined multiple Global Distribution Systems (GDS's). The first to go live was the SABRE GDS in the first quarter of 2019. Ticket distribution through SABRE immediately provided world-wide visibility through websites such as: Expedia, Travelocity, Cheap-O-Air and many other Online Travel Agencies (OTA's). GDS access and United Interline provides our customers with seamless connectivity and unprecedented visibility to the world transportation system. We recently activated Travelport and we are actively working to add connectivity to Amadeus to maximize visibility.

The Denver Air Connection recognizes how critical marketing is to your community. We have budgeted \$20,000 annually to inform and maintain a cohesive line of communication between your community and our airline. Marketing will be managed by working with your local talent in





determining how to best obtain the highest market share possible.

Unique to the industry, Key Lime Air/Denver Air Connection owns, operates and maintains its entire fleet of aircraft at our home base located at Centennial Airport in Englewood, CO. This location ties us closely to Denver International Airport which enables the company to closely control and effectively manage its stringent

operational and maintenance programs to the highest standards without the lag associated with bases that are located thousands of miles from the point of service.

Key Lime Air is proposing to initiate service with the Dornier 328 Jet and transition to the ERJ-145 during the first three months of Operation. The reason for this bid structure is to meet the bid requirements and insure the community that we can provide quality Jet Service on the first day of operation. The Dornier 328 Jet is a 30 seat passenger aircraft, with 1,500 pounds cargo capacity. This very competent aircraft has successfully moved passengers for our scheduled service from Riverton and Sheridan Wyoming for the last four years. The aircraft has been an integral part of our operation over the last several years



Two 50 seat ERJ-145s are currently undergoing a complete paint and interior refurbishment. Shown here, the first aircraft is nearing completion and will, upon completion and certification, be put into service for your community.

Be a part of this winning team by joining forces with the Denver Air Connection.



**Testimonial from Sheridan Wyoming:** *“For the past 3 years Denver Air Connection has impressed our community with reliable, first class air service. The owners, flight crews, and customer service staff are second to none and have always gone the extra mile to ensure the success of air service in our community. We look forward to a long-term relationship with DAC!”* Renee Obermueller, Administrative Director, Sheridan Wyoming.

## Representational Schedule

### 12 Round-Trip Flights to Denver each Week

<u>Leg Rte</u>	<u>Out</u>	<u>In</u>	<u>Sun</u>	<u>Mon</u>	<u>Tue</u>	<u>Wed</u>	<u>Thu</u>	<u>Fri</u>	<u>Sat</u>
DDC-DEN	7:00	8:06	-	1	1	1	1	1	1
DEN-DDC	9:00	10:06	-	1	1	1	1	1	1
DDC-DEN	13:00	14:06	1	1	1	1	1	1	-
DEN-DDC	18:00	19:06	1	1	1	1	1	1	-

<b>Cost Description</b>	<b>Total</b>
Total Aircraft Lease	405,000
Total Crew Cost	1,154,173
Total Maintenance	969,755
Total Insurance	99,750
Total Overhead Facilities/Supplies/Staff	167,400
Total DEN Operating Expense	539,248
Total DDC Operating Expense	302,470
Total Ticketing Expense	69,245
Total Deice, Catering and Other	29,309
Total Marketing	20,000
Fuel	1,207,721
Operating Expense	4,964,071
Profit Component 5%	249,006
Total Expense	5,213,077

<b>Revenue</b>	
O&D traffic	10,109
Average fare	79
Total Revenue	798,611

<b>Subsidy Requirement</b>	<b>4,414,466</b>
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<b>Rate Calculations</b>	
Annual Flight Operations	1,248
Completion Rate	98%
Completed Flights	1,223
Rate per Completed Flight	3,610

For questions or comments, please contact:

Cliff Honeycutt

President

KEY LIME AIR

13252 E. Control Tower Rd.

Englewood CO 80112

(303) 768-9626 O | (303) 718-4301 C



July 15, 2019

Michael Gormas  
United States Department of Transportation  
Office of Aviation Analysis  
1200 New Jersey Ave SE  
Washington, DC 20590

SkyWest Airlines' Essential Air Service Proposal for Dodge City, KS and Liberal, KS

Dear Mr. Gormas:

Attached is SkyWest Airlines' proposal to provide air service from Dodge City, KS and Liberal, KS to Denver International Airport (DEN). SkyWest welcomes the opportunity to continue serving the community in Liberal, while adding service to Dodge City. Our combination of safe and reliable aircraft, well-timed schedules, and access to one of the world's largest airline networks will provide passengers with quality air service and stimulate economic growth in the region.

As directed by the RFP, we will offer each community 12 round-trip flights per week for a three year term to Denver (DEN). All flights will depart and arrive to facilitate seamless connections to United's large and diverse flight schedule in DEN which will make the service convenient for both business and leisure travelers. With more than 500 United or United Express departures per day at Denver International Airport to over 150 unique destinations, our proposal makes it easy to get to destinations across the country and around the world. SkyWest's bid for Dodge City, KS and Liberal, KS are inseparably connected. All flights are subject to gate availability and don't have up line scheduling restrictions.

SkyWest believes this proposal provides the best overall option for air service in Dodge City and Liberal, with excellent connectivity at Denver International Airport.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Greg Atkin".

