

COMMISSION AGENDA

City Commission Chambers
Monday, October 15, 2007 7:00 p.m.
MEETING #4687

CALL TO ORDER

ROLL CALL

INVOCATION: Kingdom Harvest, Reverend Debra L. Muylaert

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

VISITORS (Limit of five minutes per individual and fifteen minutes per topic. Final action may be deferred until the next City Commission meeting unless an emergency situation does exist).

CONSENT CALENDAR

1. Approval of Work Session City Commission meeting minutes October 1, 2007
2. Approval of regular City Commission meeting minutes October 1, 2007
3. Appropriation Ordinance No. 20, October 15, 2007
4. Approval of Cereal Malt Beverage Application(s)
 - a. Kate's, 305 E. Trail St, Dodge City
 - b. King Kwik Mart, 510 E. Wyatt Earp, Dodge City
5. Wyatt Earp Blvd. Phase I-Project ST 0201 Change Order No. 11 in the amount of \$756.14.

ORDINANCES & RESOLUTIONS

Resolution 2007-18 Cemetery Rules, Regulations, and Fees. Reported by Paul Lewis, Director of Parks and Recreation.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Engagement Letter with Kennedy, McKee and Company LLP for Audit for years ending December 31, 2007 and 2008. Reported by Nannette Pogue, Director of Finance/City Clerk.
2. Approval of Temporary Easement/Permanent Right of Way West Wyatt Earp Blvd.—14th Ave.—Matt Down Lane in the amount of \$171,155.00. Reported by Joe Finley, Director of Public Works.

Parcel #1	Randle/Susan Tuxorn	2401 W. Wyatt Earp	Temp Ease	\$	1,680.00
Parcel #1	Randle/Susan Tuxorn	2401 W. Wyatt Earp	Right of Way	\$	9,200.00
Parcel #1	Randle/Susan Tuxorn	2401 W. Wyatt Earp	Damages	\$	1,250.00
Parcel #14	Roger/Peggy Burdick	2410 W. Wyatt Earp	Temp Ease	\$	2,400.00
Parcel #14	Roger/Peggy Burdick	2410 W. Wyatt Earp	Right of Way	\$	103,000.00
Parcel #37	O.K. Tire of DC, Inc	1808 W. Wyatt Earp	Temp Ease	\$	5,275.00
Parcel #37	O.K. Tire of DC, Inc	1808 W. Wyatt Earp	Right Way	\$	400.00
Parcel #37	O.K. Tire of DC, Inc	1808 W. Wyatt Earp	Misc	\$	7,500.00
Parcel #29	Byron/Beverly Winans	2305 W. Wyatt Earp	Temp Ease	\$	8,250.00
Parcel #29	Byron/Beverly Winans	2305 W. Wyatt Earp	Damages	\$	7,500.00
Parcel #31	Randle/Susan Tuxhorn	2401 W. Wyatt Earp	Temp Ease	\$	23,450.00
Parcel #31	Randle/Susan Tuxhorn	2401 W. Wyatt Earp	Damages	\$	1,250.00
Total Amount					\$ 171,155.00

3. Approval of Bid for Storm Drainage Improvements, 14th Ave & Linn St, in the amount of \$42,804.00. Reported by Joe Finley, Director of Public Works.

4. Bid options for 2007 Inlet Project, SD 0702. Reported by Joe Finley, Director of Public Works.

5. Appoint one (1) Voting Delegate and one (1) Alternate Delegate for National League of Cities Annual Business Meeting.

OTHER BUSINESS

ADJOURNMENT

CITY COMMISSION MEETING
WORK SESSION MINUTES
CITY CHAMBERS
OCTOBER 1, 2007 6:00 P.M.

ROLL CALL: Mayor Kent Smoll, Commissioners Rick Sowers, Jim Lembright, Jim Sherer, and Terry Lee

Paul Lewis, Director of Parks and Recreation presented proposed cemetery regulations. The consensus by the City Commissioners was to present the cemetery regulations in Resolution form at the next regular City Commission Meeting.

Pat Kolb, Kennedy McKee & Company presented the City's 2006 Audit.

Meeting adjourned at 7:05 p.m.

CITY COMMISSION MINUTES

City Commission Chambers
Monday, October 1, 2007 7:00 p.m.
MEETING #4686

CALL TO ORDER

ROLL CALL: Mayor Kent Smoll, Commissioners Rick Sowers, Jim Lembright, Jim Sherer, and Terry Lee

INVOCATION: Kingdom Harvest, Lenice Ryan

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

VISITORS (Limit of five minutes per individual and fifteen minutes per topic. Final action may be deferred until the next City Commission meeting unless an emergency situation does exist).

Character Trait for the month of October is Thoroughness, presented by Jane Longmeyer, Administrative Assistant

Dodge City Public Library Report, presented by Cathy Reeves, Director. Introduction of library staff: Marie Gall, Support Staff; Linda Durham and Scott Dressler, Facilities Staff; Chris Dressler and Ryan Morton, Technical Services.

Dodge City Educational Leadership Academy, presented by Martha Mendoza

CONSENT CALENDAR

1. Approved of regular Commission meeting minutes September 17, 2007
2. Approved of Joint City/County Special meeting minutes, September 21, 2007
3. Approved of Check Report October 1, 2007
4. Approved of Cereal Malt Beverage Application(s)
 - a. Boot Hill Museum, Inc., Front Street, Dodge City, KS 67801
5. Installations and purchase of Traffic Cameras at First Ave. & Wyatt Earp Blvd. in the amount of \$26,000.00.
6. Installation and purchase of Traffic Cameras at Second Ave. & Trail St. in the amount of \$17,250.00.

Commissioner Lembright moved to accept Consent Calendar, second by Commission Sherer, vote unanimous.

ORDINANCES & RESOLUTIONS

Resolution 2007-17: A Resolution Declaring it Advisable to Issue General Obligation Refunding Bonds of the City of Dodge City, Kansas, to Refund Outstanding Water Works and Waste Water Utilities System Revenue Bonds; and Providing for the Giving of Notice of Said Intention of the City. Commissioner Sowers moved to pass Resolution 2007-17, second by Commissioner Lembright, vote unanimous.

UNFINISHED BUSINESS

NEW BUSINESS

Approval of purchase of temporary easement/permanent Right of Way West Wyatt Earp Blvd. 14th Ave. –Matt Down Lane in the total amount of \$20,000.00.

2408 W. Wyatt Earp Temp Easement	\$10,000.00
2400 W. Wyatt Earp Temp Easement	\$ 7,150.00
2400 W. Wyatt Earp Right of Way	\$ 2,850.00

Commissioner Sherer moved, second by Commissioner Lee, unanimous vote.

Approval of purchase of park amenities for Beeson Shelter, Wright Park, and Homestead Park in the amount of \$13,761.00 with the AMBUCS contributing \$2,276.00 toward this project on a motion by Commissioner Sowers, second by Commissioner Sherer, unanimous vote.

Approval and acceptance of 2006 Audit on a motion by Commissioner Lembright, second by Commissioner Lee, unanimous vote.

OTHER BUSINESS

City Manager: Ken Strobel complemented on the cooperation efforts of several organizations, the State of Kansas, and several City departments to receive grants for several parks in which will benefit the community. Ken also report on the meeting with members of Tourism organizations and the Tourism Master Plan consultants.

Commissioners: Commissioner Sherer reported on the Human Development Steering Committee he serves on. He also worked the CVB booth at the State Fair in September.

Commissioner Sowers thanked the city employee's effort on their Public Lands Day and clean up project at the former St. Mary's Campus.

Mayor Smoll reported that he, Ken Strobel, and Commissioner Sherer attended the Art's & Cultural meeting at the Depot. They toured several facilities in Dodge City and Ford County.

ADJOURNMENT: Commissioner Sowers moved for the meeting to be adjourned, second by Commissioner Sherer, vote unanimous.

(Individual)

APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES

Dodge City, Ford COUNTY, KANSAS, Sep. 26, 2007
TO THE GOVERNING BODY OF THE CITY OF Dodge City, KANSAS,

or
THE BOARD OF COUNTY COMMISSIONERS OF Ford COUNTY, KANSAS.

