

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Monday, June 7, 2021

7:00 p.m.

MEETING #5184

Public is welcome although seats are limited for social distancing; or you can view as follows:

1. Watch live on our Facebook page at www.facebook.com/cityofdodgecity

2. Or watch it on our Vimeo page at www.vimeo.com/cityofdodgecity.

The meeting will be archived on both sites to be viewed after the live video has ended.

CALL TO ORDER

ROLL CALL

INVOCATION BY Dusty Cookson of First Christian Church

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

SUBMIT QUESTIONS OR COMMENTS

PETITIONS & PROCLAMATIONS

World Refugee Day Proclamation

Immigrant Heritage Month 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).

Award Presentations for the Central Avenue Reconstruction and National Beef Wastewater System Improvements.

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, June 7, 2021.
2. Appropriation Ordinance No.11, June 17, 2021.
3. Cereal Malt Beverage License:
 - a. Walmart Store, 1905 N. 14th Avenue

ORDINANCES & RESOLUTIONS

Ordinance No. 3756: An Ordinance Establishing Special Events and block Parties Pertaining Thereto Within the City Limits of Dodge City, Kansas. Report by Assistant City Manager/Legislative Affairs, Ernestor De La Rosa.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Bid for Enterprise Resource Planning Software (ERP). Report by Director of Administration, Ryan Reid and Finance Director, Nicole May.
2. Approval of Change Order#1 for Avenue K RCB Replacement. Report by Director of Engineering, Ray Slattery.

OTHER BUSINESS

STAFF REPORTS

ADJOURNMENT

WORLD REFUGEE DAY PROCLAMATION

WHEREAS, through the course of history and even into modern times, there have arisen conflicts between nations or peoples that have inhibited and assailed the freedom and safety of countless people around the world; and

WHEREAS, during these trying times, many courageous individuals have made—and continue to make—the difficult decision to leave their native country in search of safety and opportunity; and

WHEREAS, currently there are 26 million refugees and more than 79 million displaced people across the globe who have been forcibly displaced as a result of persecution, conflict, violence, or human rights violations; and

WHEREAS, since 1980, the U.S. Refugee Act has represented the United States government's commitment to protecting refugees through resettlement and asylum programs, and

WHEREAS, diverse refugee communities have made lasting positive impacts on Dodge City's cultural, spiritual, and economic vitality by spurring change and transformation in our community; and

WHEREAS, dedicated and compassionate staff and volunteers from refugee resettlement agencies and helping organizations have assisted refugees and asylum seekers in rebuilding new lives in Southwest Kansas for more than 40 years; and

WHEREAS, the United Nations High Commissioner for Refugees has recognized and commemorated June 20th as World Refugee Day since 2001; and

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF DODGE CITY, does hereby proclaim June 20, 2021 to be WORLD REFUGEE DAY IN DODGE CITY and urge all residents of our community to recognize the enduring contributions of refugee communities within our city and the ongoing challenges facing refugees around the globe.

Mayor



PROCLAMATION

WHEREAS, Generations of immigrants from every corner of the globe have built our country's economy and created the unique character of our nation; AND

WHEREAS, Immigrants continue to grow businesses, innovate, strengthen our economy, and create jobs in the City of Dodge City; AND

WHEREAS, Immigrants have provided Dodge City with unique social and cultural influence, fundamentally enriching the extraordinary character of our City; AND

WHEREAS, Immigrants have been tireless leaders, not only in securing their own rights and access to equal opportunity, but also in campaigning to create a fairer and more just society for all Americans; AND

WHEREAS, The role of immigrants in building and enriching our City and our nation should be uplifted; NOW

THEREFORE, I, Rick Sowers, Mayor of the City of Dodge City, do hereby proclaim June of 2021 to be:

Immigrant Heritage Month

In the City of Dodge City

I urge the City of Dodge City to join together -- as foreign-born and native-born residents -- to build stronger communities across the City and encourage all residents to give back to the community in any way that is personally meaningful.

