

CITY COMMISSION AGENDA

City Commission Chambers
Monday, July 21, 2008 7:00 p.m.
MEETING #4718

CALL TO ORDER

ROLL CALL

INVOCATION: Pastor Kirk Castleman, Church of God

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

National Day of the American Cowboy

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).

Employee Recognition of City Employee-Dodge City Raceway Park

CONSENT CALENDAR

1. Approval of City Commission Meeting minutes, July 7, 2008
2. Approval of City Commission Work Session, July 16, 2008
3. Appropriation Ordinance No. 14, July 21, 2008
4. Cereal Malt Beverages
 - a. Love's Travel Stops & Country Stores, 1108 W. Wyatt Earp, Dodge City
 - b. Presto Convenience Store #28, 609 Paladuro St., Dodge City
5. Ranchwood/Happy Homes II, Change Order 1, \$14,627.00
6. Ranchwood/Happy Homes II, Change Order 1, \$ 1,264.40

ORDINANCES & RESOLUTIONS

Resolution No. 2008-09: A Resolution Declaring it Necessary to Repair, Alter, Extend, Reconstruct, Enlarge, or Improve the Waterworks and Wastewater System of the City of Dodge City, Kansas, to Issue Waterworks and Wastewater Utility System Revenue

Bonds for the Purpose of Paying the Costs Thereof and Related Bond Reserves and Financing Costs; and Providing for the Giving of Notice of Said Intentions.

Resolution No. 2008-10: A Resolution of the City of Dodge City, Kansas, Authorizing Improvements to the City's Public Water Supply System; and Providing the Payment of Costs Thereof.

Resolution No. 2008-11: A Resolution Authorizing and Providing for the Construction of Improvements to the Dodge City Regional Airport, an Existing Public Building in the City of Dodge City, Kansas; and Providing for the Payment of the Costs Thereof.

UNFINISHED BUSINESS

NEW BUSINESS

OTHER BUSINESS

ADJOURNMENT

PROCLAMATION

Whereas pioneering men and women, recognized as cowboys, helped establish the American West;

Whereas that cowboy spirit continues to infuse this country with its solid character, sound family values, and good common sense;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas approximately 800,000 ranchers are conducting business in all 50 States and are contributing to the economic well being of nearly every county in the Nation;

Whereas rodeo is the sixth most-watched sport in the United States;

Whereas the cowboy is an American icon;

Whereas to recognize the American cowboy is to acknowledge the ongoing commitment of the United States to an esteemed and enduring code of conduct; and

Whereas the ongoing contributions made by cowboys to their communities should be recognized and encouraged:

Now, therefore, be it Resolved, that the City of Dodge City supports the Senate of the United States in their quest to designate the 4th Saturday in July each year, and this year designates July 26, 2008, as

National Day of the American Cowboy

and encourages the people of Dodge City and the United States to observe the day with appropriate ceremonies and activities.

IN WITNESS THEREOF, I have hereunto set my hand this 21st day of July, 2008.

E. Kent Smoll, Mayor

SEAL

Name: _____ City Clerk

CITY COMMISSION MINUTES

City Commission Chambers
Monday, July 7, 2008 7:00 p.m.
MEETING #4716

CALL TO ORDER

ROLL CALL: Mayor Kent Smoll, Commissioners Rick Sowers, Monte Broeckelman, Jim Sherer, and Brian Weber

INVOCATION: Pastor Kirk Castleman, Church of Christ

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

Mayor Smoll proclaimed July 26, 2008 as Kansas All-Star Football Shrine Bowl Day with Mykael Thompson, Dodge City High School, participating in the Kansas Shrine Bowl East-West Charity All Star Football Game.

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).

City Character Trait: Decisiveness, presented by Cherise Tieben, Assistant City Manager.

Dodge City Public Library Quarterly Report, presented by Cathy Reeves, Librarian

CONSENT CALENDAR

1. Approval of City Commission Meeting minutes, June 16, 2008
2. Approval of City Commission Special Meeting minutes, June 26, 2008
3. Appropriation Ordinance No. 13, July 7, 2008

Commissioner Sherer moved to approve the Consent Calendar as presented, seconded by Commissioner Sowers. Motion carried unanimously.

ORDINANCES & RESOLUTIONS

Ordinance No. 3455: An Ordinance Vacating a Portion of the Restricted Access Along the West Right-of-Way Line of Fourteenth Avenue for Two Driveways Adjacent to Lot 1, Block 2 of Kirby Addition.