I hereby apply for a license to retail cereal malt beverages in conformity with the laws of the State of Kansas and the rules and regulations prescribed and hereafter to be prescribed by you relating to the sale or distribution of cereal malt beverages; for the purpose of securing such license, I make the following statements under oath:

- 1. (a) Name of proposed licensee Riley E. Skaggs
(b) Age 64
(c) Place and date of birth Houston, TX. Feb. 21, 1943
(d) Residence address 307 E. Trail St. Dodge City, KS. 67801
(e) I have been a resident of the State of Kansas 62 years.
I have been a resident of the City of Dodge City, Ford County 58 years.

- 2. The premises for which the license is desired are located at 305 E. Trail St. Dodge City, KS.
(a) The legal description of said property is
(b) The street number is 305 E. Trail St.
(c) The building to be used is
(d) The business will be conducted under the following name: Kate's

- 3. The name and address of the owner or owners of the premises upon which the proposed business will be located is Riley E. Skaggs 307 E. Trail St.
4. I am a citizen of the United States. Yes (X), No ()
(a) My citizenship arises by birth (X), Naturalization ()
(b) My place of naturalization and the date thereof is as follows:

- 5. I have (), have not (X), been convicted of a felony within two years immediately preceding the date of this application.
6. I have (), have not (X), been convicted of a crime involving moral turpitude within two years immediately preceding the date of this application.
7. I have (), have not (X), been adjudged guilty of drunkenness within two years immediately preceding the date of this application.
8. I have (), have not (X), been adjudged guilty or entered a plea, or forfeited bond on a charge of driving a motor vehicle while under the influence of intoxicating liquors within two years immediately preceding the date of this application.
9. I have (), have not (X), been convicted of a violation of any state or federal intoxicating liquor law within two years immediately preceding the date of this application.
10. My place of business will be conducted by a manager or agent-- Yes (), No (X)
(a) If the answer above is yes, the name, age, and residence of manager or agent is

Said manager or agent does (), does not (), have the qualifications to have a license issued in his own name. The same to be determined by reference to K.S.A. 41-2703, K.S.A. 41-2702. Specifics concerning his residence, citizenship, and the answers to questions 5 through 9 are as follows:

- 11. I have (X), have not (), been a resident of this State for at least one year immediately preceding making this application.
12. My spouse would (X), would not (), be eligible to receive a retailer's license.
(a) If the answer is would not, explain what the fact or facts are that would cause your spouse to be ineligible.
13. This application is for a license to retail cereal malt beverages for consumption on the premises (X). For a license to retail cereal malt beverages in original and unopened containers and not for consumption on the premises ().

A license fee of \$ 225.00 is enclosed herewith.

I, Rene E Skorge, the above-named applicant, hereby agree to comply with all of the laws of the State of Kansas, and all rules and regulations prescribed by you, and hereafter to be prescribed by you, relating to the sale or distribution of cereal malt beverages, and do hereby agree to purchase all cereal malt beverages from a wholesaler licensed and bonded under the laws of the State of Kansas, and do hereby further consent to the immediate revocation of my cereal malt beverage license, by the proper officials, for the violation of such laws, rules or regulations.

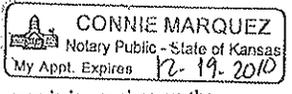
Rene E Skorge
(Signature of Applicant)

STATE OF KANSAS, COUNTY OF Town, ss.

I, Rene E Skorge, the above-named applicant, do solemnly swear that I have read the contents of this application, and that all information and answers herein contained are complete and true. So help me God.

Rene E Skorge
(Signature of Applicant)

SUBSCRIBED AND SWORN TO before me this 27th day of September A.D. 2007



Connie Marquez
(Character of official administering oath)

My commission expires on the _____ day of _____ A.D. 20____

APPLICATION APPROVED this _____ day of _____ A.D. 20____

By _____ (Official position)

of _____, Kansas.
(City or county)

Recorded in Volume _____, at page _____

(Individual Application Form)

APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES

Dodge City, FORD COUNTY, KANSAS, September 26, 2007

TO THE GOVERNING BODY OF THE CITY OF Dodge City, KANSAS,

or

THE BOARD OF COUNTY COMMISSIONERS OF FORD COUNTY, KANSAS.

I hereby apply for a license to retail cereal malt beverages in conformity with the laws of the State of Kansas and the rules and regulations prescribed and hereafter to be prescribed by you relating to the sale or distribution of cereal malt beverages; for the purpose of securing such license, I make the following statements under oath:

- 1. (a) Name of proposed licensee: LOCK Pharithi Kane, King Kwik Mart
(b) Age: 53
(c) Place and date of birth: JUNE 3 1954
(d) Residence address: 2302 Robin Rd, Dodge City KS 67801
(e) I have been a resident of the State of Kansas 3 years.
2. The premises for which the license is desired are located at 510 E Wyatt Corp Blvd, Dodge City KS 67801
(a) The legal description of said property is
(b) The street number is 510 E Wyatt Corp
(c) The building to be used is Retail Sales Convenience Store
(d) The business will be conducted under the following name: King Kwik Mart
3. The name and address of the owner or owners of the premises upon which the proposed business will be located is 2302 Robin Rd, Dodge City KS
4. I am a citizen of the United States. Yes (X), No ()
(a) My citizenship arises by birth (), Naturalization ()
(b) My place of naturalization and the date thereof is as follows: San Francisco, March, 05, 1998
5. I have (), have not (X), been convicted of a felony within two years immediately preceding the date of this application.
6. I have (), have not (X), been convicted of a crime involving moral turpitude within two years immediately preceding the date of this application.
7. I have (), have not (X), been adjudged guilty of drunkenness within two years immediately preceding the date of this application.
8. I have (X), have not (), been adjudged guilty or entered a plea, or forfeited bond on a charge of driving a motor vehicle while under the influence of intoxicating liquors within two years immediately preceding the date of this application.
9. I have (), have not (X), been convicted of a violation of any state or federal intoxicating liquor law within two years immediately preceding the date of this application.
10. My place of business will be conducted by a manager or agent— Yes (), No (X)
(a) If the answer above is yes, the name, age, and residence of manager or agent is
Said manager or agent does (), does not (), have the qualifications to have a license issued in his own name. The same to be determined by reference to K.S.A. 41-2703, K.S.A. 41-2702. Specifies concerning his residence, citizenship, and the answers to questions 5 through 9 are as follows:
11. I have (), have not (), been a resident of this State for at least one year immediately preceding making this application.
12. My spouse would (), would not (), be eligible to receive a retailer's license.
13. This application is for a license to retail cereal malt beverages for consumption on the premises (). For a license to retail cereal malt beverages in original and unopened containers and not for consumption on the premises ().

A license fee of \$ 125.00 is enclosed herewith.

I, _____, the above-named applicant, hereby agree to comply with all of the laws of the State of Kansas, and all rules and regulations prescribed by you, and hereafter to be prescribed by you, relating to the sale or distribution of cereal malt beverages, and do hereby agree to purchase all cereal malt beverages from a wholesaler licensed and bonded under the laws of the State of Kansas, and do hereby consent to the immediate revocation of my cereal malt beverage license, by the proper officials, for the violation of such laws, rules or regulations.

[Signature]
(Signature of Applicant)

Ford

STATE OF KANSAS, COUNTY OF Wichita, ss.

I, Lock Pharaoh Kaur, the above-named applicant, do solemnly swear that I have read the contents of this application, and that all information and answers herein contained are complete and true. So help me God.



[Signature]
(Signature of Applicant)

SUBSCRIBED AND SWORN TO before me this 26th day of September 2007

Shirley Bourne
(Character of official administering oath) Notary Public

My commission expires on the _____ day of _____ 20____

APPLICATION APPROVED this _____ day of _____ 20____

By _____
(Official position)

of _____, Kansas.
(City or county)

Recorded in Volume _____, at page _____.

NOTE: A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE APPLICATION FEE REQUIRED BY K.S.A. 2001 SUPP. 41-2702(c), MUST BE SUBMITTED TO THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL BUREAU, KANSAS DEPARTMENT OF REVENUE.

City of Dodge City

Memorandum

October 1, 2007

TO: Ken Strobel, City Manager

FROM: Joseph E. Finley, P.E., Director of Public Works

RE: Wyatt Earp Blvd. Phase I - Project ST 0201
Change Order No. 11

Attached, please find Change Order No. 11 for the above referenced project. This extra work was required to relocate a pedestrian signal pole at the intersection of Wyatt Earp Blvd. and 2nd Avenue.

