

CITY COMMISSION MEETING AGENDA

Municipal Services Building,

100 Chaffin Road

Monday December 18, 2023

7:00 p.m.

MEETING #5266

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

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

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

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

CALL TO ORDER

ROLL CALL

INVOCATION BY Rev. Jeff Heirs of Church of Nazarene

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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).

Land Bank Budget Report

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, December 4, 2023.
2. Approval of City Commission Work Session Minutes, December 4, 2023.
3. Approval of Special City Commission Meeting Minutes, December 7, 2023
4. Appropriation Ordinance No.24, December 18, 2023.
5. Cereal Malt Beverage License:
 - a. Walgreen Store, 1801 N. 14th Avenue.
6. Approve the estimate from Victory Electric to extend electrical service to the Rodeo Hills Lift Station.
7. Approve the estimate from Victory Electric to reroute the electrical service to Gas Handling Building #1 (GHB1)

ORDINANCES & RESOLUTIONS

Ordinance No. 3806: An Ordinance to Amend Chapter 13, Article 4 of the Municipal Code for the City of Dodge City. Report by Daniel Cecil, Parks and Recreation Director, and Paige Gilmore, City Attorney.

Ordinance No. 3807: An Ordinance to Repeal Chapter 13, Article 4, Section 14-402 of the Municipal Code for the City of Dodge City. Report by Daniel Cecil, Parks and Recreation Director, and Paige Gilmore, City Attorney.

Resolution No. 2023-40: A Resolution Making Certain Findings and Determinations as to the Need for Housing within the City of Dodge City, Kansas and Setting Forth the Legal Description of Real Property Proposed to be Designated as a Rural Housing Incentive District within the City. Report by Mollea Wainscott, Assistant Director of Economic Development.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Allocation of 2023 Special Alcohol and Drug Funds. Report by Nicole May, Finance Director.
2. Approval of the Supplemental Agreement with PEC for Inspection Services for the South Bound 14th Ave. Bridge Repairs. Report by Ray Slattery, Director of Engineering Services.
3. Approve CO #6 for the Installation of the H2S Vessels, Piping, and Hardware for the Biogas Project. Report by Ray Slattery, Director of Engineering Services.
4. Approval to Purchase a new Closed-Door Full Eject Baler and in Floor Feed Conveyor for the Jane Longmeyer Recycling Center. Report by Public Works Director, Corey Keller.

OTHER BUSINESS

STAFF REPORTS

EXECUTIVE SESSION

Attorney-Client Privileged Discussion

ADJOURNMENT

CITY COMMISSION WORK SESSION MINUTES

City Hall Commission Chambers

Monday, December 4, 2023

6:00 p.m.

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CALL OR ORDER

ROLL CALL Mayor Michael Burns, Commissioner Joseph Nuci, Rick Sowers, Chuck Taylor, Kent Smoll

WORK SESSION

Daniel Cecil, Director of Parks along Darin Barr of Ballard King gave a presentation on the Wright Park design and master plan. Writh park zoo will also be incorporated into this plan.

ADJOURNMENT

Commissioner Joseph Nuci made a motion to adjourn the meeting. Commissioner Chuck Taylor seconded the motion. The motion carried 5 – 0.

ATTEST:

Mayor

City Clerk

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Monday, December 4, 2023

7:00 p.m.

MEETING #5265

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

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CALL TO ORDER

ROLL CALL Mayor Michael Burns, Commissioner Joseph Nuci, Rick Sowers, Chuck Taylor, Kent Smoll

INVOCATION BY Rev. Debra Muylaert of Kingdom Harvest Church

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Commissioner Chuck Taylor moved to approve the agenda; 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).

Presentation of Landbank Budget will be presented next commission meeting.

Chief Drew Francis gave an update report on the missing teen, Cody Cenicerros of Dodge City and let the public know that Dodge City Police Department and other agencies are continuing to work on the case.

CONSENT CALENDAR

1. Approval of City Work Session Minutes, November 20, 2023.
2. Approval of City Commission Meeting Minutes, November 20, 2023.
3. Appropriation Ordinance No.23, December 4, 2023.
4. Approve Change Order #2 for the 2023 Asphalt Maintenance Project.

Commissioner Kent Smoll made a motion to approve the consent calendar. Commissioner Rick Sowers seconded the motion. The motion carried 5 – 0.

ORDINANCES & RESOLUTIONS

Resolution No. 2023-40: A Resolution Describing and Defining the Boundary of the City of Dodge City, Kansas. Report by Ray Slattery, Director of Engineering Services. Commissioner Rick Sowers made a motion to approve. Commissioner Chuck Taylor seconded the motion. The motion carried 5 – 0.