Rick Sowers
Mayor of Dodge City
June 2021

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Monday, May 17, 2021

7:00 p.m.

MEETING #5183

Public is welcome although seats are limited for social distancing; or you can view as follows:

1. Watch live on our Facebook page at www.facebook.com/cityofdodgecity

2. Or watch it on our Vimeo page at www.vimeo.com/cityofdodgecity.

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CALL TO ORDER

ROLL CALL: Mayor Rick Sowers, Commissioners, Kent Smoll, Brian Delzeit, Blanca Soto, Joseph Nuci.

INVOCATION by Pastor Kurt Larson, Grace Community Church

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Mayor Rick Sowers opened the Public Hearing on Special Assessment Proceeds – Candletree Addition Unit 8 Phase II. Finance Director Nicole May spoke about the Special Assessments. There were no public comments. Commissioner Kent Smoll made a motion to close the public hearing on the special assessments for Candletree Addition Unit 8 Phase II.. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

APPROVAL OF AGENDA

Commissioner Rick Sowers made a motion to add to the agenda an executive session to discuss personnel matters of nonelected personnel. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

PETITIONS & PROCLAMATIONS

Mayor Rick read the 2021 National Public Works Week and proclaimed the week of May 16 through May 22, 2021 as National Public Works Week. in the City of Dodge City, and call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

Superintendent of Public Works, Corey Keller invited commissioners and all employees to attend a luncheon to be held Thursday, May 20 from 11:30 to 1:00 pm. Thanked all the Public Work employees for all their hard work and thanked all the other departments that assist with their help to get the work done. Corey appreciates all the employees.

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 along with Superintendent of Public Works gave an update on the riverbed cleanup that was held May 8th & 9th, There were 7.13 tons of trash and many tires collected. They thanked all sponsors and volunteers and all the community members for all they did to make the cleanup a success. Also recognized were Sergio Garcia and Javier Cienfuegos for Riverbed Clean-up. They approached the chamber to ask if they could have the riverbed cleanup event. Javier thanked all the volunteers that helped and thanked all the sponsors that helped make this happen.

Chief of Police, Drew Francis recognized Corporal Officer Guillermo Gutierrez for the District 8 American Legion Award. 2016 the former patrol bureau commander submitted officer Gutierrez name to the American Legion as a nomination for their certificate of accommodation awarded for outstanding public service and was presented with the award. He was also chosen as the statewide Kansas Law Enforcement Officer of the year which was presented to him in Topeka Kansas. Congratulations to Corporal Officer Guillermo Gutierrez.

CONSENT CALENDAR

- 1.
2. Approval of City Commission Meeting Minutes, May 3, 2021
3. Appropriation Ordinance No.10, May 17, 2021;

Commissioner Blanca Soto moved to approve the consent calendar as presented. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.

ORDINANCES & RESOLUTIONS

Ordinance No. 3754: An Ordinance Levying Special Assessments on Certain Property to Pay the Costs of Internal Improvements in the City of Dodge City, Kansas, as Heretofore Authorized by Resolution No. 2019-01 of the City; and Providing for the Collection of Such Special Assessments. (Candletree Addition Unit 8 Phase II Subdivision) was approved on a motion by Commissioner Brian Delzeit. Commissioner Joseph Nuci seconded the motion. The motion carried unanimously.

Ordinance No. 3755: An Ordinance of the City of Dodge City, Kansas Renaming Armada Street, Diablo Street, Pancho Street, Sargento Street, Bandido Street and Fuego Street, Streets in Casa Del Rio Addition, to El Mustang Road, La Ruby Road, La Paloma Road, El Capitan Road, El Rio Road, and La Lily Road was approved on a motion by Commissioner Kent Smoll. Commissioner Blanca Soto seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