Work includes a new pole base, moving the pole, wiring the signal at the new location, and removal of the existing pole base. The agreed price shall be \$756.14 per each. This additional work resulted in an increase of \$756.14. This change order will bring the total changes to \$24,635.99 or 0.47% increase.

Our consultant reviewed this request and recommended approval. This work has been completed and the light poles are in place and working.

Should you have any questions, please let me know.

JF/jlg

CHANGE ORDER
For
Change in Plans and Construction

Contract No. 06-012 Change Order No. 11

Description West Wyatt Earp Reconstruction, Phase I, (ST 0201) Dodge City, Kansas

Contractor: Dobson Brothers Construction Address: PO Box 81409, Lincoln, NE 68501

EXPLANATION OF CHANGE RECOMMENDED

New Line Item No. 145 -- This extra work was required to relocate a pedestrian signal pole at the intersection of Wyatt Earp Blvd. and 2nd Avenue. Work includes a new pole base, moving the pole, wiring the signal at the new location, and removal of the existing pole base. The agreed price shall be \$756.14 per each.

OVERRUNS

Revised Quantities	Item No.	Item of Work	Contract Unit Price	Revised Unit Price	Amount
1 LS	145	Relocate Pedestrian Signal Pole	756.14		\$756.14

Total Overruns \$ 756.14

UNDERRUNS

Revised Quantities	Item No.	Item of Work	Contract Unit Price	Revised Unit Price	Amount

Total Underruns \$ 0.00

TOTAL DECREASE/INCREASE \$ 756.14

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

Contractor Dobson Brothers Construction

Signed By 

Date 9-18-07

Recommended for Approval:
Cook, Flatt & Strobel Engineers, P.A.

By: 
Melvin D. Chapman, P.E.

Approved:

Owner City of Dodge City

Date September 10, 2007

Signed By 

Date 9/10/07



City of Dodge City

PO Box 880 • Dodge City KS 67801 • Phone: 620/225-8160 • Fax: 620/225-8184

Memorandum

To: City Commissioners
Ken Strobel, City Manager
From: Paul Lewis, Parks & Recreation Director
Date: October 11, 2007
Subject: Cemetery Rules, Regulations, and Fees

A handwritten signature in black ink, appearing to be "P. Lewis", located to the right of the "From:" line.

Attached with this memo is a proposed ordinance updating the rules, regulations, and fees related to Maple Grove Cemetery.

The major modification to the existing regulations pertains to temporary decorations. Almost every cemetery has rules governing temporary decorations as does Maple Grove. Those regulations speak to what types of decorations are allowed, when they can be placed, how they're dealt with over time, etc. However, in our case, the regulations are not as clear as we would like which makes enforcement difficult and can lead to conflicts between staff and the public. The proposed changes address those issues and concerns.

Changes to language regarding temporary decorations provides five defined periods throughout the year when decorations classified as temporary can be left on a grave site. Those times are three days prior to and six days following Memorial Day, Veteran's Day, through the winter holiday season, birth date, and at the anniversary of the date of passing. Flowers are always allowed as long as they are maintained in approved receptacles. All other temporary decorations will be removed outside of those time periods.

Under these guidelines, individuals still have the opportunity to decorate grave spaces with items of personal interest however it is limited to the five defined periods. The rest of the year, cemetery staff will remove temporary decorations and other nonconforming items to reduce clutter and facilitate maintenance operations.

Other minor changes have also been incorporated to the regulations. Language was changed related to monument foundations based on new methods utilized by monument companies and to better define standards and requirements.

Finally the fees and charges for cemetery services are updated. Based on escalating costs incurred by the City, staff recommends increasing internment fees from \$225 to \$250 and disinterment from \$350 to \$400. The fee for funeral equipment (tent, chairs, and lowering device) is increased from \$75 to \$100. That amount still compares favorably with charges applied by commercial operations.

With the exception of the temporary decorations guidelines, implementation of these changes will be straightforward. Implementing the decorations policies does require an educational and communication effort with the public to facilitate the process.

Signage and media coverage will be produced to alert the community of the policy change related to temporary decorations. Individuals will then have until January 7th to remove any temporary or nonconforming items on their own. After that date, staff will begin the process of removing and tagging remaining items and store them until Memorial Day 2008 to give individuals an additional opportunity to claim any personal items.

Staff is also in the process of developing a brochure for the funeral homes to inform future interments of the rules and regulations.

These proposed regulations have been reviewed and recommended by the Cemetery Advisory Board and discussed at two study sessions of the City Commission. Based on input from those meetings, modifications have been incorporated into the final document presented here. The Advisory Board recommends approval of these regulations and staff concurs with that recommendation.

Maple Grove is the final resting place of over 13,000 men, women, and children. The purpose of these regulations is to provide a standard that protects the interest of the public as a whole and treat equally all who make Maple Grove their final resting place while still allowing those who remain the opportunity to remember loved ones in their own individual ways.

If there are any questions I'll be happy to answer them or provide additional information if necessary.

RESOLUTION 2007-18

A RESOLUTION REPEALING RESOLUTION 2005-05 AND ALL OTHER RESOLUTIONS IN CONFLICT AND ESTABLISHING NEW RULES, REGULATIONS, AND FEES FOR MAPLE GROVE CEMETERY

WHEREAS, The City is the owner of Maple Grove Cemetery and is responsible for the maintenance and care of the property; and

WHEREAS, the creation of policies and regulations are necessary in order to provide for the efficient and effective operation of the cemetery; and

WHEREAS, The City desires to establish a reasonable and equitable schedule of fees and charges necessary to offset the cost of providing services at the cemetery; and

WHEREAS, the governing body of the City of Dodge City, Kansas, deems it necessary to adjust the Maple Grove Cemetery Rules and Regulations of Operation and Maintenance and to revise the fees and charges associated with cemetery operations.

NOW, THEREFORE, be it resolved by the governing body of the City of Dodge City, Kansas that the following rules, regulations, and fees be adopted for Maple Grove Cemetery:

Section 1: Internments

A) Notice of Internments

- 1) Request for grave opening and closing shall be made a minimum of 10 working hours prior to need.
- 2) Internments will not be scheduled less than one hour apart without cemetery supervisor's approval.
- 3) No internments will be scheduled Saturday afternoons, Sundays, or on city observed holidays except for the Friday after Thanksgiving.

B) All information pertinent to the interment shall be provided to the cemetery supervisor or his/her designee to include but not limited to:

- 1) Name and address of the lot owner
- 2) Lot and block number on which burial is to be made
- 3) Name of person applying for permission for interment
- 4) Name and address of funeral home in charge of the body

C) Only one traditional burial and one cremation, two cremations, or two baby internments shall be allowed in any one grave space with the exception of Garden of the Apostles which is specifically designed for double burials.

D) All vaults and/or outside receptacles must be constructed of reinforced concrete or 12 gauge metal minimum. No vault shall be installed until the plans, specifications and location shall have been approved by the supervisor. No surface mausoleum or above ground vaults or crypts are allowed.

Section 2: Disinterment

- A) All information pertinent to the disinterment shall be provided to the cemetery supervisor or his/her designee to include but not limited to:
 - 1) Name and address of person making/authorizing the request.
 - 2) The lot and block number of the grave to be disinterred.
 - 3) Name and address of the funeral home in charge of the disinterment arrangements.

Section 3: Monuments and Markers

- A) The purpose of these rules and regulations are to maintain uniformity and consistency with the installation and appearance of monuments and markers in Maple Grove Cemetery. These standards provide for a generally accepted appearance and ease of maintenance.
- B) All monuments shall be granite, bronze or marble. No other materials will be allowed.
- C) Except for the conditions listed below, only one monument or marker may be placed on a single grave space. The marker shall be placed at the head of the grave.
 - 1) Veterans may be recognized with a Veterans marker provided by U.S. Department of Veterans Affairs. If used as a second marker, the Veterans marker must be flush with the ground and placed at the foot of the grave.
 - 2) Family Blocks
 - (a) Family blocks are defined as a minimum of four contiguous grave spaces.
 - (b) Family blocks are permitted only in sections allowing upright monuments and must follow the regulations specified in Paragraph F below. Only one upright family monument per block will be permitted. Any additional monuments must be flush markers.
 - (c) Corner Stones – Family blocks may be marked with corner stones or granite not less than six inches dress on all sides and not less than ten inches deep, and shall not project above the level of the ground.
- D) Monument/Marker Foundations
 - 1) All monuments and markers shall be located within the lot lines of each grave space. No part of the monument or marker shall protrude beyond the limits of the monument foundation.
 - 2) All monuments shall be placed on a foundation of either fresh poured or pre-cast concrete of not less than four inches in depth and twenty-two inches (22") in width. Any foundation less than ten inches (10") in depth must be supported by post holes filled with freshly poured concrete two feet deep and approximately 6" in diameter. Post holes shall be equally spaced on the center line along the length of the foundation. Single monuments will be supported by two post holes and family or companion markers shall have three.
 - 3) The foundation shall be set level with the ground, at the head of the grave space on undisturbed ground, equal distance from the side boundaries. The center line of monuments and markers shall be set on the center line of the foundation.
 - 4) Except for Maple Grove West and baby graves as denoted below, foundations shall be 20" in width and provide a minimum 3" flange surrounding the monument.