NEW BUSINESS

1. Commissioner Chuck Taylor made a motion to approve the agreement amendment #2 for Jacobs operations, maintenance, and management services in the amount of \$2,507,130.51 for the calendar year 2024. Commissioner Joseph Nuci seconded the motion. The motion carried 5 – 0.
2. Commissioner Rick Sowers moved to approve the bid from Circle C Paving and Construction in the amount of 166,500 square yards for \$450,000 to apply chip seal materials. Commissioner Kent Smoll seconded the motion. The motion carried 5 – 0.
3. Commissioner Kent Smoll moved to approve the bid from Stripe & Seal, LLC in the amount of 155,000 to apply crack seal material to the City's asphalt streets. Commissioner Joseph Nuci seconded the motion. The motion carried 5 – 0.
4. Commissioner Chuck Taylor moved to approve the CO #5 for the construction of a retaining wall along anaerobic #4 on the expansion of the south wastewater treatment plant in the amount of \$376,922. Commissioner Joseph Nuci seconded the motion. The motion carried 5- 0.
5. Commissioner Kent Smoll moved to approve the design service agreement with Brungardt Honomichic & Company in the amount of \$220,882 to complete the plans for the Comanche Street from Fourteenth Avenue to US HWY 50. Commissioner Rick Sowers seconded the motion. The motion carried 5 – 0.

OTHER BUSINESS

STAFF REPORTS

ADJOURNMENT

Commissioner Joseph Nuci moved to adjourn the meeting. Commissioner Kent Smoll seconded the motion. The motion carried 5 – 0.

ATTEST:

Mayor

City Clerk

CITY COMMISSION SPECIAL MEETING MINUTES

City Hall Commission Chambers

806 N. 2nd Ave

Thursday, December 7, 2023

7:30 a.m.

MEETING #5266

CALL OR ORDER

ROLL CALL Mayor Michael Burns, Commissioner Joseph Nuci, Rick Sowers, Chuck Taylor present, Kent Smoll reported absent.

Mayor Michael Burns moved to add an executive session pertaining to K.S.A. 75-4319(b)(4). confidential data relating to financial affairs or trade secrets. Commissioner Rick Sowers made a motion to amend the agenda. Commissioner Chuck Taylor seconded the motion. The motion carried 4-0.

NEW BUSINESS

1. Kansas Children's Cabinet & Trust Fund Child Care Capacity Accelerator Community Grant.

Joann Knight, Director of Director of Dodge City/Ford County Development, Joann Knight and Assistant Director, Mollea Wainscott spoke on a childcare facility. They spoke on the funding and where the facility would be located. They wanted to submit an application for funding,

There was a funding that came out through the Children's Cabinet through a broadband funding initiative that provides for construction for a day care facility but need to tie in health, workforce help and education. to build a \$5 million facility. They were needing partners, and they feel they have secured those partners to do the match and help out with the operational funds into the future.

The application would need to be submitted by December 18, 2023 with the Dodge City Ford/ County Development Center would be the applicant and they would need a physical sponsor on the application. They are requesting for the commission to be a sponsor and asking to see if the city could help in that capacity.

At 7:45 am Commissioner Rick Sowers made a motion to move into executive session pursuant to K.S.A. 75-4319(b)(4). the justification for closing the meeting is to discuss data relating to financial affairs or trade secrets of corporations, partnerships trusts or individual partnerships. The meeting will resume in the city commission chambers in twenty (20) minutes at 8:05 pm to include city manager, city attorney and director of economic development. The city may take action upon

returning to open session prior to adjournment. Commissioner Joseph Nuci seconded the motion. The motion carried 4 – 0.

At 8:05 am the meeting was reconvened.

Commissioner Rick Sowers made a motion that the city commits to the grant application to be a fiscal agent of the Kansas Children’s Cabinet & Trust Fund Child Care Capacity Accelerator Community Grant if such grant is accepted and work out further details as needed with other organizations such as the county and any other state organizations as necessary. Commissioner Chuck Taylor seconded the motion. The motion carried 4 - 0

ADJOURNMENT

Commissioner Rick Sowers made a motion to adjourn the meeting. Commissioner Chuck Taylor seconded the motion. The motion carried 4-0.

ATTEST:

Mayor

City Clerk



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Ray Slattery, PE, Director of Engineering
Date: December 18, 2023
Subject: Approval of Estimate for electrical service to Rodeo Hills Lift Station, PL 2202
Agenda Item: Consent Calendar

Recommendation: Approve the estimate from Victory Electric to extend electrical service to the Rodeo Hills Lift Station for \$45,834.91.

Background: With the construction of the Rodeo Hills Subdivision, South and the planned development of the Rodeo Hills North a Sanitary Sewer Lift Station is required to convey the sanitary sewer from the developments to existing City Sanitary Sewer.

This lift station will be in the northeast corner of the planned Rodeo Hills North development. Currently there is not any electrical power in this area. Staff discussed with Victory Electric the best way to provide power to the lift station. Since the area is undeveloped, and we have not received final plans for the development, staff and Victory Electric decided it would be best to install an overhead electric line to the lift station. This line will be temporary and once development takes place will be replaced by an underground service.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: This cost will be paid with funds from the SRF Loan.

Amount \$: \$45,834.91

Fund: Rodeo Hills RHID

Budgeted Expense Grant Bonds Other RHID

Legal Considerations: The City will be required to make payment to Victory Electric for the cost of the associated improvements.

Mission/Values: This project aligns with the City's Core Value of Ongoing Improvements.

Attachments: Estimate and Map showing the route of electrical line.