Mayor Smoll opened Public Hearing for public comment regarding Ordinance 3455.

Todd English spoke on behalf of Western State Bank.

Mayor Smoll closed the Public Hearing.

Commissioner Sowers moved to approve Ordinance 3455, seconded by Commissioner Sherer.

Motion carried unanimously.

Resolution No. 2008-08: A Resolution of the Governing Body of the City of Dodge City, KS Approving the Form of an Amendment to a Certain Bond Agreement Entered into by the City in Connection with the Issuance by the City of its Industrial Revenue Bonds (LaQuinta Inn Project).

Commissioner Sowers moved to approve Resolution No. 2008-08, seconded by Commissioner Sherer. Motion carried unanimously.

UNFINISHED BUSINESS

NEW BUSINESS

1. Discussed the approval of the purchase of a 40' x 64' cover and installation for a Salt Shed from Advantage Cover All from Guymon, OK in the amount of \$20,500.00 and purchase of other materials for construction of the Slat Shed in the amount of \$11,113.00 for a total project cost of \$31,613.00.
Commissioner Sherer moved to approve the project, seconded by Commissioner Sowers. Motion failed on a vote of 2-3 with Commissioner Broeckelman, Commissioner Weber, and Mayor Smoll voting nay. Commissioners directed the staff to determine the cost of repairing the current facility.
2. Approval of Change Order #1 of 2008 Asphalt Street Patching Program to APAC Kansas, Inc. in the amount of \$11,628.98.
Commissioner Broeckelman moved to approve the Change Order, seconded by Commissioner Sowers. Motion carried unanimously.
3. Approval of North 14th Avenue Widening (Frontview Rd. to Country Acres Dr.) bid from Klaver Construction in the amount of \$208,554.32.
Commissioner Sherer moved to approve the bid, seconded by Commissioner Broeckelman. Motion carried unanimously.
4. Approval of Water Rights Purchase Option with Phillip L. and LaVada R. Gjerstad in the amount of \$10,000.00.
Commissioner Sowers moved to approve the Option, seconded by Commissioner Weber. Motion carried unanimously.
5. Approved the Water Rights Purchase Contract between the City and Phillip & LaVada Gjerstad and Authorize the Signatures on the Contract in the amount of \$1,654,200.00 at a later date subject to meeting the conditions of the contract.

Commissioner Sowers moved to approve the Purchase Contract, seconded by Commissioner Sherer. Motion carried unanimously.

OTHER BUSINESS

Ken Strobel, City Manager: I received many positive comments regarding the July 4th show and would like to thank all City Staff for their organization and hard work and to all the local businesses and residents that financially contributed to the firework display. On Saturday, June 28th, we had a rain storm that delayed the Women's Class C tournament that was in town. The Athletic Field Maintenance employees prepared the fields so the tournament could continue.

Commissioner Weber: Suggest that information requiring fencing around swimming pools be communicated to swimming pool companies so that potential purchasers of the pool would know before hand the fencing requirements.

Commissioner Sherer: Thanks to City employees that worked so hard to prepare the racetrack for the World of Outlaws show. Commented on the Cowboy Band concerts in Wright Park on Tuesday evenings.

EXECUTIVE SESSION

At 8:35 p.m. Commissioner Sherer moved to adjourn to an Executive Session to discuss Land Acquisition not to exceed 15 minutes, seconded by Commissioner Sowers. Motion carried unanimously.

The meeting reconvened at 8:50 p.m.

ADJOURNMENT:

At 8:50 p.m. Commissioner Sherer moved to adjourn the meeting, seconded by Mayor Smoll. Motion carried 5-0.

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

**CITY COMMISSION MINUTES
2009 BUDGET WORK SESSION**

City Commission Chambers
Wednesday, July 16, 2008 5:00 p.m.
MEETING #4717

CALL TO ORDER

ROLL CALL: Mayor Kent Smoll, Commissioners Rick Sowers, Jim Sherer, Monte Broeckelman, and Brian Weber

NEW BUSINESS

1. Discussion and Review of the Proposed 2009 City of Dodge City Budget.

ADJOURNMENT: Mayor Smoll motioned to adjourn the meeting, seconded by Commissioner Sowers. Motion carried unanimous vote.