E) Permits for Monuments

- 1) Permits are required for the placement of any monument, marker, or headstone. Before a permit is issued the Cemetery Supervisor or his designee must first approve the monument for size, style, and location.
- 2) Permits may be obtained at the cemetery office.

F) Upright Monuments

- 1) A standard, upright tablet is recommended in those divisions where upright monuments are permitted. Any deviation from this standard must have prior approval from the Cemetery Advisory Board.
- 2) Monuments for single standard grave spaces shall not exceed three feet (3') in height, forty-two inches (42") in length and fourteen inches (14") in width. These maximum dimensions shall also pertain to any design that incorporates a base. A base must be a minimum of four inches (4") in height.
- 3) Family or companion monuments shall only be placed on a minimum of two (2) standard spaces, provided that such a monument shall not exceed four feet (4') in height; eighty-four inches (84") in length; and fourteen inches (14") in width. These maximum dimensions shall also pertain to any design that incorporates a base. A base must be a minimum of four inches (4") in height.
- 4) Flower Receptacles for cut and artificial flowers are permitted as long as the vase is incorporated into a monument base. In-ground receptacles are not permitted with upright monuments.

G) Flush Markers

- 1) Flush markers only are permitted in Divisions 11, 14, 17, 18, designated baby grave areas, and Divisions A, B, C, and Garden of the Apostles of Maple Grove West.
- 2) Maple Grove East
 - (a) Markers for single standard grave spaces shall not exceed forty-two inches (42") in length and fourteen inches (14") in width.
 - (b) Companion markers shall only be placed on a minimum of two (2) standard spaces, provided that such a marker shall not exceed seventy-two inches (72") in length and fourteen inches (14") in width.
- 3) Maple Grove West
 - (a) Markers for single standard grave spaces shall not exceed thirty-six inches (36") in length and fourteen inches (14") in width which shall include the foundation.
 - (b) Companion markers shall only be placed on a minimum of two (2) standard spaces, provided that such a marker shall not exceed sixty inches (60") in length and fourteen inches (14") in width which shall include the foundation.
 - (c) Markers in the Garden of the Apostles section shall not exceed twenty-four inches (24") in length and thirty-six inches (36") in width including the foundation.
 - (d) Skirts or flanges for markers in Maple Grove West are prohibited.
- 4) Baby Graves
 - (a) Markers for baby graves shall not exceed twenty four inches (24") in length and twelve inches (12") in width. Foundations shall not exceed 18" in width and 30" in length.

5) Flower Receptacles

- (a) In-ground or inverted receptacles for cut flowers are permitted if installed flush with the ground. The receptacle must be of a type that can be stored away below grade when not in use. Receptacles can be installed centered in front of the marker or at either end of the marker when incorporated with the overall length requirements.

Section 4: Grave Decorations, Ornaments and Embellishments

A) Permanent Decorations

- 1) Permanent decorations, ornaments, or embellishments of any kind, including, but not limited to, fences, wrought iron, benches, statutes, and figurines are not permitted as these become hazardous and interfere with cemetery operations.
- 2) Adhering or attaching items such as, cards or pictures or decorative elements to memorials and monuments or to crypt fronts (other than vases provided by the City), is not allowed. These objects will be removed by cemetery management whenever found on a grave or at a crypt site.
- 3) Slabs or grave coverings other than turf are prohibited.

B) Temporary Decorations of Graves

- 1) Temporary decorations shall be confined to: artificial and real flower arrangements, wreaths, potted plants, flags, figurines not more than 18" in height; and hanging iron planters provided they are placed around the headstone as close to the foundation as possible.
- 2) In order to maintain a neat appearance and to facilitate cemetery maintenance, temporary decorations, other than cut and artificial flowers as described below, are permitted only the three days prior to and the six days after the following periods:
 - (a) Memorial Day
 - (b) Veterans Day
 - (c) Winter Holiday season (Begins December 1st through January 1st.)
 - (d) Date of Birth
 - (e) Anniversary of the date of passing
- 3) Cut/Artificial Flowers
 - (a) Cut and artificial flowers are allowed at any time as long as they are maintained in receptacles permitted under these regulations.
 - (b) The use of glass jars, bottles, tin cans, and the like for receptacles for artificial and cut flowers is strictly prohibited.
 - (c) Any withered and faded flowers or artificial flowers that become unsightly will be removed without notice.
- 4) Funeral designs and floral pieces shall be removed from new internments when they become wilted or unsightly. Persons desiring to retain any such piece must remove the same within forty-eight hours after interment.
- 5) The Cemetery Supervisor will remove decorations from any grave space outside of approved periods. Unless prior arrangements are made, cemetery staff will not be responsible for the return of any temporary decorations to the family.

Section 5: Work, Maintenance and Repairs in the Cemetery

- A) Ordinary maintenance shall be the responsibility of cemetery staff and shall include mowing, tree care, weeding, painting, and trimming of the grounds, repairs to graves, mausoleums, and crypts.
- B) Repairs to monuments and markers shall be the responsibility of the family. All such work shall be performed under the direction of the cemetery supervisor or his/her designee.
- C) Persons desiring to do work other than ordinary maintenance (i.e. mowing, trimming) on any lot or grave shall first secure permission from the cemetery supervisor or his/her designee.
- D) No one other than cemetery staff shall be allowed to spray any chemical agent including fertilizers, weed killers, herbicides, and ground sterilants at any time.

Section 6: Planting of Trees, Shrubs and Flowers

- A) All landscaping including planting of trees, shrubs, and flowers will be done by cemetery staff. Lot owners are urged to consult with the cemetery supervisor regarding matters pertaining to the general beautification, care, and maintenance of lots in the cemetery.
 - 1) Existing lot plantings may be removed by the City when they become unsightly, undesirable, or interfere with cemetery maintenance and may not be replaced.
 - 2) Any plantings, shrubs, or trees wrongfully placed will be removed by cemetery staff without notice.
- B) Memorial Trees and Plantings - The Cemetery will accept donation of trees and shrubs to be planted in a suitable area of the cemetery. The Cemetery Supervisor will make the decision of the location of the planting.

Section 7: Vehicle Restrictions

- A) No unauthorized vehicle shall be permitted to drive at any place within the cemetery except on defined roads. Driving on walkways, grass, alleys, or in vacant places etc. is prohibited.
- B) Violators - If any person or persons shall violate any of the provisions herein contained they shall be deemed guilty of a misdemeanor and shall upon conviction thereof be fined in an amount determined by city code.

Section 8: Hours of Operation/Visitation

- A) Cemetery Maintenance/Office Hours - 7:00 a.m. to Noon and 1:00 p.m. to 4:00 p.m. Monday through Friday
- B) Hours of Visitation - 7:00 a.m. – Sunset.
 - 1) Any unauthorized person found in the cemetery after hours may be prosecuted.

Section 9: Fees and Charges

- A) Article 9, Section 1 of the Dodge City Code is hereby amended as follows:
 - 1) Grave Spaces
 - (a) Standard single grave space \$250
 - (b) Baby grave No Charge

- (i) Space in the designated baby grave section is provided at no cost for residents of Ford County as space permits for infants less than one (1) year of age. Casket size shall not be more than 36 inches in length.