Approved for the Agenda by:

Ray Slattery, PE

Ray Slattery, PE, Dir. of Engineering Services

The Victory Electric Cooperative Assn., Inc.

Estimate

3230 N 14th Ave.
Dodge City, KS 67801
Phone: 620-227-2139

DATE November 30, 2023
Estimate project Rodeo Hills Lift Station
Member Name City of Dodge City

Bill To:

City of Dodge City

Estimate valid until: February 28, 2024

Prepared by: Jeff Hubbell

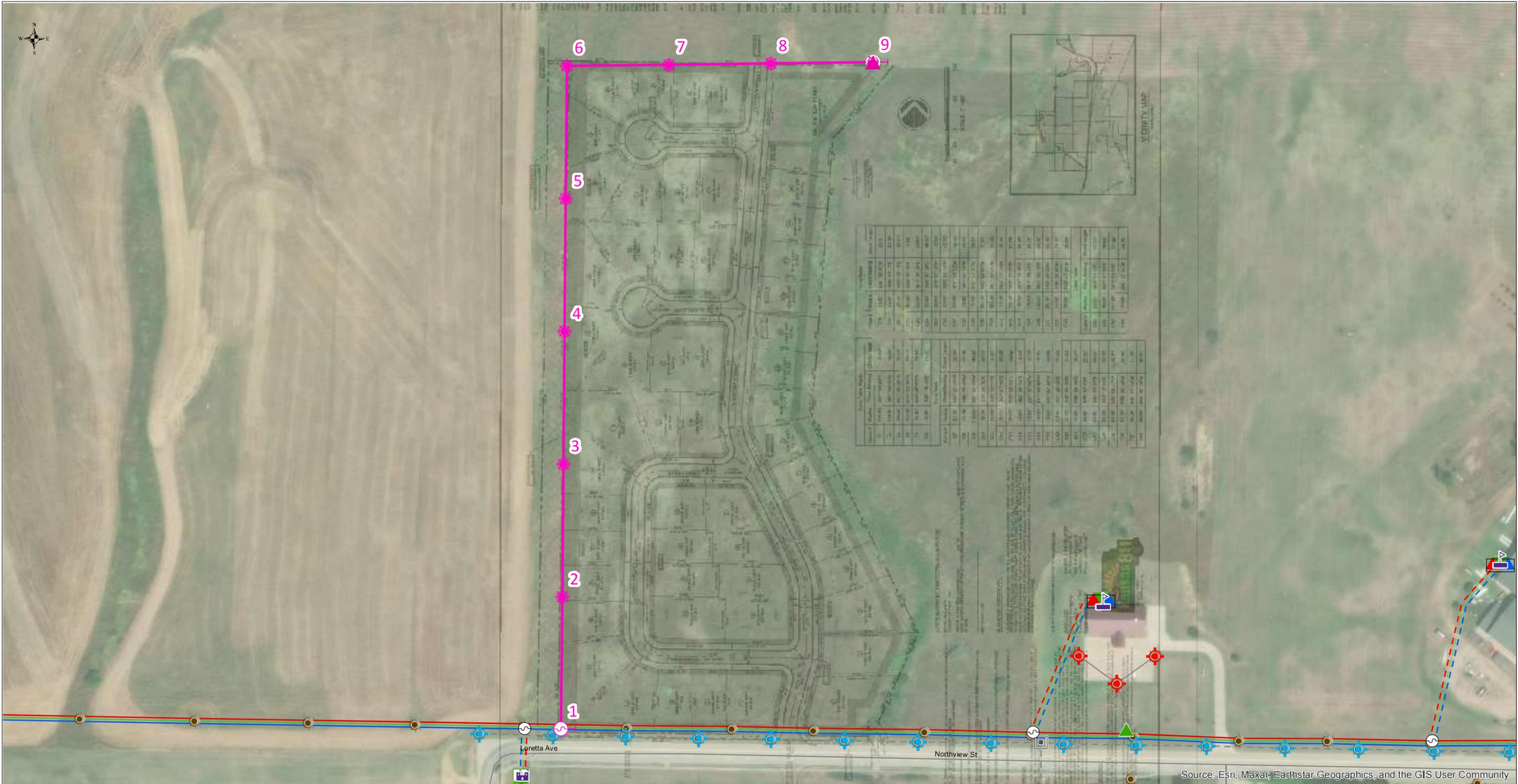
Comments or special instructions:

Description	AMOUNT
Poles	\$ 10,906.86
Hardware	\$ 14,980.68
Wire	\$ 10,482.80
Transformers	\$ 9,464.57
<i>Labor and Equipment built into estimate</i>	
TOTAL	\$ 45,834.91

If you have any questions concerning this estimate, Contact 620-227-2139



A Touchstone Energy® Cooperative 



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community





Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Ray Slattery, PE, Director of Engineering
Date: December 18, 2023
Subject: Approval of Estimate for reworking Electrical Service to GHB1 at the south WWTP, SS 2101
Agenda Item: Consent Calendar

Recommendation: Approve the estimate from Victory Electric to reroute the electrical service to Gas Handling Building #1 (GHB1) for \$22,765.00.