NEW BUSINESS

1. Commissioner Joseph Nuci moved to approve the bids from Toter in the amount of \$35,072.16 or \$56.21 a kart for six hundred twenty-four 96 Gallon Trash Carts for the Sanitation Department. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.
2. Commissioner Blanca Soto moved to approve the Milstock Addition, Unit 2 Plat. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.
3. Commissioner Kent Smoll moved to approve the bid from Max Jantz Excavating, LLC in the amount of \$625,775.00 for the Avenue D Drain Levee Improvements. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.
4. Commissioner Joseph Nuci moved to approve the quote from Motorola Solutions in the amount of \$302,525 for a 5year lease contract purchase of Watchguard Body Cams in Car Cameras. Commissioner Blanca Soto seconded the motion. The motion carried unanimously.
5. Commissioner Kent Smoll moved to approve the design agreement for the scope services for the south wastewater treatment plant expansion improvements with PEC in the amount of \$546,000 Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

OTHER BUSINESS**STAFF REPORTS****EXECUTIVE SESSION**

At 8:15 pm Commissioner Brian Delzeit made a motion to recess into executive session pursuant to the personnel matters of nonelected personnel, exception found in K.S.A, 75-4319(b)(1) to discuss personnel matters of nonelected personnel. The justification for closing the meeting is to protect the privacy of the individual to be discussed. The meeting will include City Commissioners and City Manager, Nick Hernandez. The open meeting will resume in the City Commission chamber in 30 minutes at 8:45 p.m. The Commission will not take action upon returning to open session and prior to adjournment. Commissioner Brian Delzeit made a motion to extend the executive session for 15 minutes longer. Commissioner Joseph Nuci seconded the motion. Motion carried 5 – 0.

Open session reconvened at 9:00 pm.

ADJOURNMENT

Commissioner Brian Delzeit made a motion to adjourn the meeting. Commissioner Joseph Nuci seconded the motion. The motion carried unanimously.

ATTEST:

Mayor

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): 004-710415188f-02

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

Name of Corporation WALMART INC.	Principal Place of Business BENTONVOLLE, AR 72716-0500		
Corporation Street Address 702 SW 8TH ST.	Corporation City BENTONVOLLE	State AR	Zip Code 72716-0500
Date of Incorporation 10/31/1969	Articles of Incorporation are on file with the Secretary of State.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Resident Agent Name THE CORPORATION COMPANY INC.	Phone No. 417-569-8528		
Residence Street Address 515 S KANSAS AVE.	City TOPEKA	State KS	Zip Code 66603

SECTION 3 – LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)
DBA Name WALMART #372	Name WALMART INC.
Business Location Address 1905 N 14th Ave.	Address 702 SW 8TH ST.
City Dodge City	City BENTONVOLLE
State KS	State AR
Zip 67801	Zip 72716-0500
Business Phone No. (620) 225-3917	<input checked="" type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location.
Business Location Owner Name(s) WALMART INC.	

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 SEE ATTACHED	Position	Date of Birth
Residence Street Address	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



Memorandum

To: City Commission and City Manager
From: Ernestor De La Rosa, Assistant City Manager/Legislative Affairs
Date: Monday, June 7th, 2021
Subject: Ordinance No. 3756- Special Events and Block Parties
Agenda Item: Ordinances and Resolutions

Recommendation: Staff recommends approval of Ordinance No. 3756 establishing a City code for Special Events and Block Parties within the City of Dodge City.

Background: Currently the City of Dodge City does not have an ordinance or code establishing regulations and procedures regarding Special Events and Block Parties. During the last several years, the City administration has handled these requests through an administrative process, except for Dodge City Days special events. Ordinance No. 3756 establishes a process for all events and guidelines to improve management of these requests in our community.

Justification: Over the last year and during the beginning of the COVID-19 pandemic, our administration received multiple requests for special events, which made us realize a need for additional guidelines and a more structured process that effectively manages these requests, but most importantly allow for an enhanced communication within City Departments. This ordinance not only establishes a more robust structure for special events, but also a process for Block Parties. The ordinance also establishes an appeal process, which is a similar process used in other Kansas communities.

Financial Considerations: No financial liability for the City, but it continues to implement a fee schedule for these requests, which is comparable to nearby cities.

Purpose/Mission: Together we promote open communications with our community members to improve quality of life and preserve our heritage to foster a better future.

