

**CITY COMMISSION MEETING MINUTES**  
City Hall Commission Chambers  
Monday, October 7, 2019  
7:00 p.m.  
MEETING #5136

**CALL TO ORDER**

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

**INVOCATION** by Pastor Joshua Middlebrooks of Bible Baptist Church

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING**

Mayor Brian Delzeit opened the Public Hearing on Nor-Am Taxable Industrial Revenue Bonds. Joann Knight Executive Director of Dodge City/Ford County Development Corporation gave a brief presentation about the project with Nor-Am Company that will be building a refrigeration storage on Trial Street in Dodge City.

No other public comments were made. Mayor Brian Delzeit closed the Public Hearing

**APPROVAL OF AGENDA**

Commissioner Jan Scoggins made a motion to approve the agenda as presented. Commissioner Joyce Warshaw seconded the motion. The motion carried 5 - 0.

**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).**

Don Steele Director of the Depot Theater Company gave an update and introduced the new Artistic Director, Christopher King. King a former Kansan said he was excited and happy to be part of this wonderful facility.

**CONSENT CALENDAR**

1. Approval of City Commission Work Session, September 16, 2019;
2. Approval of City Commission Meeting Minutes, September 16, 2019;
3. Approval of Special City Commission Meeting, October 3, 2019;
4. Appropriation Ordinance No.18, October 7, 2019;

5. Cereal Malt Beverage License:
  - a. Mariscos Nayarit Restaurant, 509 N. 2<sup>nd</sup> Avenue
  - b. Kate's, 305 E. Trial Street;
6. Approval of Change Order No. 2 for 2019 Asphalt Street Programs;
7. Approval of Change Order No. 1 for Sutherlands Entrance Paving;
8. Approval of Change Order No. 1 for Soule Street Sidewalk;
9. Approval of LAG Rentals, LLC Lease Agreement.

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

#### **ORDINANCES & RESOLUTIONS**

**Ordinance No. 3725:** A Home Rule Ordinance of the City of Dodge City, Kansas, authorizing a grant to fund certain improvements for economic development purposes; and authorizing the issuance of General Obligation Bonds of the City to pay the cost thereof was approved on a motion by Commissioner Kent Smoll. Commissioner Jan Scoggins seconded the motion. The motion carried 5 -0.

**Resolution No. 2019-20:** A Resolution of the City of Dodge City, Kansas, amending Resolution No. 2019-03 which authorized certain public improvements and provided for the payment of the costs thereof was approved on a motion by Commissioner Rick Sowers. Commissioner Joyce Warshaw seconded the motion. The motion carried 5 - 0.

**Resolution No. 2019-21;** A Resolution of the Governing Body of the City of Dodge City, Kansas determining the advisability of issuing Taxable Industrial Revenue Bonds for the purpose of financing the Acquisition, Construction and Equipping of a Commercial Facility to be located in said city; and authorizing execution of related documents was approved on a motion by Commissioner Jan Scoggins. Commissioner Kent Smoll seconded the motion. The motion carried 5 - 0.

**Resolution No. 2019-22:** A Resolution of the City of Dodge City, Kansas, authorizing certain Public Improvements and providing for the payment of the costs thereof was approved on a motion by Commissioner Rick Sowers. Commissioner Joyce Warshaw seconded the motion. The motion carried 5 -0.

**Resolution No. 2019-23:** A Resolution of the City of Dodge City, Kansas authorizing certain Public Improvements and providing for the payment of the costs thereof was approved on a motion by Commissioner Kent Smoll. Commissioner Rick Sowers seconded the motion. The motion carried 5 - 0.

**Resolution No. 2019-24** A Resolution authorizing the offering for sale of General Obligation Bonds, Series 2019-A. Taxable General Obligation Waterworks and Wastewater Utility System

Refunding Bonds, Series 2019-B, General Obligation Temporary Notes, Series 2019-1, and Taxable General Obligation Temporary Notes, Series 2019-2, of the City of Dodge City, Kansas was approved on a motion by Commissioner Joyce Warshaw. Commissioner Kent Smoll seconded the motion. The motion carried 5 – 0.

#### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

Mayor Brian Delzeit made a motion to move item 4 Nor-Am Development Agreement to Item No. 1.

1. Commissioner Rick Sowers moved to approve the Nor-Am Development Agreement. Commissioner Jan Scoggins seconded the motion. The motion carried 5 - 0.
2. A Commissioner Rick Sowers moved to approve the Audit Engagement Letter for Years Ending December 31, 2019 and 2020 with Kennedy McKee & Co. Commissioner Jan Scoggins seconded the motion. The motion carried 5 - 0.
3. Commissioner Joyce Warshaw moved to approve Change Order No. 3 in the amount of \$108,225 for additional work to be completed at the intersection of Central Avenue and Comanche Street. Commissioner Kent Smoll seconded the motion. The motion carried carried 5 – 0.
4. Commissioner Rick Sowers moved to approve the bid from Huber Land and Water, LLC in the amount of \$173,335 for Circle Lake Drainage Improvements. Commissioner Kent Smoll seconded the motion. The motion carried 5 - 0.

#### **OTHER BUSINESS**

#### **EXECUTIVE SESSION**

At 8:30 pm Commissioner Rick Sowers moved to recess into executive session pursuant to the “personnel matters of nonelected personnel” exception found in K.S.A. 75-4319(b)(1). The justification for closing the meeting is to protect the privacies of the individuals to be discussed. The executive session will include City Manager, Cherise Tieben, Assistant City Manager, Ernestor Delarosa and Human Resource Officer, Tara Schraeder, the meeting will resume in the City Commission Chamber in 15 minutes at 8:45 pm. Commissioner Kent Smoll seconded the motion. The motion carried 5 - 0. At 8:45 Commissioner Rick Sowers moved to extend the session to 9:00 pm. Commissioner Joyce Warshaw seconded the motion. Motion carried 5 -0.

**ADJOURNMENT**

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

ATTEST:

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Brian Delzeit, Mayor

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Connie Marquez, City Clerk