Background: With the construction of the South WWTP Expansion, the electrical service for GHB1 must be rerouted around the building expansion of GHB1. Currently the power is overhead and would run over the expansion of the building. Staff met with Victory Electric and determined it would be best to bury the electrical service around the building and connect to the existing transformer.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: This cost will be paid with funds from the SRF Loan.

Amount \$: \$22,765.00

Fund: 52242100 - 420002

Budgeted Expense Grant Bonds Other SRLF (State Revolving Loan Fund)

Legal Considerations: The City will be required to make payment to Victory Electric for the cost of the associated improvements.

Mission/Values: This project aligns with the City's Core Value of Ongoing Improvements.

Attachments: Estimate from Victory Electric for the proposed improvement.

Approved for the Agenda by:

Ray Slattery, PE

Ray Slattery, PE, Dir. of Engineering Services

2024 Landbank Budget

Income

\$5,000 - City of Dodge City

Expenses

\$5,000 - operational costs

Title Insurance for properties acquired
mowing/maintaining properties acquired



Memorandum

To: Nick Hernandez, City Manager and City Commission
From: Daniel Cecil, Parks and Recreation Director, and Paige Gilmore, City Attorney
Date: December 18, 2023
Subject: Approval of Tree Ordinance oversight committee
Agenda Item: New Business

Recommendation: Staff recommends approval of Ordinance No. 3806 amending Chapter 13, Article 4 of the Municipal Code of the City of Dodge City and Ordinance No. 3807 repealing Section 13-402. Together, approval of these ordinances amends Chapter 13, Article Four of the City Code, which formalizes the Park and Recreation Advisory Board absorbing and overseeing the rights and responsibilities of the Shade Tree Commission.

Background: As part of the requirements for the City of Dodge City Tree City USA annual application, the City must keep an enforceable tree ordinance for the community to adhere by and when planting, removing, trimming or pruning trees inside the city limits. This ordinance requires a committee to oversee and help enforce the parameters that are set forth in the ordinance. Historically, the City has had a Shade Tree Commission that has helped make decisions, conduct surveys, host events, and enforce regulations as needed.

Justification: Over the last few years, we have had issues with filling board positions on the Shade Tree Commission. We have not been receiving applications for the board. Currently, we have a strong group that regularly attends the Park and Recreation Advisory Board meetings on a monthly basis. They have the desire to take on the responsibilities of the Shade Tree Commission and make it a regular part of the meeting agenda. I also spoke with our District Forester who reviews our Tree City USA application and he stated that he has seen other municipalities make a similar change to their board and saw no issues with us going this direction. This required amendments to the Code. While making these amendments, the City Attorney also made minor substantive edits, grammatical corrections, and punctuation changes.

Financial Considerations: None

Purpose/Mission: These ordinance changes adhere with the City's mission to keep information up to date and make Dodge City the best place to live as possible.

Legal Considerations: City Legal staff has reviewed this ordinance as well as the changes recommended.

Attachments:

- Ordinance No.3806 amending Chapter 13, Article 4 of the Municipal Code for the City of Dodge City.
- Redlined copy showing changes to Chapter 13, Article 4
- Clean copy showing proposed amended version of Chapter 13, Article 4.
- Ordinance No. 3807 repealing Section 13-402 of the Municipal Code of Dodge City

CITY OF DODGE CITY ORDINANCE NO. 3806

AN ORDINANCE TO AMEND CHAPTER 13, ARTICLE 4 OF THE MUNICIPAL CODE FOR THE CITY OF DODGE CITY

WHEREAS, the City Commission of the City of Dodge City has determined that amendments to Chapter 13, Article 4 of the municipal code are necessary for the well-being and proper governance of the city;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DODGE CITY:

SECTION 1: AMENDMENTS TO CHAPTER 13, ARTICLE 4

(A) The following sections of Chapter 13, Article 4 of the municipal code for the City of Dodge City are hereby amended as follows:

1. Section 13-401: PARK AND RECREATION ADVISORY BOARD ABSORBS SHADE TREE COMMISSION

- Existing Language: **13-401. SHADE TREE COMMISSION; CREATION AND ESTABLISHMENT OF A SHADE TREE COMMISSION.** There is hereby created and established a seven member shade tree commission for the City. These shall be citizens and residents of this city, and shall be appointed by the mayor with the approval of the commission.
- Amended Language: **13-401. PARK AND RECREATION ADVISORY BOARD ABSORBS SHADE TREE COMMISSION.** Henceforth, as of the date of the adoption of this provision, the Park and Recreation Advisory Board shall absorb the Shade Tree Commission, along with all its rights and responsibilities. Elsewhere in this Municipal Code, any reference to the Shane Tree Commission shall refer to the Park and Recreation Advisory Board.

2. Section 13-403: SAME; COMPENSATION

- Existing Language: Members of the board shall serve without compensation.
- Amended Language: Members of the Park and Recreation Advisory Board shall conduct the duties of the body previously known as the Shade Tree Commission without additional compensation.

3. Section 13-404: SAME; DUTIES AND RESPONSIBILITIES

- Existing Language: It shall be the responsibility of the board to study, investigate, counsel and develop and/or update annually and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, and in other

public areas. Such plan will be presented annually to the city commission and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the city. The board when requested by the city commission, shall consider, investigate, make finding, report and recommend upon any special matter of questions coming within the scope of its work.