Legal Considerations: The City Attorney and multiple City Department Heads have reviewed and approved the proposed language as currently presented.

Attachments: Ordinance No. 3756

ORDINANCE NO. 3756

AN ORDINANCE ESTABLISHING SPECIAL EVENTS AND BLOCK PARTIES AND REGULATIONS PERTAINING THERETO WITHIN THE CITY LIMITS OF DODGE CITY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY:

SPECIAL EVENTS AND BLOCK PARTIES

Section 1. Definitions.

As used in this article, unless the context clearly indicates otherwise, the following words and phrases shall have the meanings ascribed to them in this section:

- (a) "Alcoholic beverages" shall mean any cereal malt beverage or alcoholic liquor.
- (b) "Block party" shall mean the closure of a street, or a portion of a street, in a residential zoning district for an outdoor gathering or activity of the occupants of the residences adjacent to, and nearby, the closed area.
- (c) "Special event" shall mean activities to be held in a single location on, or on a route throughout, city streets, sidewalks, parking lots, public plazas, or on or within other city property or facilities, including but not limited to parades, ceremonies, shows, exhibitions, pageants, circuses, carnivals, fairs, festivals, pep rallies, rodeos, concerts, animal shows, organized sports competitions and races, and sale, fundraising or promotional activities. A special event may occur on a single date or on a series of dates within one calendar year. Each single special event date in a series of dates shall be of the same scale and involve substantially the same purpose, site plan, and vendor(s).

Section 2. Unlawful acts.

- (a) It shall be unlawful for any person to hamper, obstruct, impede, or interfere with any special event or block party.
- (b) It shall be unlawful for a driver of a motor vehicle to drive between the vehicles, persons, or animals comprising a parade when such vehicles, persons or animals are in motion and are conspicuously designated as a parade.
- (c) If authorized signs are erected indicating that a street, or a portion thereof, is closed due to a block party, no person shall drive a motor vehicle within such closed area except drivers of vehicles having business, or whose residents are within the closed area, and then any such driver shall exercise the greatest care in driving upon any such street or portion thereof.

Section 3. Special events; parking and street closures.

event, and the public works director shall post signs to such effect. It shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street that is not so posted.

(b) The City of Dodge City shall have the authority to close any street, or portion thereof, to restrict pedestrian or vehicular access to such area for a special event, and to place appropriate signs or devices in the roadway indicating and helping to protect the same. It shall be unlawful for any person to drive a vehicle upon any closed street or portion thereof.

Section 4. Permit required, exceptions.

(a) It shall be unlawful for any person to engage in, participate in, aid, form, or start any special event or block party unless the city clerk has issued a permit for such activity.

(b) A permit shall not be required for a funeral procession.

(c) A permit shall not be required for a special event occurring at city parks and facilities, except when the director of parks and facilities makes a determination that a special event permit is necessary for the safety or management of the special event, due to its size, duration, nature, location, or other similar factors.

Section 5. Permit application.

(a) A person seeking issuance of a special event or block party permit shall file a completed application pursuant to the following deadlines:

(1) For a special event permit, at least 14 calendar days before the date of the special event.

(2) For a special event permit that includes alcoholic beverages at the special event, at least 30 calendar days before the special event.

(3) For a block party permit, at least seven calendar days in advance of the block party.

If good cause is shown for the late filing, the city clerk may consider and respond to an application not filed by the specified deadline.

(b) The applications for a special event and block party shall be on a form provided by the city clerk, and shall set forth, at a minimum, the following information:

(1) The applicant's name and contact information.

(2) The time, date, location and/or route of such activity.

(3) The maximum number of persons, vehicles, and animals involved.

(4) If the activity is for, or on behalf of, an organization, the name of such organization and contact information for the responsible head of such organization shall be provided.

(5) Any additional information which the city clerk finds to be reasonably necessary to make a determination as to whether a permit should be issued.

