

# **CITY COMMISSION MEETING MINUTES**

City Hall Commission Chambers

Monday, February 6, 2023

7:00 p.m.

MEETING #5238

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

1. Watch live on our Facebook page at [www.facebook.com/cityofdodgecity](http://www.facebook.com/cityofdodgecity)

2. Or watch it on our Vimeo page at [www.vimeo.com/cityofdodgecity](http://www.vimeo.com/cityofdodgecity).

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

## **CALL TO ORDER**

**ROLL CALL:** Mayor Michael Burns, Commissioners Joseph Nuci, Rick Sowers, Chuck Taylor, Kent Smoll.

**INVOCATION** by Pastor Kirk Larson of Grace Community Church

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF AGENDA**

Mayor Michael Burns made a motion to remove the item under unfinished business; the approval of the lease agreement with Catholic Charities of Southwest Kansas and the second item is to split the consent calendar into two pieces. The second vote will be exclusively on the cereal malt beverage license for Taylor's Road House allowing Commissioner Chuck Taylor to abstain from that vote. Commissioner Kent Smoll moved to approve the agenda with the changes. Commissioner Joseph Nuci seconded the motion. The motion carried 5 -0.

## **PETITIONS & PROCLAMATIONS**

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

Police Chief Drew Francis introduced Bill Cutshall a new Lateral Officer/Lateral Detective. Bill was sworn in with the City Loyalty Oath. Bill is originally from Oregon and moved to Virginia where he was a detective for many years. He then relocated to western Kansas. Congratulations to Bill.

Jan Scoggins a citizen of Dodge City thanked the parks department for the extra lights that were installed at the Sheridan walking path, also for making sure the edging on the grass was taking care of. She had two concerns one about the sign at the Sheridan that says Gunsmoke Trail. It is hard to read and is needing to be addressed. Her second concern is for our community

and public health. There are a lot of dog droppings all around the walking trail at the sheridan. She asked the city if they could possibly put up more signs out on the trail to make people aware that they need to pick up after their dogs.

#### **CONSENT CALENDAR**

1. Approval of City Commission Meeting Minutes, January 17, 2023.
2. Approval of Special City Commission Meeting Minutes, January 25, 2023.
3. Appropriation Ordinance No.3, February 6, 2023.
4. Cereal Malt Beverage License:
  - a. Taylor's Road House, 2305 W. Wyatt Earp Blvd.
  - b. Walgreens #07817, 1801 N. 14<sup>th</sup> Avenue
  - c. Yardley Dodge City, 2524 E. Wyatt Earp Blvd.
5. Approve of Street Lights for Central Avenue, part of Downtown Streetscape.
6. Approval of Supplemental Agreement for Design of 14<sup>th</sup> Avenue South Bound Bridge.
7. Approval of Advisory Boards and Appointments for 2023.
8. Approval of Bids for the Renovation of 1012 Longbranch Road.

Commissioner Kent Smoll moved to clean up the second paragraph from the January 17th meeting on the election minutes, changing the second paragraph that read, commissioner moved to nominated Chuck Nuci, change to; Commissioner Chuck Taylor moved to nominate Joseph Nuci for vice mayor. Mayor Burns moved to change the minutes on the January 17th special meeting minutes, the action taken under the new business should have been 4 – 1 with Commissioner Kent Smoll voting no. With those three adjustments Commissioner Kent Smoll made a motion to approve the consent calendar. Commissioner Joseph Nuci seconded the motion. The motion carried 4 – 0 with Chuck Taylor not voting. Mayor Burns moved to approve the cereal malt beverage license for Taylors Road House. Commissioner Joseph Nuci made a motion to approve the Taylors Roadhouse cereal malt beverage license. Commissioner Kent Smoll seconded the motion. The motion carried 4 – 0 with Commissioner Chuck Taylor abstaining from voting.

#### **ORDINANCES & RESOLUTIONS**

**Resolution No. 2023-02:** A Resolution in support of an application for funding through the Moderate Income Housing Program offered through the Kansas Housing Resources Corporation was approved on a motion by Commissioner Kent Smoll. Commissioner Chuck Taylor seconded the motion. The motion carried 5 - 0.

**Resolution No. 2023-03:** A Resolution in support of an application for funding through the Moderate Income Housing American Rescue Plan Act Program offered through the Kansas Housing was approved on a motion by Commissioner Chuck Taylor. Commissioner Joseph Nuci seconded the motion. The motion carried 5 - 0.

**Resolution No. 2023-04:** A Resolution in support of an application for funding through the Kansas Housing Investor Tax Credit Program offered through the Kansas Housing Resources Corporation was approved on a motion by Commissioner Kent Smoll. Commissioner Chuck Taylor seconded the motion. The motion carried 4 – 0 with Commissioner Joseph Nuci abstaining due to a conflict of interest.

#### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

1. Commissioner Rick Sowers moved to approve the quote from Diamond Roofing in the amount not to exceed \$145,420 to replace the roof at the Process Building of the North Reclamation Plant. Commissioner Kent Smoll seconded the motion. The motion carried 5 – 0.
2. Commissioner Rick Sowers moved to approve the supplemental agreement # 2 with PEC Consultants in the amount not to exceed \$2,038,4500 for the WWTP Expansion. Commissioner Kent Smoll seconded the motion. The motion carried 5 - 0.
3. Commissioner Kent Smoll moved to approve the bid from Essential Air Service (EAS) to provide air services to Dodge City Regional Airport. Commissioner Joseph Nuci seconded the motion. The motion carried 5 - 0.

#### **OTHER BUSINESS**

#### **STAFF REPORTS**

#### **EXECUTIVE SESSION**

At 8:05 pm Commissioner Kent Smoll moved to recess into executive session pursuant to the privileged consultation with the City's' attorney exception found in K.S.A. 75-4319(b)(2). The justification for closing the meeting is to discuss legal advice from counsel regarding litigation. The open meeting will resume in the city commission chambers in 20 minutes at 8:20 pm. The meeting will include Commissioners, Nick Hernandez, City Manager, and Brad Ralph, City Attorney via telephone. The city commission will take no action upon returning to open session and prior to adjournment. Commissioner Rick Sowers seconded the motion. The motion carried 5 -0. At 8:20 pm Commissioner Joseph Nuci moved to extend the session for 5 more minutes. Commissioner Chuck Taylor seconded the motion. The motion carried 5 – 0.

The meeting reconvened at 8:25 pm

#### **ADJOURNMENT**

Commissioner Joseph Nuci moved to adjourn the meeting. Commissioner Chuck Taylor seconded the motion. The motion carried 5 - 0,

ATTEST:

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Mayor

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City Clerk