- **Amended Language:** It shall be the responsibility of the Park and Recreation Advisory Board to study, investigate, counsel and develop and/or update annually and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, and in other public areas. Such plan will be presented annually to the city commission and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the city. The Park and Recreation Advisory Board, when requested by the city commission, shall consider, investigate, make finding, report and recommend upon any special matter of questions coming within the scope of its work.

4. Section 13-405: SAME; OPERATION

- **Existing Language:** The board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.
- **Amended Language:** The Park and Recreation Advisory Board, in conducting the duties previously held by the Shade Tree Commission, shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

5. Section 13-407: STREET TREES; LIST

- **Existing Language:** A list of preferred and recommended street tree species, which shall consist of small, medium and large trees, shall be established from time to time by the shade tree commission, and a copy of the current list shall be maintained in the office of the director of parks and recreation and the Ford County Extension Council and copies of the list shall be provided without charge to persons requesting the same.
- **Amended Language:** A list of preferred and recommended street tree species, which shall consist of small, medium and large trees, shall be established from time to time by the

Park and Recreation Advisory Board, and a copy of the current list shall be maintained in the office of the director of parks and recreation and the Ford County Extension Council and copies of the list shall be provided without charge to persons requesting the same.

6. Section 13-411: NOTICE TO OWNER, OCCUPANT

- **Existing Language:** Notice to cut any trees, boughs, shrubbery or limbs to conform to the provisions of the article shall be served by the duly appointed public officer upon the owner or occupant of the abutting premises.
- **Amended Language:** The City shall have the right to serve notice to cut any trees, boughs, shrubbery, or limbs to conform to the provisions of the article by the duly appointed public officer upon the owner or occupant of the abutting premises.

7. Section 13-412: ABATEMENT BY CITY

- **Existing Language:** If such owner or occupant shall not within five (5) days thereafter cause such obstructing trees, boughs, shrubbery or limbs to be removed as provided in accordance with the provisions of this article, then the city shall forthwith remove them. This section, however, shall not be construed as waiving the rights of the city to prosecute under the provisions of this article.
- **Amended Language:** If such owner or occupant shall not within five (5) days of receiving notice pursuant to section 13-411 of this code cause such obstructing trees, boughs, shrubbery or limbs to be removed as provided in accordance with the provisions of this article, then the city shall have the right to remove them. This section, however, shall not be construed as waiving the rights of the city to prosecute under the provisions of this article.

8. Section 13-416: SAME; DISTANCE FROM CURB AND SIDEWALK

- **Existing Language:** The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the "Street Trees; List" size classes and no trees may be planted closer to any curb or sidewalk than the following: small trees, two feet; medium trees, three feet; and large trees, four feet. Exceptions can be granted by the landscape coordinator, forester or shade tree commission.
- **Amended Language:** The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the "Street Trees; List" size classes and no trees may be

planted closer to any curb or sidewalk than the following: small trees, two feet; medium trees, three feet; and large trees, four feet. Exceptions can be granted by the landscape coordinator, forester or Park and Recreation Advisory Board.

9. Section 13-417: SIGHT TRIANGLE

- **Existing Language:** No street trees shall be planted within the sight triangle of an intersection as defined in the "Shade Tree Commission; Definitions" section of this article.
- **Amended Language:** No street trees shall be planted within the sight triangle of an intersection as defined in the "Definitions" section of this article.

10. Section 13-420: TREE TOPPING

- **Existing Language:** It shall be unlawful as a normal practice for any person, firm or city department to top any street tree, park tree or other tree on public property. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions, where other pruning practices are impractical may be exempted from this article at the determination of the shade tree commission.
- **Amended Language:** It shall be unlawful as a normal practice for any person, firm or city department to top any street tree, park tree or other tree on public property. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions, where other pruning practices are impractical may be exempted from this article at the determination of the Park and Recreation Advisory Board.

11. Section 13-422: DEAD OR DISEASED TREE REMOVAL ON PRIVATE PROPERTY

- **Existing Language:** The city shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The shade tree commission will notify in writing the owners of such trees. Removal shall be done by the owners at their own expense within 30 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the city shall have the authority to remove such trees and charge the cost of removal on the owners property tax notice.

- **Amended Language:** The city shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The Park and Recreation Advisory Board shall have the right to notify in writing the owners of such trees. Removal shall be done by the owners at their own expense within 30 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the city shall have the authority to remove such trees and charge the cost of removal on the owner's property tax notice.

12. Section 13-423: PERMIT TO PLANT, PRUNE OR REMOVE TREES ON EASEMENTS

- **Existing Language:** It shall be unlawful for a person without a written permit to plant, prune, remove or cut any tree or shrub in any part of the streets, avenues or public grounds. The permit shall state specifically the work to be done under it, and shall be void after ten (10) days from the date thereof. Permit is to be obtained from the City.
- **Amended Language:** It shall be unlawful for a person without a written permit to plant, prune, remove or cut any tree or shrub in any part of the streets, avenues, or public grounds. The permit shall state specifically the work to be done under it and shall be void after ten (10) days from the date thereof. Proper permitting shall be obtained through the city.