(c) In addition to the application requirements set forth in subsection (b), an applicant for a special event permit shall submit a site plan that shows placement of any fences, traffic barricades, stages, toilet facilities, trash receptacles, sound systems and speakers, lighting, event signage, seating and bleachers, tables, tents or canopies, portable amusement park or inflatable rides, food vendors, and other similar features related to the special event. The site plan shall also detail the use of any electrical power or generators, the location and number of event parking spaces, areas off-limits to public access and plans for providing potable water.

(d) In addition to the application requirements set forth in subsections (b) and (c), an applicant for a permit for a special event that involves alcoholic beverages shall provide the following information related to the service of such beverages: name and contact information for the on-site supervisor of the beverages; copy of the appropriate city and/or state license permitting the service of the beverages; location of sale/distribution booths; related signage; and a security plan detailing how the area in which the beverages are served and consumed will be restricted, monitored, and staffed.

(e) The application for a block party permit must be submitted by at least three owners or residents representing three or more different parcels adjacent to the street to be closed. If the street adjacent to the street to be closed contains only two or three parcels, the application for a block party permit must be submitted by owners or residents representing at least two of the parcels.

Section 6. Application fees.

(a) The applicant for a special event or block party permit shall, at the time of filing the application, pay the following fee:

(1) Special event permit per day: \$25.00

(2) Special event permit per day (with alcoholic beverages): \$50.00

(3) Block party permit: \$25.00

Section 7. Standards for issuance.

(a) The city clerk shall issue a permit for a special event if the special event meets the following requirements:

(1) The special event will be held between the hours of 7:00 a.m. and 11:00 p.m. Provided that, upon the applicant's request, the city clerk or designee may extend a special event that does not involve alcoholic beverages to 2:00 a.m. the following day, and the governing body may extend a special event that involves alcoholic beverages to 2:00 a.m. the following day if the applicant shows, for the extended time period, that the special event is designed to meet other city ordinances and the standards of issuance set forth in this section.

(2) The special event will not substantially interrupt or unreasonably delay the safe and orderly movement of vehicular and pedestrian traffic contiguous to its location or route.

(3) The special event will comply with the requirements of the most recently adopted version of the International Fire Code relating to entrances and exits, occupancy, and fire safety control.

(4) The special event is not to be held for the sole purpose of advertising any product or service.

(5) If the special event includes the presence, service, or consumption of alcoholic and cereal malt beverages, the special event shall be located only within:

(i) The Heritage District; or

(ii) The Downtown District; or

(iii) The public park known, for purposes of this article, as Wright Park.

(6) If the special event includes the presence, service, or consumption of alcoholic beverages, such alcoholic beverages shall only be served by a caterer, as defined by K.S.A. 41-2601, and amendments thereto, who holds a valid city and state license for such service, or by a drinking establishment immediately adjacent to the special event which is granted a temporary extension of premises pursuant to K.S.A. 41-2645(e)(2) and holds a valid city and state license.

(7) If the special event includes the presence, service, or consumption of alcoholic beverages, the plan for the event must include adequate provisions to control crowds and prevent off-premises consumption of alcoholic liquor or cereal malt beverage and consumption of alcohol by minors.

(b) The city clerk shall issue a permit for a block party if the block party meets the following requirements:

(1) The block party shall be for no more than 12 hours, during daylight hours only. Provided that, the city clerk can extend the hours of the block party to 11:00 p.m. on Fridays and Saturdays, if the following conditions are met:

(i) Both the city engineer and the chief of police determines that the street closure does not create an unreasonable safety hazard, based on the location and traffic flow of the street.

(ii) The block party uses street closure safety devices that meet or exceed the city's traffic safety requirements; and

(iii) The applicant pays for the costs of any street closure safety devices in advance of the block party date.

(2) The street closure or obstruction does not substantially burden the residents of the neighborhood or the general public who might otherwise have occasion to use the roadway.

(3) If the block party is located adjacent to a city park or facility, the block party shall not unreasonably interfere with any other scheduled events or normal park or facility operation.

(d) The city clerk may issue a permit that authorizes an alternative date for the special event or block party if such activity cannot occur for weather-related reasons.