2) Maple Grove West Mausoleum

- (a) Top Row \$1,000
- (b) Middle Two Rows \$1,200
- (c) Bottom Row \$1,000

3) Scroggins Mausoleum Crypts

	Chapel Crypts (Inside)		Patio Crypts (Outside)	
	Side by Side	End to End	Side by Side	End to End
Level E	\$2,000.00	\$1,800.00	\$1,600.00	\$1,400.00
Level D	\$2,100.00	\$1,900.00	\$1,700.00	\$1,500.00
Level C	\$2,350.00	\$2,150.00	\$1,950.00	\$1,750.00
Level B	\$2,500.00	\$2,300.00	\$2,100.00	\$1,900.00
Level A	\$2,300.00	\$2,100.00	\$1,900.00	\$1,700.00

4) Scroggins Mausoleum Niches

- (a) Pedestal \$1,000
- (b) Foyer \$750
- (c) Glass
 - (i) 12x12 \$900
 - (ii) 12x15 \$1,200
 - (iii) 12x24 \$1,200

5) Internments

- (a) Standard Grave Service \$250
- (b) Baby Grave Service \$50
- (c) Cremation Urns \$100

6) Disinterment

- (a) Traditional grave \$400
- (b) Cremations \$100

7) Other Charges

- (a) Funeral Service Equipment \$100
 - (i) Includes tent, chairs, grass carpet, and lowering device.
- (b) Scroggins Chapel Rental \$50

8) Monument Permits

- (a) Single headstone \$15
- (b) Double headstone \$25

Section 10: Advisory Committee

- A) A cemetery advisory committee is established for the purpose of reviewing rules and regulations and any other matters pertaining to the operation of Maple Grove Cemetery and making recommendations to the City Commission.
- B) Members - The committee shall be comprised of one representative from each of the funeral homes in Dodge City and a representative of any local monument company along with the Director of Parks and Recreation of his designee.
- C) Meetings
 - 1) Annual Meetings - The committee shall meet annually at the date and time established by the Director of Parks and Recreation.
 - 2) Special Meetings – If necessary a special meeting may be called by the Director of Parks and Recreation who shall provide adequate notice of date and time.
- D) Reports - Reports of all meetings and any recommendations shall be provided to the City Manager and City Commission. The City Commission may or may not act on any recommendation presented or may refer it back to the Advisory Committee for additional consideration.
- E) **Section 11: BE IT FURTHER RESOLVED this resolution shall take effect following its adoption by the Governing Body.**

ADOPTED AND APPROVED by the Governing Body of the City of Dodge City this 15th day of October, 2007.

E. KENT SMOLL, MAYOR

ATTEST:

NANNETTE POGUE, CITY CLERK

October 10, 2007

MEMO

TO: Ken Strobel, City Manager

FROM: Nannette Pogue, City Clerk 

SUBJECT: Approval of Engagement Letter with Kennedy, McKee and Company

Attached is the proposed audit engagement letter with Kennedy, McKee and Company. This proposal is to audit the City of Dodge City's financial statements for the years ending December 31, 2007 and 2008. The cost for services is \$37,000 per year plus \$70 per hour for the audit of Federal financial assistance programs. This is an increase of \$2,000 from the previous years' contract and \$5.00 per hour.

The engagement letter outlines all of the services that Kennedy, McKee will provide as well as the information the City of Dodge City will provide.

I recommend the approval of this 2 year contract with Kennedy, McKee to complete the audit. If you have any questions or wish additional information, please let me know.

COPY

Kennedy
McKee & Company LLP Certified Public Accountants

1100 W. Frontview
P. O. Box 1477
Dodge City, Kansas 67801
Tel. (620) 227-3135
Fax (620) 227-2308

JAMES W. KENNEDY, CPA
JAMES R. SHIRLEY, CPA
LU ANN WETMORE, CPA
ROBERT C. NEIDHART, CPA
PATRICIA S. KOLB, CPA

October 4, 2007

City of Dodge City
City Commission
Dodge City, Kansas 67801

We are pleased to confirm our understanding of the services we are to provide City of Dodge City for the years ended December 31, 2007 and 2008. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements, of City of Dodge City as of and for the years ended December 31, 2007 and 2008. Accounting standards generally accepted in the United States provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to accompany City of Dodge City's basic financial statements. As part of our engagement, we will apply certain limited procedures to City of Dodge City's RSI. These limited procedures will consist principally of inquiries of management regarding the methods of measurement and presentation, which management is responsible for affirming to us in its representation letter. Unless we encounter problems with the presentation of the RSI or with procedures relating to it, we will disclaim an opinion on it. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.

Supplementary information other than RSI, such as combining and individual fund financial statements, also accompanies City of Dodge City's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and will provide an opinion on it in relation to the basic financial statements:

- 1) Schedule of expenditures of federal awards.
- 2) Combining fund financial statements.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the additional information referred to in the first paragraph when considered in relation to the basic financial statements taken as a whole. The objective also includes reporting on—

- Internal control related to the financial statements and compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

The reports on internal control and compliance will each include a statement that the report is intended for the information and use of the audit committee, management, specific legislative or regulatory bodies, federal awarding agencies, and if applicable, pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Our audit will be conducted in accordance with U.S. generally accepted auditing standards; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with Circular A-133, and other procedures we consider necessary to enable us to express such opinions and to render the required reports. If our opinions on the financial statements or the Single Audit compliance opinions are other than unqualified, we will fully discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Management Responsibilities

Management is responsible for establishing and maintaining internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; for the fair presentation in the financial statements of the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Dodge City and the respective changes in financial position and, where applicable, cash flows in conformity with U.S. generally accepted accounting principles; and for federal award program compliance with applicable laws and regulations and the provisions of contracts and grant agreements. Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein.

You are responsible for management decisions and functions. As part of the audit, we will prepare a draft of your financial statements, schedule of expenditures of federal awards, and related notes. In accordance with *Government Auditing Standards*, you will be required to review and approve those financial statements prior to their issuance and have a responsibility to be in a position in fact and appearance to make an informed judgment on those financial statements. Further, you are required to designate a qualified management-level individual to be responsible and accountable for overseeing our services.

Management is responsible for making all financial records and related information available to us, including identifying significant vendor relationships in which the vendor has the responsibility for program compliance and for the accuracy and completeness of that information. Management's responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review when audit fieldwork begins.

Management is responsible for establishment and maintenance of a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous audits or other engagements or studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits or other engagements or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, and the timing and format related thereto.

Audit Procedures -- General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because an audit is designed to provide reasonable, but not absolute assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from you about the financial statements and related matters.

Audit Procedures -- Internal Controls

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under professional standards, *Government Auditing Standards*, and OMB Circular A-133.

Audit Procedures — Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of City of Dodge City's compliance with applicable laws and regulations and the provisions of contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of City of Dodge City's major programs. The purpose of those procedures will be to express an opinion on City of Dodge City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

Audit Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of and sign the Data Collection Form that summarizes our audit findings. We will provide copies of our reports to City of Dodge City; however, it is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and a corrective action plan) along with the Data Collection Form to the designated federal clearinghouse and, if appropriate, to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits. At the conclusion of the engagement, we will provide information to management as to where the reporting packages should be submitted and the number to submit.

The audit documentation for this engagement is the property of Kennedy McKee & Company LLP and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to a Cognizant of Oversight Agency for Audit or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Kennedy McKee & Company LLP personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release or for any additional period requested by the Cognizant Agency, Oversight Agency for Audit, or Pass-through Entity. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Our fees for these services will be based on the actual time spent at our standard hourly rates, plus other out-of-pocket costs such as report production, typing, postage, etc. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees may be rendered each month as work progresses and are payable on presentation. Based on our preliminary estimates, the fee for each year will not exceed \$37,000 plus \$70 per hour for the audit of Federal financial assistance programs. This estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2005 peer review report accompanies this letter.

We appreciate the opportunity to be of service to City of Dodge City and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

KENNEDY MCKEE & COMPANY LLP


Partner

RESPONSE:

This letter correctly sets forth the understanding of City of Dodge City.

By: _____

Title: _____

Date: _____

234 South Main
P.O. Box 1020
Ottawa, Kansas 66067
(785) 242-3170
(785) 242-9250 FAX
www.agc-cpas.com WEB SITE



Lucille L. Hinderliter, CPA
Harold K. Mayes, CPA

W. Keith Gaeddert, CPA
(Retired)

Kennedy McKee & Company LLP
1100 W Frontview
P.O. Box 1477
Dodge City, KS 67801

We have reviewed the system of quality control for the accounting and auditing practice of Kennedy McKee & Company LLP (the firm) in effect for the year ended September 30, 2005. A system of quality control encompasses the firm's organizational structure and the policies adopted and procedures established to provide it with reasonable assurance of conforming with professional standards. The elements of quality control are described in the Statements on Quality Control Standards issued by the American Institute of Certified Public Accountants (AICPA). The firm is responsible for designing a system of quality control and complying with it to provide the firm reasonable assurance of conforming with professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance with its system of quality control based on our review.