Greg Atkin

Managing Director – Market Development

SkyWest Airlines

# About SkyWest Airlines

With over 13,000 aviation professionals operating nearly 2,400 daily flights, SkyWest Airlines connects millions of passengers each month to 258 destinations across North America. SkyWest operates in partnership with Alaska Airlines, American Airlines, Delta Air Lines, and United Airlines and has a fleet of 484 aircraft. SkyWest has been connecting small communities to the national transportation system for its entire 47 year history.

Headquartered in St. George, Utah, SkyWest's industry-leading workforce and excellent leadership team have consistently generated top tier operational reliability, setting the standard for excellence in the regional airline industry.



- Fortune World's Most Admired Companies 2019
- ATW *Regional Airline of the Year* three times
- Bombardier's top reliability award for the CRJ200 six times
- The FAA's AMT Employer Gold Award for

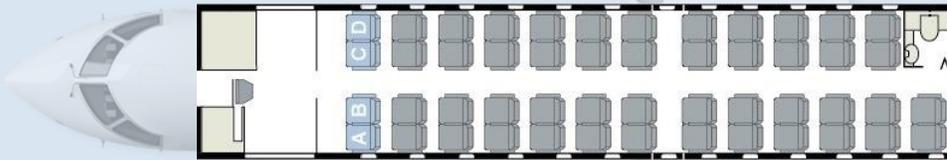


# Critical Attributes of SkyWest's Proposal



## 50 Seat Twinjet Service

The CRJ-200 is a quiet and modern twinjet that is both safe and fast. All SkyWest CRJ200 aircraft are serviced by a highly-trained flight attendant and each plane features a restroom, further adding to the comfort and convenience of each passenger's flying experience. SkyWest operates 200 CRJ-200 aircraft and plans to keep this aircraft in its fleet for many years to come.



## Superior Traffic Generation

SkyWest 50 seat jets provide the best opportunity for passenger growth. SkyWest service provides significantly higher seat capacity than other regional operators and delivers industry leading reliability. Passengers also benefit greatly from seamless connectivity to one the largest global airlines in the world.





# Critical Attributes of SkyWest's Proposal

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## Superior Reliability

SkyWest has been named the most reliable CRJ-200 operator in North America five times since 2007. We have also been named the #1 On Time carrier for contiguous 48 states several times.



## Subsidy Cap Compliant

All applicable SkyWest EAS communities are comfortably compliant with the DOT's per passenger subsidy cap. In Dodge City and Liberal, SkyWest's proposals are also well within compliance of the subsidy cap. The proposal will provide measurable assurance in complying with DOT regulations and ensuring that each community is well positioned for continued future air service.



## Marketing Plan

SkyWest will actively market the service with a variety of promotions. We will dedicate \$20,000 per year for marketing support. We advertise in print, digital, radio, online, and other means necessary. This effort will assist in generating awareness of the flight options offered.



EAS Bid

**SkyWest Airlines**  
**Essential Air Service Bid**  
**7/15/2019**

	DDC DEN	LBL DEN
	<hr/>	<hr/>
Number of round trips per week	12	12
Aircraft type	CRJ	CRJ
<b>Passenger Revenue</b>		
Passengers	16,000	13,000
Average fare	\$ 75.00	\$ 75.00
Revenue	<hr/> \$ 1,200,000	<hr/> \$ 897,000
<b>Block Time</b>		
Trip block time (minutes)	73	59
Total scheduled block time	1,518	1,118
Total completed block time	1,473	1,084
<b>RPMS</b>		
Passengers	16,000	13,000
Stage length	292	194
Total RPMS	<hr/> 4,672,000	<hr/> 2,806,903
<b>ASMs</b>		
Scheduled departures	1,248	1,248
Completed departures	1,211	1,211
Stage length	292	194
Available Seats	50	50
Total ASMs	<hr/> 18,220,800	<hr/> 12,105,600
Marketing Costs	\$ 20,000	\$ 20,000
Direct operating expenses	\$ 3,417,764	\$ 3,211,315
RPM related	\$ 65,588	\$ 53,291
Departure related	\$ 1,069,239	\$ 1,069,239
ASM related	\$ 169,818	\$ 112,824
Total expenses	<hr/> \$ 4,742,409	<hr/> \$ 4,466,669
Operating income (loss)	\$ (3,542,409)	\$ (3,569,669)
5% profit margin	<hr/> \$ 232,243	<hr/> \$ 218,740
<b>Annual subsidy requirement</b>	<b>\$ 3,774,652</b>	<b>\$ 3,788,409</b>
<b>Effective Subsidy rate per unit</b>		
Subsidy per trip	\$ 3,118	\$ 3,129
Subsidy per passenger	\$ 236	\$ 291
<b>Load factor</b>	26%	23%

**DODGE CITY BID PROPOSAL COMPARISON AUGUST 2019**

CARRIER	PROPOSAL	HUB	EQUIP	ROUND TRIPS PER DAY	YEAR 1 SUBSIDY	FCST PASS	SUBSIDY PER PASS	NETWORK CODE	T&B	FAA	COMMENTS
BOUTIQUE	1	DEN	PC12	3 X	\$3,621,182	10,050	\$360.32	UA	UA	P135	\$59.00 Average Fare/ 50 lb Baggage limit/ RON
KEY LIME (DAC)	1	DEN	30 seat RJ	2 X	\$4,414,466	10,109	\$436.69	none	UA	P121	\$79.00 Average Fare/RON
SkyWest	1	DEN	50 seat RJ	2 X, one via LBL	\$3,774,652	16,000	\$235.92	UA	ALL	P121	DDC will always have a direct to Denver. \$75.00 Average Fare
							#DIV/0!				