(This form prepared by the Attorney General's Office)
(Corporate Application Form)

APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES

Dodge City, Ford COUNTY, KANSAS May 9, 2008

TO THE GOVERNING BODY OF THE CITY OF Dodge City, KANSAS
or
THE BOARD OF COUNTY COMMISSIONERS OF Ford COUNTY, KANSAS

On behalf of the Presto Convenience Stores, LLC
corporation whose principal place of business is Andover, KS

and under authority of the resolution of the Board of Directors of said corporation, 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 on behalf of said corporation; for the purpose of securing such license, I make the following statement under oath:

1. The proposed licensee is Presto Convenience Store #28 corporation with principal place of business at Andover, KS. The resident agent is Doug Wald with offices at Andover, KS. Said corporation was incorporated on May, 1969.

2. The following is the full and complete list of officers, directors, stockholders owning in the aggregate more than 25 percent of corporate stock, and managers of said corporation together with their positions and addresses, ages, dates of birth, places of birth, methods of acquiring United States citizenship - if acquired by naturalization, date and place of naturalization, and the length of residence in the State of Kansas.

- Terry Presta - President, 14008 Reeder, Overland Park, KS 66221, Age 50, DOB - 10-18-57, Garden City, KS, Birth-Life
- Doug Wald - VP, 138 Belle Terre, Wichita, KS 67230, Age 42, DOB - 7-13-65, Aberdeen, SD, 17 years

3. The premises for which the license is desired are located at 609 S. 2nd Ave

(a) The legal description of the premises is lots 1, 3, 5, 7, 9, and 11
on Paladuro St.

(b) The street number is 609

(c) The building is described as block

(d) The corporate business under the license will be conducted in the name of the corporation or in the following name:
Presto Convenience Store #28

4. The name(s) and address(es) of the owner or owners of the premises upon which the place of business is located is/are Presto Convenience Stores, LLC
Andover, KS

5. I hereby certify with regard to each of the persons named in number 2 above the following statements are true:

- (a) None of them has within the last two years from this date been convicted of
- (1) A felony
 - (2) A crime involving moral turpitude
 - (3) Drunkenness
 - (4) Driving a motor vehicle while under the influence of intoxicating liquor
 - (5) Violation of any state or federal intoxicating liquor law
- If any of the above have been convicted of any of the above, specified offenses, the details are set out hereinafter.
- (b) No manager, officer or director or any stockholder owning in the aggregate more than 25% of the stock of the corporation has been an officer, manager or director, or a stockholder owning in the aggregate more than 25% of the stock of a corporation which:
- (1) has had a retailer's license revoked under K.S.A. 41-2708 and amendments thereto; or
 - (2) has been convicted of a violation of The Drinking Establishment Act or the Cereal Malt Beverage Laws of the State.

6. The place of business will be conducted by the following manager or agent:

Name Peggy Hoffman

Address 1502 Military

Residence Dodge City, KS 67801

Length of residence within this city or county in which the application is being made 14 yrs.

Method of obtaining U.S. citizenship together with date of naturalization if such is the method Birth

Date and place of birth _____

I hereby certify that with regard to this above-named manager the statement contained in number 5 above is in every respect true. If not, the details are set out hereinafter.

7. This application is for a license to retail cereal malt beverage for consumption on the premises (). For a license to retail cereal malt beverages in original and unopened containers and not by consumption on the premises (~~X~~).

A license fee of \$ 125 is enclosed herewith.

I, Peggy Hoffman - Manager
(Name and position with corporation)

on behalf of the above-named applicant, hereby agree to comply with all laws of the State of Kansas, and all rules and regulations prescribed, and hereafter to be prescribed by you, relating to the sale and 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, do hereby further consent to the immediate revocation of the cereal malt beverage license issued pursuant to this application by the proper officials for the violation of any such laws, rules or regulations.

(Corporate Seal)

Presto Convenience Stores, LLC
(Corporation)

By [Signature] - operation mgr.
(Signature and position of individual making application on behalf of corporation)

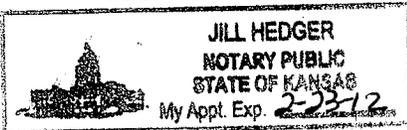
Attest: [Signature]
(Secretary of Corporation)

STATE OF KANSAS, COUNTY OF Ford, SS.
I, [Signature] V.P., of the
Presto Convenience Stores, LLC, do
(Name of corporation)

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] V.P.
(Signature and official position)

SUBSCRIBED AND SWORN TO before me this 8th day of May, 2008



[Signature]
(Character of official administering oath)

My commission expires on the 23 day of February, 2012

APPLICATION APPROVED this _____ day of _____,

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(e), MUST BE SUBMITTED TO THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL BUREAU, KANSAS DEPARTMENT OF REVENUE.