13. Section 13-426: INTERFERENCE WITH PARK AND RECREATION ADVISORY BOARD IN THEIR ROLE AS THE SHADE TREE COMMISSION.

- **Existing Language: 13-426. INTERFERENCE WITH SHADE TREE COMMISSION.** It shall be unlawful for any person to prevent, delay or interfere with the shade tree commission, except the city commission or their agent, or any of his or her agents, or servants, while engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees, park trees or trees on private grounds, as authorized in this article.
- **Amended Language: 13-426. INTERFERENCE WITH PARK AND RECREATION ADVISORY BOARD IN THEIR ROLE AS THE SHADE TREE COMMISSION.** It shall be unlawful for any person to prevent, delay or interfere with the Park and Recreation Advisory Board in the administration of their duties as the shade tree commission, except the city commission or their agent, or

any of his or her agents, or servants, while engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees, park trees or trees on private grounds, as authorized in this article.

14. Section 13-428: SAME; QUALIFICATIONS

- **Existing Language:** Licenses required by this ordinance shall be issued at the parks and recreation office. The applicant shall meet the following requirements:
 - 1) Provide current name, business address and phone number.
 - 2) Filing of certificate of liability insurance.
 - 3) Payment of required license fee.
 - 4) Passing score of at least 70% on city test; or
 - 4a) Proof of new or renewed certification from Kansas Arborist Association or equivalent.
 - 5) No license shall be required for any city employee doing such work in the pursuit of their public service endeavors.
- **Amended Language:** Licenses required by this provision shall be issued at the parks and recreation office. The applicant shall meet the following requirements:
 - 1) Provide current name, business address and phone number.
 - 2) Filing of certificate of liability insurance.
 - 3) Payment of required license fee.
 - 4) Passing score of at least 70% on city test; or
 - 4a) Proof of new or renewed certification from Kansas Arborist Association or equivalent.
 - 5) No license shall be required for any city employee doing such work in the pursuit of their public service endeavors.

15. Section 13-431: ON-SITE INSPECTIONS

- **Existing Language:** The shade tree commission or a duly authorized agent of the city may inspect the work of all commercial, private or contracting arborists performing tree pruning on public property to insure that proper pruning practices are being followed. Inspections shall be random and without notice. Arborists found in violation of proper pruning procedures shall be notified verbally and in writing by the city. Such violations shall be corrected if possible and future pruning shall comply with approved practices.
- **Amended Language:** The Park and Recreation Advisory Board or a duly authorized agent of the city may inspect the work of all commercial, private, or contracting arborists performing tree pruning on public property to ensure that proper pruning practices are being followed. Inspections shall be random and without notice. Arborists found in

violation of proper pruning procedures shall be notified verbally and in writing by the city. Such violations shall be corrected if possible and future pruning shall comply with approved practices.

16. Section 13-432: PENALTY

- **Existing Language:** The public officer may file a complaint in the municipal court against any person or commercial, private or contracting arborist found to be in violation of the provisions of this article, provide that the person or arborist shall first have been sent a notice. The notice shall state:
 - (1) The condition which has caused the violation of this article; and
 - (2) That the person in violation shall have:
 - (a) 5 days from date of deliverance of the notice to alleviate the obstructing violation; or
 - (b) 30 days from date of deliverance of the notice to alleviate the hazardous or harboring condition;
 - and
 - (3) That failure to alleviate the condition or to request a hearing may result in prosecution and/or abatement of the condition by the city with the cost assessed against the property.Upon such complaint in the municipal court, any person or commercial, private or contracting arborists found to be in violation of the provisions of this article shall upon conviction be punished by a fine of not less than \$50 nor more than \$100, or by imprisonment, for not more than 30 days, or by both such fine and imprisonment, for each offense. For the purpose of this article, a separate offense shall be deemed committed for each tree on which such violation exists.
- **Amended Language:** The city may file a complaint in the municipal court against any person or commercial, private, or contracting arborist found to be in violation of the provisions of this article, provide that the person or arborist shall first have been sent a notice. The notice shall state:
 - (1) The condition which has caused the violation of this article; and
 - (2) That the person in violation shall have:
 - (a) 5 days from date of deliverance of the notice to alleviate the obstructing violation; or
 - (b) 30 days from date of deliverance of the notice to alleviate the hazardous or harboring condition;
 - and
 - (3) That failure to alleviate the condition or to request a hearing may result in prosecution and/or abatement

of the condition by the city with the cost assessed against the property. Upon such complaint in the municipal court, any person or commercial, private or contracting arborists found to be in violation of the provisions of this article shall upon conviction be punished by a fine of not less than \$50 nor more than \$100, or by imprisonment, for not more than 30 days, or by both such fine and imprisonment, for each offense. For the purpose of this article, a separate offense shall be deemed committed for each tree on which such violation exists.