Our review was conducted in accordance with standards established by the Peer Review Board of the AICPA. During our review, we read required representations from the firm, interviewed firm personnel and obtained an understanding of the nature of the firm's accounting and auditing practice, and the design of the firm's system of quality control sufficient to assess the risks implicit in its practice. Based on our assessments, we selected engagements and administrative files to test for conformity with professional standards and compliance with the firm's system of quality control. The engagements selected represented a reasonable cross-section of the firm's accounting practice with emphasis on higher-risk engagements. The engagements selected included among others, engagements performed under Government Auditing Standards. Prior to concluding the review, we reassessed the adequacy of the scope of the peer review procedures and met with firm management to discuss the results of our review. We believe that the procedures we performed provide a reasonable basis for our opinion.

In performing our review, we obtained an understanding of the system of quality control for the firm's accounting and auditing practice. In addition, we tested compliance with the firm's quality control policies and procedures to the extent we considered appropriate. These tests covered the application of the firm's policies and procedures on selected engagements. Our review was based on selected tests therefore it would not necessarily detect all weaknesses in the system of quality control or all instances of noncompliance with it. There are inherent limitations in the effectiveness of any system of quality control and therefore noncompliance with the system of quality control may occur and not be detected. Projection of any evaluation of a system of quality control to future periods is subject to the risk that the system of quality control may become inadequate because of changes in conditions, or because the degree of compliance with the policies or procedures may deteriorate.



In our opinion, the system of quality control for the accounting and auditing practice of Kennedy McKee & Company LLP in effect for the year ended September 30, 2005, has been designed to meet the requirements of the quality control standards for an accounting and auditing practice established by the AICPA and was complied with during the year then ended to provide the firm with reasonable assurance of conforming with professional standards.

Agler & Gaeddert, Chartered

Agler & Gaeddert, Chartered

November 8, 2005

Memorandum

October 5, 2007

TO: Ken Strobel
City Manager

FROM: Joseph E. Finley, P.E. 
Director of Public Works

RE: Temporary Easement/Permanent Right of Way
West Wyatt Earp Blvd. 14th Ave. – Matt Down Lane

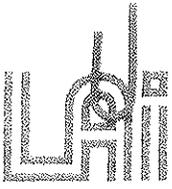
Attached for your review and approval are five requests for payment to various property owners along Wyatt Earp Boulevard. As you recall several temporary easements and additional road rights of way are necessary to allow our contractor adequate access when replacing the pavement, sidewalks, and driveways along this section of Wyatt Earp Blvd. The property owners and amounts are shown in Exhibit A

Staff would recommend approval of this request. Should you have any questions, please let me know.

JF/jlg

EXHIBIT A

PARCEL #	OWNER	LOCATION	TYPE OF PURCHASE	AMOUNT
1	Randle Tuxorn & Susan Tuxorn	2401 W. Wyatt Earp	Temporary Easement	1,680.00
1	Randle Tuxorn & Susan Tuxorn	2401 W. Wyatt Earp	Right of Way	9,200.00
1	Randle Tuxorn & Susan Tuxorn	2401 W. Wyatt Earp	Damages	1,250.00
14	Roger Burdick & Peggy Burdick	2410 W. Wyatt Earp	Temporary Easement	2,400.00
14	Roger Burdick & Peggy Burdick	2410 W. Wyatt Earp	Right of Way	103,000.00
37	O.K. Tire of Dodge City, Inc.	1808 W. Wyatt Earp	Temporary Easement	5,275.00
37	O.K. Tire of Dodge City, Inc.	1808 W. Wyatt Earp	Right of Way	400.00
37	O.K. Tire of Dodge City, Inc.	1808 W. Wyatt Earp	Misc.	7,500.00
29	Byron D. Winans & Beverly K. Winans	2305 W. Wyatt Earp	Temporary Easement	8,250.00
29	Byron D. Winans & Beverly K. Winans	2305 W. Wyatt Earp	Damages	7,500.00
31	Randle Tuxhorn & Susan Tuxhorn	2401 W. Wyatt Earp	Temporary Easement	23,450.00
31	Randle Tuxhorn & Susan Tuxhorn	2401 W. Wyatt Earp	Damages	1,250.00
TOTAL				171,155.00



REQUEST FOR REAL
PROPERTY ACQUISITION PAYMENT

PARCEL NO. 0001
PROJECT NO: Wyatt Earp Blvd
COUNTY: Ford

Purpose: Purchase of Real Property
Offering Price: \$ 9,500.00
Settlement Price: \$ 12,130.00

1. Payee: RandleTuxorn and Susan Tuxhorn
Address 2401 W. Wyatt Earp Blvd.
Dodge City, KS 67801
Tax ID 515-60-2711

AMOUNT: Twelve Thousand One Hundred Thirty and 00/100 Dollars (\$12,130.00)

THIS PAYMENT IS SUBJECT TO IRS 1099 REPORTING REQUIREMENTS.

PAYMENT INSTRUCTIONS: Please hold check for pick up.

LAND ACQUISITIONS, INC.

Gerald Cain, Project Manager

October 2, 2007
Date



REQUEST FOR REAL
PROPERTY ACQUISITION PAYMENT

PARCEL NO. 0014
PROJECT NO: Wyatt Earp Blvd
COUNTY: Ford

Purpose: Purchase of Real Property
Offering Price: \$ 69,400.00
Settlement Price: \$ 105,400.00

1. Payee: Roger Burdick and Peggy Burdick
Address 2410 W. Wyatt Earp Blvd.
Dodge City, KS 67801
Tax ID 511-60-6788

AMOUNT: One Hundred Five Thousand Four Hundred and 00/100 Dollars
(\$105,400.00)

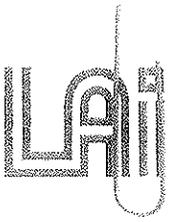
THIS PAYMENT IS SUBJECT TO IRS 1099 REPORTING REQUIREMENTS.

PAYMENT INSTRUCTIONS: Please hold check for pick up.

LAND ACQUISITIONS, INC.

Gerald Cain, Project Manager _____

October 2, 2007
Date



REQUEST FOR REAL
PROPERTY ACQUISITION PAYMENT

PARCEL NO. 0037
PROJECT NO: Wyatt Earp Blvd
COUNTY: Ford

Purpose: Purchase of Real Property
Offering Price: \$ 4,800.00
Settlement Price: \$ 13,175.00

1. Payee: O. K. Tire of Dodge City, inc.
Address 1808 W. Wyatt Earp Blvd.
Dodge City, KS 67801
Tax ID 48-1219576

AMOUNT: Thirteen Thousand One Hundred Seventy-five and 00/100 Dollars
(\$13,175.00)

THIS PAYMENT IS SUBJECT TO IRS 1099 REPORTING REQUIREMENTS.

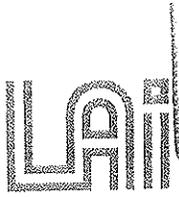
PAYMENT INSTRUCTIONS: Please hold check for pick up.

LAND ACQUISITIONS, INC.

A handwritten signature in cursive script, appearing to read 'Gerald Cain', is written over a horizontal line.

Gerald Cain, Project Manager

October 2, 2007
Date



REQUEST FOR REAL
PROPERTY ACQUISITION PAYMENT

PARCEL NO. 0029
PROJECT NO: Wyatt Earp Blvd
COUNTY: Ford

Purpose: Purchase of Real Property
Offering Price: \$ 6,950.00
Settlement Price: \$ 15,750.00

- 1. Payee: Byron D. Winans and Beverly K. Winans
Address 2305 W. Wyatt Earp Blvd.
Dodge City, KS 67801
Tax ID 48-0832688

AMOUNT: Fifteen Thousand Seven Hundred Fifty and 00/100 Dollars (\$15,750.00)

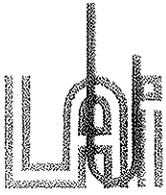
THIS PAYMENT IS SUBJECT TO IRS 1099 REPORTING REQUIREMENTS.

PAYMENT INSTRUCTIONS: Please hold check for pick up.