(Corporate Application Form)

APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES

Dodge City, Ford COUNTY, KANSAS, July 1, 2008

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

or

THE BOARD OF COUNTY COMMISSIONERS OF Ford COUNTY, KANSAS.

GENTLEMEN—On behalf of the Love's Travel Stops & Country Stores, Inc.

corporation whose principal place of business is 10601 N. Pennsylvania

Oklahoma City, OK 73120 and under authority of the resolution of the Board of Directors of said corporation. 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 on behalf of said corporation; for the purpose of securing such license, I make the following statements under oath:

1. The proposed licensee is Love's Country Store #58 corporation with principal place of business at 1108 W. Wyatt Earp, Dodge City, KS 67801

The resident agent is Johnny Dunlap with offices at 1108 W. Wyatt Earp, Dodge City, KS 67801

Said corporation was incorporated on 12/29/1986 A copy of the Articles of Incorporation are presently on file with the Register of Deeds of this County. Yes (X), No ()

2. The following are the full and complete list of officers, directors, stockholders owning in the aggregate more than 25 percent of corporate stock, and managers of said corporation together with their position and address, age, date of birth, place of birth, method of acquiring United States citizenship—if acquired by naturalization, date and place of naturalization, and the length of residence in the State of Kansas.

* See attached

3. The premises for which the license is desired are located at 1108 W. Wyatt Earp Dodge City, KS 67801

(a) The legal description of the premises is Love's Country Store #58

(b) The street number is 1108 W. Wyatt Earp

(c) The building is described as Concrete Block

(d) The corporate business under the license will be conducted in the name of the corporation or in the following name: Love's Travel Stops & Country Stores Inc.

4. The name and address of the owner or owners of the premises upon which the place of business is located is Lovel's Country Store #58 - 1108 W. Wyatt Earp, Dodge City, KS 67801

5. I hereby certify with regard to each of the persons named in number 2 above the following statements are true:

- (a) None of them has within the last two years from this date been convicted of (1) A felony (2) A crime involving moral turpitude (3) Drunkenness (4) Driving a motor vehicle while under the influence of intoxicating liquor (5) Violation of any state or federal intoxicating liquor law

If any of the above have been convicted of any of the above specified offenses, the details are set out hereinafter.

(b) No manager, officer or director or any stockholder owing in the aggregate more than 25% of the stock of the corporation has been an officer, manager or director, or a stockholder owning in the aggregate more than 25% of the stock of a corporation which:

- (A) has had a retailer's license revoked under K.S.A. 41-2708 and amendments thereto; or (B) has been convicted of a violation of The Drinking Establishment Act or the Cereal Malt Beverage Laws of the State.

6. The place of business will be conducted by the following manager or agent:

Name Johnny Dunlap

Address 417 Runyon Ave

Residence Dodge City, KS

Length of residence within this city or county in which the application is being made 8 years

Method of obtaining U.S. citizenship together with date of naturalization if such is the method N/A

Date and place of birth 7/2/1948 Dodge City, KS

I hereby certify that with regard to this above-named manager the statement contained in number 5 above is in every respect true. If not, the details are set out hereinafter.

7. 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 be consumption on the premises. (X)

A license fee of \$ 75.00 is enclosed herewith.

I, Doug Stussi
(Name and position with corporation)

on behalf of the above-named applicant, hereby agree to comply with all laws of the State of Kansas, and all rules and regulations prescribed, and hereafter to be prescribed by you, relating to the sale and 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 the cereal malt beverage license issued pursuant to this application by the proper officials for the violation of any such laws, rules or regulations.

(Corporate Seal)

Love's Travel Stops & Country Stores II
(Corporation)

Attest:

By Doug Stussi
(Signature and position of individual making application on behalf of corporation)
Doug Stussi - Exec. Vice Pres.

Shirley K. Hillingrest
(Secretary of Corporation)

STATE OF Oklahoma, COUNTY OF Oklahoma, ss.