Section 8. Regulations applying to special events and block parties.

(a) The permit holder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

(b) The permit holder shall keep the permit, with the site plan and other information attached, if applicable, at the location of the activity and shall promptly produce the permit upon the request of the city or the Dodge City Police Department.

(c) The permit holder shall be responsible for cleaning the street, parking lot, park, or other public area upon which the special event or block party is held, within two hours following the conclusion of such activity. The city clerk may extend the deadline for clean-up, if warranted by the nature of the special event. If the city clerk grants a clean-up extension, such deadline shall be noted on the permit. Should the permit holder fail to do so within two hours following the conclusion of the activity, or within the period specified by the city clerk, the city shall clean the area and collect the costs thereof from the permit holder.

(d) No alcoholic beverages shall be located upon, or consumed by, persons who may have occasion to attend the special event except within the area of a special event designated and permitted for alcoholic beverage service and consumption.

(e) The special event and block party shall only be held during the hours specified on the permit. The permit holder shall ensure that the activity only occurs during such hours.

(f) No permanent or semi-permanent markings shall be made on city streets, sidewalks, parking lots, or other city property.

(g) Temporary signage may be installed within the permitted area, provided that it is posted no more than 30 minutes before the beginning of the special event or block party, and removed within two hours after the conclusion of the activity.

(h) Any beverages served, provided, or consumed within the permitted area shall not be served within glass containers.

(i) In the case of any special event, the permit holder shall provide and maintain insurance for the special event that names the city as an additional insured, at the levels required by the city. The permit holder shall provide a certificate of insurance evidencing such coverage at least two business days prior to the special event.

(j) In the case of any special event involving the presence, service, or consumption of alcoholic beverages, the following requirements shall be met:

(1) The alcoholic beverages shall be served in containers that are distinctly different than those provided for non-alcoholic beverages.

(2) The alcoholic beverages shall not be sold or served in pitchers, buckets, or carafes.

(3) No more than two alcoholic beverages may be sold or served to a person at the same time.

(4) For special events, only persons aged 21 and older shall be permitted within the area designated for the presence, service, or consumption of alcoholic beverages. Provided that, persons aged 21 and older shall be issued a wristband to indicate that such persons are of the legal drinking age and must wear the issued wristband to possess or consume alcoholic beverages within the special event boundary. It shall be unlawful for any person to possess or consume an alcoholic beverage within the special event area designated for the presence, service, or consumption of alcoholic beverages without wearing such wristband or identifying mark.

(5) All laws, rules and regulations relating to the presence, sale, consumption, or service of alcoholic beverages shall be followed.

Section 9. Denial, suspension, revocation; alternative permit.

(a) The city clerk may deny, suspend or revoke a permit for any of the following reasons:

(1) Failure to submit a complete application and/or the permit fee.

(2) In the case of a special event, failure to provide proof of insurance meeting the city's coverage requirements at least two business days prior to the special event.

(3) Fraud, misrepresentation, or false statement in the permit application or its attachments.

(4) Failure to comply with the standards for issuance, the conditions of the permit, or any of the provisions of this chapter.

(b) An officer of the Dodge City Police Department may revoke a permit, during the special event, in the following circumstances:

(1) Failure to comply with the standards for issuance, the conditions of the permit, or any of the provisions of this chapter.

(2) If criminal activity occurs during the special event, for which a citation is issued or an arrest made, that is reasonably likely to cause injury or threat to persons or property or to create an unreasonable disturbance.

(c) The city clerk, in denying an application for any permit required in this article, shall be empowered to authorize such activity on a date, at a time or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within 48 hours after notice of the action of the city clerk, file a written notice of acceptance with the city clerk. An alternate permit shall conform to the requirements of and shall have the effect of any permit issued under this division. If the alternate permit proves unsatisfactory to the applicant, an appeal may be filed with the city clerk as provided for in Section 10.

Section 10. Right to appeal.