17. Section 13-433: REVIEW; BY GOVERNING BODY

- **Existing Language:** The governing body shall have the right to review the conduct, acts and decisions of the shade tree commission. Any person may appeal from any ruling or order of the shade tree commission to the governing body who may hear the matter and make final decision. (Ord. No. 3028)
- **Amended Language:** The City Commission shall have the right to review the conduct, acts and decisions of the Park and Recreation Advisory Board in its exercise of shade tree commission duties. Any person may appeal from any ruling or order of the Park and Recreation Advisory Board in its exercise of shade tree commission duties to the City Commission who may hear the matter and make final decision.

(B) The amended provisions shall read as set forth in Section 1(A) above.

SECTION 2: EFFECTIVE DATE

This ordinance shall take effect from and following its publication in the official paper, as provided by law.

SECTION 3: SEVERABILITY

If any provision of this ordinance or its application to any person or circumstances is held invalid, the remainder of the ordinance or the application of its provisions to other persons or circumstances shall not be affected.

SECTION 4: REPEALER

All prior code provisions and ordinances or parts of code provisions or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Mayor Michael Burns

Connie Marquez, City Clerk

APPROVED AS TO FORM:

Paige Gilmore, City Attorney

Date: December 18, 2023

ARTICLE 4. TREES AND SHRUBS

13-401. PARK AND RECREATION ADVISORY BOARD ABSORBS SHADE TREE COMMISSION; CREATION AND ESTABLISHMENT

~~OF A SHADE TREE COMMISSION.~~ Henceforth, as of the date of the adoption of this provision, the Park and Recreation Advisory Board shall absorb the Shade Tree Commission, along with all its rights and responsibilities. Elsewhere in this Municipal Code, any reference to the Shade Tree Commission shall refer to the Park and Recreation Advisory Board. ~~There is hereby created and established a seven member shade tree commission for the City. These shall be citizens and residents of this city, and shall be appointed by the mayor with the approval of the commission.~~

13-402. SAME; TERM OF OFFICE. ~~The term of the seven persons to be appointed by the mayor shall be three years except that the term of two of the members appointed to the first board shall be for only one year and the term of two members of the first board shall be for two years. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.~~

13-403. SAME; COMPENSATION. ~~Members of the board-Park and Recreation Advisory Board shall conduct the duties of the body previously known as the Shade Tree Commission without additional serve without ecompensation.~~

13-404. SAME; DUTIES AND RESPONSIBILITIES. It shall be the responsibility of the ~~board-~~Park and Recreation Advisory Board to study, investigate, counsel and develop and/or update annually ~~and~~ administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, and in other public areas. Such plan will be presented annually to the city commission and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the city. The ~~board-~~Park and Recreation Advisory Board, when requested by the city commission, shall consider, investigate, make finding, report and recommend upon any special matter of questions coming within the scope of its work.

13-405. SAME; OPERATION. The ~~board~~ Park and Recreation Advisory Board, in conducting the duties previously held by the Shade Tree Commission, shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A ~~majority~~ majority of ~~the~~ the members shall ~~be~~ be a quorum for the transaction of business.

13-406. SAME; DEFINITIONS. Park Trees are herein defined ~~s~~ as trees, shrubs, ~~bushes~~ bushes, and all other woody vegetation in public parks having individual names and all areas owned by the city, or to which the public has free access as a park.

Sight triangles are herein defined as the line of sight between 3 points. These points are the center of the intersection and 2 points measured at right angles along the streets a distance of 120 feet on arterial streets and 90 feet on secondary streets.

Street trees are herein defined as trees, shrubs, bushes and all other woody vegetation with a mature height in excess of 18 inches on land lying between property lines on either side of all streets, avenues or ways within the city.

~~13-15~~

Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

13-407. STREET TREES; LIST. A list of preferred and recommended street tree species, which shall consist of small, medium and large trees, shall be established from time to time by the ~~shade tree commission~~ Park and Recreation Advisory Board, and a copy of the current list shall be maintained in the office of the director of parks and recreation and the Ford County Extension Council and copies of the list shall be provided without charge to persons requesting the same.

13-408. TRIMMING REQUIRED. It is hereby made the duty of the owner or occupant of any premises abutting on any street, avenue or alley in the city to cut, trim or remove, in accordance with the provisions of this article, all trees and shrubbery growing in the city which may constitute any hazard or any sight obstruction to any vehicular or pedestrian traffic upon the streets or sidewalks.

13-409. MINIMUM HEIGHT. The limbs, trees or shrubbery abutting on any street, avenue or alley in the city shall be trimmed or cut so that the same shall not be less than eight (8) feet above the sidewalks, twelve (12) feet above the streets or avenues over which they hang.

13-410. DISTANCE FROM LIGHT POLES AND FIREPLUGS. All trees and shrubbery which are greater than 18 inches in height are prohibited within 20 feet of street lighting poles or within 10 feet of fire hydrants.

13-411. NOTICE TO OWNER, OCCUPANT. The City shall have the right to serve nNotice to cut any trees, boughs, ~~shrubby~~shrubbery, or limbs to conform to the provisions of the article ~~shall be served~~ by the duly appointed public officer upon the owner or occupant of the abutting premises.