I, Doug Stussi
(Signature and official position), of the
Love's Travel Stops & Country Stores Inc.
(Name of corporation) 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.

Doug Stussi
(Signature and official position)
Doug Stussi - Exec. Vice Pres.

SUBSCRIBED AND SWORN TO before me this 1st day of July A.D. 2008
Shirley K. Hillingrest
(Character of official administering oath)



My commission expires on the 18 day of October A.D. 2011

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

By _____
(Official position)

of _____, Kansas.
(City or county)

Recorded in Volume _____, at page _____

City of Dodge City

Memorandum

February 19, 2008

TO: Ken Strobel, City Manager
FROM: Joseph E. Finley, P.E., Director of Engineering Services
RE: Ranchwood/Happy Homes II SS 0204

Attached please find Change Order 1 for your review on the above referenced project. The change order is for an increase of \$14,627.

The change order is the result of the following.

8" Sanitary Sewer Pipe, Installed – An additional 434 L.F. was added to the project, see explanation below.

Trench & Backfilled, 0'-6' – An additional 434 L.F. was added to the project, see explanation below.

Standard Sanitary Sewer Manhole (0'-6') – An additional 2 Each was added to the project, see explanation below.

Inserted Septic Tank – An additional 1 Each was added to the project, see explanation below.

The reason for this change order was because the line providing service to the northern tier of homes in the Ranchwood Estates Park was omitted from the final plans for an unknown reason. The above mentioned quantities were necessary to provide sewer to these homes.

JF/mjr

CHANGE ORDER #1

**Ranchwood/Happy Homes II Sanitary
Sewer Improvements
SS 0204**

ITEM:

DESCRIPTION:

8" Sanitary Sewer Pipe, Installed -- An additional 434 L.F. was added to the project, see explanation below.

Trench & Backfilled, 0'-6' -- An additional 434 L.F. was added to the project, see explanation below.

Standard Sanitary Sewer Manhole (0'-6') - An additional 2 Each was added to the project, see explanation below.

Inerted Septic Tank -- An additional 1 Each was added to the project, see explanation below.

The reason for this change order was because the line providing service to the northern tier of homes in the Ranchwood Estates Park was omitted from the final plans for an unknown reason. The above mentioned quantities were necessary to provide sewer to these homes.

City of Dodge City

Memorandum

July 14, 2008

TO: Ken Strobel, City Manager
FROM: Joseph E. Finley, P.E., Director of Engineering Services
RE: Ranchwood/Happy Homes II SS 0204

Attached please find Change Order 2 for your review on the above referenced project. The change order is for an increase of \$1,264.40

The change order is the result of the following.

Trench & Backfilled, 6'-8' – The addition of 116 L.F. represent actual field measurements. During construction, existing utilities conflicted with the proposed hookups to several homes, additional trenching was required. The final quantities also represent measured quantities versus plan quantities.

JF/mjr

CHANGE ORDER #2

**Ranchwood/Happy Homes II Sanitary
Sewer Improvements
SS 0204**

ITEM:

DESCRIPTION:

Trench & Backfilled, 6'-8' – The addition of 116 L.F. represent actual field measurements. The reason for the overage was that some extra trench was required to make all necessary hookups to the existing sewer system of the parks.

Memorandum

To: Ken Strobel, City Manager
From: Nannette Pogue, City Clerk
Date: July 18, 2008
Subject: Resolution 2008-09

Resolution No. 2008-09 is a Resolution that declares it necessary to repair, alter, extend, reconstruct, enlarge or improve the Waterworks and Wastewater utility system of the City of Dodge City to issue Waterworks and Wastewater Utility System Revenue Bonds for the purpose of paying the costs and related bond reserves and financing costs and providing for the giving of notice of said intention. The Resolution describes the City's intent to build a Wastewater Treatment Facility with an estimated cost of \$22,852,000. PEC has been working on the design and estimated cost of construction of a new wastewater treatment facility north of town to accommodate a casino, events center and future commercial and residential growth. This amount includes land purchase, construction and contingencies. The amount listed is a not to exceed amount of \$27,000,000. The financing method is Revenue Bonds and we are in the process of discussing how the bonds will be repaid. Discussions have been ongoing with the two Casino applicants, Ivan Moore from Global, our financial advisors and bond counsel about the methods and amounts the different participants will pay for the additional costs incurred by the City in constructing this new plant. This amount does not include the collection system necessary to get the wastewater to the system. The authorizing resolution for the collection system will come to the Commission when a location is chosen for the Casino site. The estimates will be more accurate at that time.