The applicant or permit holder shall have the right to appeal the denial, suspension, or revocation of a permit issued under this article to the city manager. The applicant or permit holder shall file a written notice of appeal with the city clerk within two business days following the notification that the permit has been denied, suspended, or revoked.

The Ordinance will take effect upon approval by the City Commission and upon publication of a summary Ordinance in the Dodge City Daily Globe. Approved this 7th day of June 2021.

ATTEST:

Mayor

City Clerk



Memorandum

To: Nick Hernandez, City Manager and City Commission
From: Nicole May, Finance Director and Ryan Reid, Director of Administration
Date: June 3, 2021
Subject: ERP (Enterprise Resource Planning) Software
Agenda Item: New Business

Recommendation: In February 2021, an RFP was put out for Enterprise Resource Planning (ERP) software. We only received one bid. The bid was from Tyler Technology, and was for a five-year term. The bid was for Tyler Munis for general ledger, accounts payable, utility billing, payroll, HR, and Tyler Incode for court.

The cost breakdown is:

Tyler Munis

First year: \$574,883 including one time fees of \$362,610, annual fee of \$167,063 and estimated travel for training of \$45,210

Subsequent years: \$167,063

Tyler Incode

First year: \$99,896 including one time fees of \$61,380 and annual fee of \$38,516

Subsequent years: \$38,516

Staff has researched the software and recommends the purchase from Tyler for both Munis and Incode. The above price includes training, support, data conversions, and project management.

Staff also viewed a demo for the Civic Services module of Tyler Munis but additional research is needed to determine if Tyler would be the best solution for that area.

Background: The City has been using Central Square's Naviline product for ERP since 2002. It initially included finance, court, utility billing, fleet maintenance, and payroll. Since then we have added code enforcement, building permits, and mobile building permits as well. That software has served the City well but in more recent years support and innovation has dwindled. The new software will have several advantages over our current software including:

- *Cloud based, with more mobile access
- *Improved access by residents and employees to systems through portals
- *Improved reporting for Administration, Finance, and Department Heads

***Improved use of digital documents (more paperless) and easier access to information**

***More efficient data entry**

***A fully supported platform with growth and innovation**

***Improved security to protect against ransomware and other threats**

***Modern system uses laser printers (improved bills) etc.**

***Streamlined budget entry and creation should reduce reliance on spreadsheets**

***"Evergreen" policy means software is designed for automatic and perpetual upgrades**

***Easier to use, modern interface should make cross-training and increase City employee adoption of the system.**

Tyler has 11,000 client locations and is the largest provider of software of this kind, with twenty year's experience. They have a 98% client retention rate. There are several Kansas cities that are currently using Tyler's software including Hays, Hutchinson, Leavenworth, Wichita, Winfield, and Salina.

Justification: The Tyler package will replace the Naviline package we currently have as well as some other software systems used for particular functions. We are currently budgeting \$82,000 a year on Naviline as well as approximately \$12,000 a year for other software systems that we will no longer need. We will also be able to save approximately \$12,000 a year in hardware and software costs as a result of not needing to upgrade the current system.

Financial Considerations: The first year will be paid for from cash carryover from 2020 due to cuts made in the budget due to the unknown affects of the COVID pandemic. Subsequent years will be included in each departments operating budget for.

Department	Initial Cost	Annual Cost	Training/ Conversion
Finance	19,100.00	93,039.00	99,700.00
Human Resources/Payroll	10,400.00	14,789.00	52,120.00
Receipts/Utility Billing	17,600.00	33,749.00	67,420.00
Reporting		8,835.00	15,300.00
Document Management	12,000.00	11,057.00	6,120.00
Forms	-	7,214.00	-
Cybersecurity	-	22,000.00	1,000.00
Project Management	-	-	51,800.00
Executive Insights	-	-	8,400.00
Signatures	<u>1,650.00</u>		
		<u>190,683.00</u>	<u>301,860.00</u>
Discount		(23,620.00)	
Travel			<u>45,210.00</u>
	<u>60,750.00</u>	<u>167,063.00</u>	<u>347,070.00</u>
Court	61,380.00	38,516.00	
Civic Services	48,500.00	119,746.00	187,800.00



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Ray Slattery, PE, Director of Engineering Services
Date: May 27, 2021
Subject: Change Order #1, Ave. K RCB Replacement, SD 1701
Agenda Item: New Business

Recommendation: Approve Change Order #1 for the paving of Ave. K from Military Ave. to Wyatt Earp Blvd. for a total increase in the amount of \$90,297.00. An additional 14 calendar days will be required for this work, depending upon weather.