LAND ACQUISITIONS, INC.


Gerald Cain, Project Manager _____

October 2, 2007
Date



REQUEST FOR REAL
PROPERTY ACQUISITION PAYMENT

PARCEL NO. 0031
PROJECT NO: Wyatt Earp Blvd
COUNTY: Ford

Purpose: Purchase of Real Property
Offering Price: \$ 20,000.00
Settlement Price: \$ 24,700.00

1. Payee: RandleTuxorn and Susan Tuxhorn
Address 2401 W. Wyatt Earp Blvd.
Dodge City, KS 67801
Tax ID 515-60-2711

AMOUNT: Twenty-four Thousand Seven Hundred and 00/100 Dollars (\$24,700.00)

THIS PAYMENT IS SUBJECT TO IRS 1099 REPORTING REQUIREMENTS.

PAYMENT INSTRUCTIONS: Please hold check for pick up.

LAND ACQUISITIONS, INC.

Gerald Cain, Project Manager

October 2, 2007
Date



Memorandum

October 9, 2007

TO: Ken Strobel, City Manager

FROM: Ray Slattery, City Engineer

RE: Storm Drainage Improvements, 14th Ave & Linn St., SD 0701
Bid Recommendation

On Tuesday, October 09, 2007, bids were received and read at 2:00 p.m. for the above referenced project. This project consists of installing underground plastic drainage pipe, plastic drainage basins, and other work necessary to reroute the runoff of 14th Ave. Currently, the runoff drains across private property. This project will reroute the drainage using underground pipe that is installed on right-of-way. The runoff will still drain to the drainage ditch west of Bristol Ave. south of Linn St. as it currently does. This project was not scheduled for 2007, but with the proposed development of this property the project had to be moved forward. Staff felt it was wise to complete this project before the development was completed as their improvements would need to be removed and replaced with the construction of this project.

The following bids were received:

Contractors	Bid Amounts
JAG Construction Co., Dodge City, KS	\$ 42,804.00
Dick Construction Inc., Garden City, KS	\$ 42,875.00
Klaver Construction Co. Inc., Kingman, KS	\$ 48,445.00
Brak-Hard Concrete Const. Co., LLC, Dodge City, KS	\$ 71,446.91

The Engineer's Estimate for this project was \$ 67,386.00. The bid submitted by JAG Construction Co., is below the Engineer's Estimate. The budgeted amount for this project was \$ 70,000.00.

I would recommend awarding this project to JAG Construction Co., in the amount of \$ 42,804.00.

The contractor anticipates beginning this project on January 2, 2008. The contractor will be given 30 calendar days to complete the project or no later than January 31, 2008.

If you have any questions, please let me know.



Memorandum

October 9, 2007

TO: Ken Strobel, City Manager

FROM: Ray Slattery, City Engineer

RE: 2007 Inlet Project, SD 0702
Bid Recommendation

On Tuesday, October 09, 2007, bids were received and read at 2:00 p.m. for the above referenced project. This project consists of replacing three of the transverse inlet on Third Ave. The inlets that will be replaced are located at or near the following intersections:

3rd Ave. & Cedar St.
3rd Ave. & Division St.
3rd Ave. & Brier St.

The following bids were received:

Contractors	Bid Amounts
JAG Construction Co., Dodge City, KS	\$ 53,359.50
Brak-Hard Concrete Const. Co., LLC, Dodge City, KS	\$ 65,166.82
Klaver Construction Co. Inc., Kingman, KS	\$ 90,273.00

The Engineer's Estimate for this project was \$ 42,487.93. The budgeted amount for this project was \$ 45,000.00. The bid submitted by JAG Construction Co., is 25% (\$10,871.57) above the Engineer's Estimate and 18% (\$8,359.50) above the budgeted amount.

We have several options that the city can look at for this project.

1. Reject the bids and re-bid the project.
2. Reduce the scope of the project to meet the budget funds and add an inlet to next year's project.
3. Accept the bids and allocate additional funds from the Drainage Fund. Money left over from the 14th Ave. and Linn St. Drainage Improvement Project could cover the shortfall.

Staff has no reason to believe that given the number of bidders and given the range of bids that re-bidding the project would lower the cost of the project. If anything, prices will probably increase.

I would recommend awarding this project to JAG Construction Co., in the amount of
\$ 53,359.50.

The contractor anticipates beginning this project on March 4, 2008. The contractor will be given 30 calendar days to complete the project.

If you have any questions, please let me know.

CITY OF DODGE CITY, KANSAS
 BID TABULATION

PROJECT: 2007 Inlet and Curb & Gutter Project
 PROJECT #: SD-0702

BID DATE: 10/09/07

ENGINEER'S ESTIMATE

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
1	3rd Avenue & Cedar Street Inlet	S.Y.	47	\$15.53	\$ 729.91
2	Unclassified Excavation	L.F.	31	\$7.48	\$ 231.88
3	Remove Existing Curb	Each	1	\$2,185.00	\$ 2,185.00
4	Remove Existing Inlet	L.F.	31	\$25.88	\$ 802.28
5	Place Tall Reverse Curb & Gutter	S.Y.	48	\$58.08	\$ 2,787.84
6	Place 7" Type C-2: Plain PCC	Each	1	\$6,900.00	\$ 6,900.00
7	Install Transverse Inlet	S.Y.	62	\$11.21	\$ 695.02
8	6" Crushed Conc Sub-Grid: w/Geo-Grid				
9	3rd Avenue & Division Street Inlet	S.Y.	30	\$15.53	\$ 465.90
10	Unclassified Excavation	L.F.	64	\$7.48	\$ 478.72
11	Remove Existing Curb	Each	1	\$2,185.00	\$ 2,185.00
12	Remove Existing Inlet	L.F.	64	\$25.88	\$ 1,656.32
13	Place Tall Reverse Curb & Gutter	S.Y.	30	\$58.08	\$ 1,742.40
14	Place 7" Type C-2: Plain PCC	Each	1	\$6,900.00	\$ 6,900.00
15	Install Transverse Inlet	S.Y.	48	\$11.21	\$ 538.08
16	6" Crushed Conc Sub-Grid: w/Geo-Grid				
17	3rd Avenue & Briar Street Inlet	S.Y.	37	\$15.53	\$ 574.61
18	Unclassified Excavation	L.F.	42	\$7.48	\$ 314.16
19	Remove Existing Curb	Each	1	\$2,185.00	\$ 2,185.00
20	Remove Existing Inlet	L.F.	20	\$25.88	\$ 517.60
21	Place Tall Reverse Curb & Gutter	S.Y.	40	\$58.08	\$ 2,323.20
22	Place 7" Type C-2: Plain PCC	Each	1	\$6,900.00	\$ 6,900.00
23	Install Transverse Inlet	S.Y.	57	\$11.21	\$ 638.97
24	6" Crushed Conc Sub-Grid: w/Geo-Grid	L.F.	23	\$23.00	\$ 529.00
25	Place Standard Reverse Curb	L.F.	8	\$25.68	\$ 207.04
26	Place Transition Curb				

TOTAL \$ 42,487.93

CONTRACTOR: JAG Construction
 ADDRESS: P.O. Box 1493 11257 109 Rd.
 CITY: Dodge City
 STATE: Kansas
 ZIP: 67801
 LOW BIDDER

UNIT PRICE	CONTRACT AMOUNT
\$14.75	\$ 693.25
\$7.50	\$ 232.50
\$2,350.00	\$ 2,350.00
\$21.50	\$ 666.50
\$61.50	\$ 2,932.00
\$10,350.00	\$ 10,350.00
\$12.50	\$ 775.00
\$14.75	\$ 442.50
\$7.50	\$ 480.00
\$2,350.00	\$ 2,350.00
\$21.50	\$ 1,376.00
\$61.50	\$ 1,845.00
\$10,350.00	\$ 10,350.00
\$12.50	\$ 600.00
\$14.75	\$ 545.75
\$7.50	\$ 315.00
\$2,350.00	\$ 2,350.00
\$21.50	\$ 430.00
\$61.50	\$ 2,460.00
\$10,350.00	\$ 10,350.00
\$12.50	\$ 712.50
\$22.50	\$ 517.50
\$27.00	\$ 216.00

TOTAL \$ 53,359.50

CONTRACTOR: Brak-Hard Concrete Const. Co., LLC
 ADDRESS: P.O. Box 423
 CITY: Dodge City
 STATE: Kansas
 ZIP: 67801