Once Resolution No. 2008-09 is authorized by the City Commission, a notice will be published in the Dodge City Daily Globe notifying the public of our intent to construct this facility. The resolution is subject to protest, and if a petition is filed within 15 days of the publication with not less than 20% of the qualified electors of the City, the proposed project must go to an election. If no petition is filed, the City can proceed with the project.

If you have questions or wish additional information, please let me know.

RESOLUTION NO. 2008-09

A RESOLUTION DECLARING IT NECESSARY TO REPAIR, ALTER, EXTEND, RECONSTRUCT, ENLARGE OR IMPROVE THE WATERWORKS AND WASTEWATER UTILITY SYSTEM OF THE CITY OF DODGE CITY, KANSAS; TO ISSUE WATERWORKS AND WASTEWATER UTILITY SYSTEM REVENUE BONDS FOR THE PURPOSE OF PAYING THE COSTS THEREOF AND RELATED BOND RESERVES AND FINANCING COSTS; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID INTENTION.

WHEREAS, the City of Dodge City, Kansas (the "City") is authorized under the laws of the State of Kansas to issue general obligation bonds to repair, alter, extend, reconstruct, enlarge or improve the Waterworks and Wastewater Utility System (the "System") owned and operated by the City; and

WHEREAS, the governing body of the City hereby finds and determines it to be necessary to repair, alter, extend, reconstruct, enlarge or improve the System, and that the costs thereof should be financed by the issuance of utility revenue bonds of the City, under authority of K.S.A. 10-1201 *et seq.*, as amended and supplemented (the "Act").

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS:

SECTION 1. It is hereby deemed and declared to be necessary to repair, alter, extend, reconstruct, enlarge or improve the System by acquiring a site and constructing and equipping thereon an additional wastewater treatment facility and all other necessary appurtenances related thereto at an estimated cost of \$22,852,000 (the "Project").

SECTION 2. The Project will not cause duplication of any existing waterworks and wastewater utility service furnished by a private utility in the boundaries of the City.

SECTION 3. It is necessary to issue Waterworks and Wastewater Utility System Revenue Bonds of the City, in an amount not to exceed \$27,000,000 (the "Revenue Bonds"), under authority of the Act, to pay the costs of the Project and related bond reserves and financing costs; said Revenue Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

SECTION 4. Before issuing the Revenue Bonds, there shall be published one (1) time in the official newspaper of the City, a notice of the intention of the governing body to undertake the Project and to issue the Revenue Bonds in substantially the form attached hereto and made a part hereof by reference as though fully set out herein; and if within fifteen (15) days after the publication of such notice, there shall be filed with the Clerk, a written protest against the Project or the issuance of the Revenue Bonds, signed by not less than twenty per cent (20%) of the qualified electors of the City, the governing body shall thereupon submit such proposed Project and the proposed Revenue Bonds to the electors of the City at a special election to be called for that purpose as provided by the Act. If no sufficient protest is filed with the Clerk within the period of time hereinbefore stated, then the governing body of the City shall proceed to authorize the Project and to issue the Revenue Bonds.

ADOPTED AND APPROVED by the governing body of the City of Dodge City, Kansas, on July 21, 2008.

(Seal)

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

Memorandum

To: Ken Strobel, City Manager
From: Nannette Pogue, City Clerk
Date: July 18, 2008
Subject: Resolution 2008-10

Resolution No. 2008-10 authorizes improvements to the City's Public Water Supply system and allows us to issue bonds to fund this project. The estimated cost is not to exceed \$10,539,000. This estimated cost was completed by PEC when they completed the Infrastructure study. The amount includes all 3 phases of water improvements including improvements necessary to serve the casino and events center, future commercial development and future residential development. The costs include the piping improvements needed to serve the areas mentioned, and additional water rights and wells necessary for the future development.

The water improvements can be funded by revenue bonds or general obligation bonds. In the near future we will be discussing the methods of financing and the amounts and methods by which the bonds will be repaid.

This resolution is not subject to petition.

If you have any questions or wish additional information, please let me know.