Background: The Ave. K RCB Project was approved in August of 2019 the Commission approved the construction of this project. The start date was set for January 2020. When demolition started in January 2020, a major AT& T phone duct was found that was not located during the design phase. AT&T scheduled to move the duct, but due to their scheduling it was going to be a few weeks. Then the COVID shut down took place and AT&T did not do any work per their company policy. Once AT&T went back to work there was a backlog on all their projects. Once the duct was moved and out of the way, Building Solutions had moved on to other projects to keep their crews busy. Building Solutions was able to start back on the project earlier this year. However, the wet weather slowed the progress they could make. To date the only major item of work is to complete the south drainage flume. However wet weather has prevented this work from taking place. The section of Ave. K from Military Ave. to Wyatt Earp Blvd. was slated for a mill and inlay with the 2020 Asphalt Project. However during the project, it deteriorated to a point that it needs to be totally reconstructed. City staff requested a quote from Building Solutions to remove the existing asphalt pavement and replace the driving surface with concrete pavement. The quote also included replacing parts of the concrete panels of Wyatt Earp Blvd. at the Ave. K intersection because they are spalling at the toe line.

Justification: This change order will provide a new roadway on a street that is considered a local collector or the area. It will also reduce maintenance issues and costs of this section of the roadway for many future years.

Financial Considerations: Change Order #1 is for an increase of \$90,297.00. Funding will be from the 2019 Series-A GOB. The Ave. K project is projected to be \$50,000 under budget. There are also some funds remaining in the GOB because other projects came in under budget.

Purpose/Mission: The completion of this project aligns with the City's Core Value of Ongoing Improvement and Safety.

Legal Considerations: By approving the Change Order from Building Solutions, LLC, the contract will be amended for both the dollar amount and number of calendar days.

Attachments: Change Order #1

CITY OF DODGE CITY

Change Order

CONTRACT FOR: Avenue K & Military Avenue RCB Repl.

PROJECT NUMBER: SD 1701

CONTRACTOR: Building Solutions

REQUEST NUMBER: 1

ITEM DESCRIPTION	UNIT	CONTRACT OR PREVIOUS QUANTITY	ADJUSTED QUANTITY	AMOUNT OF OVERRUN OR UNDERRUN	CONTRACT UNIT PRICE	NEW UNIT PRICE	DOLLAR AMOUNT OF CHANGE
Ave K. Reconstruction - Military Ave. to Wyatt Earp Blvd.							
Remove Existing Asphalt Pavement	SY	0	1127	1127		\$ 5.75	\$ 6,480.25
Unclassified Excavation	CY	0	188	188		\$ 10.00	\$ 1,880.00
6" Crushed Concrete Sub-grade	SY	0	1127	1127		\$ 12.00	\$ 13,524.00
7" NRDJ Concrete Pavement	SY	0	1127	1127		\$ 53.25	\$ 60,012.75
Remove /Repalce 9" NRDJ Conc. Pvmnt.	SY	0	23	23		\$ 300.00	\$ 6,900.00
Traffic Control for Wyatt Earp Blvd.	LS	0	1	1		\$ 1,500.00	\$ 1,500.00
NET INCREASE						\$	90,297.00

RECOMMENDED FOR APPROVAL:

This is to affirm that I have inspected this change in plans and construction and hereby agree to the quantities, unit prices, and amounts shown above.

Ray Slattery, P.E.
Director of Engineering Services

Contractor: Building Solutions

Connie Marquez, City Clerk

Mayor or City Manager

By: _____