UNIT PRICE	CONTRACT AMOUNT
\$32.22	\$ 1,514.34
\$14.24	\$ 441.44
\$2,489.48	\$ 2,489.48
\$40.62	\$ 1,259.22
\$74.47	\$ 3,574.56
\$11,185.47	\$ 11,185.47
\$23.66	\$ 1,466.92
\$32.96	\$ 988.80
\$12.83	\$ 821.12
\$2,489.48	\$ 2,489.48
\$38.39	\$ 2,456.96
\$77.14	\$ 2,314.20
\$11,185.47	\$ 11,185.47
\$23.95	\$ 1,149.60
\$32.58	\$ 1,205.46
\$13.53	\$ 568.26
\$2,489.48	\$ 2,489.48
\$42.99	\$ 859.80
\$75.36	\$ 3,014.40
\$11,185.47	\$ 11,185.47
\$23.75	\$ 1,353.75
\$37.82	\$ 869.86
\$35.41	\$ 283.28

TOTAL \$ 65,166.82

CONTRACTOR: Klaver Const. Co. Inc.
 ADDRESS: P.O. Box 252 701 East D.
 CITY: Kingman
 STATE: Kansas
 ZIP: 67068

UNIT PRICE	CONTRACT AMOUNT
\$54.00	\$ 2,538.00
\$30.00	\$ 930.00
\$5,000.00	\$ 5,000.00
\$80.00	\$ 2,480.00
\$109.00	\$ 5,232.00
\$12,000.00	\$ 12,000.00
\$30.00	\$ 1,440.00
\$54.00	\$ 1,998.00
\$30.00	\$ 1,260.00
\$5,000.00	\$ 5,000.00
\$80.00	\$ 5,120.00
\$109.00	\$ 3,270.00
\$12,000.00	\$ 12,000.00
\$30.00	\$ 1,440.00
\$54.00	\$ 1,998.00
\$30.00	\$ 1,260.00
\$5,000.00	\$ 5,000.00
\$80.00	\$ 1,600.00
\$109.00	\$ 4,360.00
\$12,000.00	\$ 12,000.00
\$30.00	\$ 1,710.00
\$65.00	\$ 1,495.00
\$55.00	\$ 440.00

TOTAL \$ 90,273.00

BID SECURITY 5% \$3,750.00
 START DATE 4/30/2008

BID SECURITY 5% \$3,359.50
 START DATE 3/4/2008

BID SECURITY 5% \$90,273.00
 START DATE Oct. or Nov. 2008

To strengthen
and promote
cities as centers
of opportunity,
leadership, and
governance.



**National League
of Cities**

1301 Pennsylvania Ave., N.W.
Washington, DC 20004-1763

202-626-3000

Fax: 202-626-3043

www.nlc.org

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Executive Director

Donald J. Borut

September 28, 2007

Nannette

MEMORANDUM

TO: Direct Member Cities
FROM: Donald J. Borut, Executive Director
SUBJECT: Congress of Cities Voting Delegates

The National League of Cities Annual Business Meeting will be held on Saturday, November 17, 2007, at the conclusion of the Congress of Cities and Exposition in New Orleans. As a direct member city, your city is entitled to vote at this meeting. Based on population, each member city casts between one and twenty votes. The number of votes for each population range can be found on the table on the reverse of this memorandum.

To be eligible to cast a city's vote, a voting delegate and alternate must be officially designated by the city using the enclosed credentials form. This form will be forwarded to NLC's Credentials Committee. NLC bylaws expressly prohibit voting by proxy. City elected officials should be made aware of this request so that decisions can be made as to who will be the voting delegate and alternate(s).

At the Congress of Cities, the voting delegate must pick up the city's voting card at the credentials booth before the Annual Business Meeting and must be present at the Annual Business Meeting to cast the city's vote. Alternates should also visit the credentials booth before the meeting to pick up their stickers which identify them as alternate voting delegates. The credentials booth will be open throughout the Congress of Cities.

Please return the completed form to NLC by fax at 202-626-3043 on or before October 31, 2007, and keep the original for your own files. If you have any questions or concerns, contact Ken Rosenfeld, NLC policy manager, at rosenfeld@nlc.org or 202-626-3027.

Thank you.

Past Presidents: Clarence E. Anthony, Mayor, South Bay, Florida • John DeStefano, Jr., Mayor, New Haven, Connecticut • Brian J. O'Neill, Councilman, Philadelphia, Pennsylvania • **Directors:** R. Michael Amyx, Executive Director, Virginia Municipal League • Susan Burgess, Mayor Pro Tem, Charlotte, North Carolina • Thomas Carlson, Mayor, Springfield, Missouri • Susan Cave, Executive Director, Ohio Municipal League • Deborah Denard Delgado, Councilwoman, Hattiesburg, Mississippi • Joseph Donaldson, Mayor, Flagstaff, Arizona • Pat Eklund, Council Member, Novato, California • Ted Ellis, Mayor, Bluffton, Indiana • Makia Epie, Council Member, Cedar Hill, Texas • Margaret Finlay, Councilmember, Duarte, California • Rene Flowers, Councilmember, St. Petersburg, Florida • John Franklin, Councilmember, Chattanooga, Tennessee • Gary Graham, Mayor, O'Fallon, Illinois • Donald A. Groesser, Mayor, Ralston, Nebraska • Jeanne Harris, Councilmember, Vancouver, Washington • Daun S. Hester, Council Member, Norfolk, Virginia • Charles Hughes, Councilman-At-Large, Gary, Indiana • Steven Jeffrey, Executive Director, Vermont League of Cities and Towns • Michael E. Johnson, Council Member, Phoenix, Arizona • Martin Jones, Council Member, Conyers, Georgia • Jennifer L. Kim, Council Member, Austin, Texas • Daisy W. Lynum, Commissioner, Orlando, Florida • Margaret Mahery, Executive Director, Tennessee Municipal League • Cynthia Mangini, Councilman-At-Large, Enfield, Connecticut • Marcia Marcoux, Councilmember, Rochester, Minnesota • Henry Marraffa, Jr., Councilman, Gaithersburg, Maryland • Tom Ed McHugh, Executive Director, Louisiana Municipal Association • Darryl Moss, Mayor, Creedmoor, North Carolina • James Perkins, Jr., Mayor, Selma, Alabama • Daniel Pocke, Mayor, Bedford, Ohio • Richard Radcliffe, Councilman, Greenacres, Florida • Lynn Rex, Executive Director, League of Nebraska Municipalities • Julie Aberg Robison, Council Member-At-Large, Cary, North Carolina • Shirley Scott, Council Member, Tucson, Arizona • Anne Sinclair, Council Member, Columbia, South Carolina • Walter Skowron, Council Member, Loveland, Colorado • Connie Sprynczynatyk, Executive Director, North Dakota League of Cities • Ken Strobeck, Executive Director, League of Arizona Cities and Towns • Lynne Whalen, Council Woman, Casper, Wyoming • Dennis Zine, Councilman, Los Angeles, California

CREDENTIALS FORM
NATIONAL LEAGUE OF CITIES · 2007 CONGRESS OF CITIES · NEW ORLEANS, LOUISIANA

At the Annual Business Meeting on Saturday, November 17, 2007, each direct member city of NLC is entitled to cast from one to 20 votes based upon the city's population per the 2000 census, through its designated voting delegate. Please indicate below your city and state, voting delegate and alternate(s), and sign and date the form. The form should be faxed to NLC at 202-626-3043, by the October 31, 2007 deadline.

The official voting delegate and alternate(s) for the city/town of:

_____ (type or print the name of your city/town and state)

VOTING DELEGATE:

1. _____
NAME

_____ TITLE

ALTERNATE VOTING DELEGATE(S):

2. _____
NAME

_____ TITLE

3. _____
NAME

_____ TITLE

<p>FOR OFFICE USE ONLY (DO NOT WRITE IN THIS SPACE)</p> <p>Voting card issued to:</p> <p>_____ (signature)</p> <p>Votes: _____</p> <p>1 _____ 2 _____ 3 _____</p>

PLEASE SIGN AND FAX THIS FORM TO NLC BY OCTOBER 31, 2007
ATTENTION: ERIKA HAMILTON, POLICY ASSISTANT
FAX: 202-626-3043

Signature (city representative): _____

Title: _____ Date: _____