RESOLUTION NO. 2008-10

A RESOLUTION OF THE CITY OF DODGE CITY, KANSAS, AUTHORIZING IMPROVEMENTS TO THE CITY'S PUBLIC WATER SUPPLY SYSTEM; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

WHEREAS, K.S.A. 65-163d through 65-163u, as amended (the "Act"), authorize any municipality to acquire, construct, reconstruct, improve, equip, rehabilitate or extend all or any part of a public water supply system and to issue general obligation bonds to pay all or part of any costs thereof; and

WHEREAS, the City of Dodge City, Kansas (the "City") is a municipality within the terms of the Act and operates a public water supply system, as said term is defined in the Act (the "System"); and

WHEREAS, the governing body of the City hereby finds and determines that it is necessary and advisable to improve the System by (i) acquiring additional water rights; (ii) constructing new water supply wells; and (iii) constructing various piping improvements to serve commercial and residential developments (collectively, the "Project"), and to provide for the payment of the costs thereof by the issuance of general obligation bonds.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS:

Section 1. Project Authorization. It is hereby authorized, ordered and directed that the System be improved by constructing the Project.

Section 2. Project Financing. The estimated costs of the Project, including construction, engineering fees, acquisition of right-of-way and easements, contingencies and administrative expenses is \$10,539,000. The costs of the Project, interest on interim financing and associated financing costs shall be payable from the proceeds of general obligation bonds of the City issued under authority of the Act (the "Bonds").

Section 3. Reimbursement. The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation §1.150-2.

Section 4. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

ADOPTED AND APPROVED by the governing body of the City of Dodge City, Kansas, on July 21, 2008.

(Seal)

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

CERTIFICATE

I, hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 2008-10 of the City of Dodge City, Kansas, adopted by the governing body on July 21, 2008, as the same appears of record in my office.

DATED: July 21, 2008.

Nannette Pogue, City Clerk

Memorandum

To: Ken Strobel, City Manager
From: Nannette Pogue, City Clerk
Date: July 18, 2008
Subject: Resolution 2008-11

Resolution No. 2008-11 authorizes improvements to the Dodge City Regional airport. These improvements are improving the parking lot and the access road. These improvements were discussed and approved by the City Commission at a previous meeting while discussing the 2008 Street Program. Because the City is issuing General Obligation Bonds to fund this project, it is necessary to authorize the project by Resolution.

If you have any questions or wish additional information, please let me know.

RESOLUTION NO. 2008-11

A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS TO THE DODGE CITY REGIONAL AIRPORT, AN EXISTING PUBLIC BUILDING IN THE CITY OF DODGE CITY, KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

WHEREAS, K.S.A. 12-1736 provides, in part, that any city in the State of Kansas may erect, construct, or acquire a public building or buildings and procure any necessary site therefor and may alter, repair, reconstruct, remodel, replace or make additions to, furnish and equip a public building or buildings; and

WHEREAS, K.S.A. 12-1737 provides, in part, that the governing body of any city may, for the purposes of financing the costs associated with the foregoing, issue general obligation bonds of the City; and

WHEREAS, the governing body of the City of Dodge City, Kansas (the "City"), hereby finds and determines it to be necessary to authorize and provide for the construction of improvements to the Dodge City Regional Airport, a public building in the City, and to provide for the payment of the costs thereof without the necessity of an election, all as provided by said K.S.A. 12-1736 *et seq.*, as amended and supplemented from time to time (the "Act").

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS:

Section 1. Project Authorization. The construction of improvements to the Dodge City Regional Airport, a public building in the City, consisting of public parking, access roads and related infrastructure improvements, shall be made under the provisions of the Act in accordance with plans and specifications to be approved by the governing body of the City and placed on file with the City Clerk (the "Project").

Section 2. Bond Authorization. The estimated costs of the Project are in the amount of \$800,000. The costs of the Project, interest on interim financing and associated financing costs shall be payable from the proceeds of general obligation bonds of the City issued under authority of the Act (the "Bonds").

Section 3. Reimbursement. The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation §1.150-2.

Section 4. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

ADOPTED AND APPROVED by the governing body of the City of Dodge City, Kansas, on July 21, 2008.

(SEAL)

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 2008-11 of the City of Dodge City, Kansas, adopted by the governing body on July 21, 2008, as the same appears of record in my office.

DATED: July 21, 2008.

Nannette Pogue, City Clerk