13-412. ABATEMENT BY CITY. If such owner or occupant shall not within five (5) days thereafter of receiving notice pursuant to section 13-411 of this code cause such obstructing trees, boughs, ~~shrubby~~ or limbs to be removed as provided in accordance with the provisions of this article, then the city shall ~~forthwith~~ have the right to remove them. This section, however, shall not be ~~construed~~ as waiving the rights of the city to prosecute under the provisions of this article.

13-413. ASSESSMENT OF COSTS. The costs of abatement of any condition prohibited by this article by the city shall be assessed and charged against the lot or parcel of ground on which the condition existed.

13-414. COLLECTION OF COSTS. The city clerk shall, at the time of certifying other city taxes to the county clerk, certify the costs of abatement of any condition prohibited by this article by the city; and the county clerk shall extend the same on the tax roll of the county against the property upon which such condition existed. Such costs shall be collected by ~~the~~ county treasurer and paid to the city as other city taxes are collected and paid.

13-415. STREET TREES; SPACING. The spacing of street trees shall be in accordance with the tree species size classes listed in the "Street Tree"; List" section of this article and no trees may be planted closer together than the

following: small trees, 30 feet; medium trees, 40 feet; and large trees, 50 feet, except in special plantings approved by the shade tree commission, landscape coordinator or forester.

13-416. SAME; DISTANCE FROM CURB AND SIDEWALK. The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the "Street Trees; List" size classes and no trees may be planted closer to any curb or sidewalk than the following: small trees, two feet; medium trees, three feet; and large trees, four feet. Exceptions can be granted by the landscape coordinator, forester or ~~shade tree commission~~Park and Recreation Advisory Board.

13-417. SIGHT TRIANGLE. No street trees shall be planted within the sight triangle of an intersection as defined in the "~~Shade Tree Commission; Definitions~~" section of this article.

13-418. UTILITIES. No street trees other than those species listed as small trees in the "Street Trees; List" section of this article may be planted under or within 10 lateral feet of any overhead utility wire, or over or within five (5) lateral feet of any underground water line, sewer line, transmission line or other utility. The city shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light, or interferes with visibility of any traffic control device or sign.

13-419. PUBLIC TREE CARE. The city shall have the right to plant, prune, maintain and remove trees, plants, shrubs and tree stumps, within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

13-420. TREE TOPPING. It shall be unlawful as a normal practice for any person, firm or city department to top any street tree, park tree or other tree on public property. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions, where other pruning practices are impractical may be exempted from this article at the determination of the ~~shade tree commission~~Park and Recreation Advisory Board.

13-421. PRUNING, CORNER CLEARANCE. Every owner of any tree

overhanging any street or right-of-way within the city shall prune the branches so that such branches shall have a clear space of eight (8) feet above the surface of the sidewalk and twelve (12) feet above the surface of the street. The owner shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. It shall be unlawful to permit any hedge or shrub to grow over any sidewalk, street or alley.

13-422. DEAD OR DISEASED TREE REMOVAL ON PRIVATE PROPERTY.

The city shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The ~~shade tree commission~~Park and Recreation Advisory Board ~~will~~ shall have the right to notify in writing the owners of such trees. Removal shall be done by the owners at their own expense within 30 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the city shall have the authority to remove such trees and charge the cost of removal on the ~~owners~~owner's property tax notice.

13-423. PERMIT TO PLANT, PRUNE OR REMOVE TREES ON EASEMENTS.

It shall be unlawful for a person without a written permit to plant, prune, remove or cut any tree or shrub in any part of the streets, ~~avenues~~avenues, or public grounds. The permit shall state specifically the work to be done under it, and shall be void after ten (10) days from the date thereof. ~~Proper permitting is to~~ Permit shall be obtained ~~from~~ through the city.

13-424. TREE PROTECTION. (a) It shall be unlawful for any person to attach wire, rope, chain, sign or any other material to any tree on any public street, alley or other public property. (b) Any person constructing, repairing or razing any building or structure shall use sufficient guards, barriers or protectors to prevent injury to any tree on any street, alley or public property, and all building materials, dirt or other debris shall be kept outside the barrier. The guard shall be a fence, frame or box not less than 4 feet high and 8 feet square. (c) The landscape coordinator, forester or shade tree commission may exempt certain trees on any street, alley or public property from

protection and have them removed when in the way of public improvements.

13-425. REMOVAL OF STUMPS FROM STREET EASEMENTS. Any tree, tree stump, shrub or vine that shall be removed from any of the streets, avenues, alleys or public ways shall be removed below the surface of the ground so that the top of the stump removed shall not project above the surface of the ground.

13-426. INTERFERENCE WITH PARK AND RECREATION ADVISORY BOARD IN THEIR ROLE AS THE SHADE TREE COMMISSION. It shall be unlawful for any person to prevent, delay or interfere with the Park and Recreation Advisory Board in the administration of their duties as the shade tree commission, except the city commission or their agent, or any of his or her agents, or servants, while engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees, park trees or trees on private grounds, as authorized in this article.

13-427. ARBORISTS LICENSE. It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating or removing trees within the city without first having obtained a license. Said license shall not be transferable when there is a change in the business status of the licensee.

13-428. SAME; QUALIFICATIONS. Licenses required by this ~~ordinance~~ provision shall be issued at the parks and recreation office. The applicant shall meet the following ~~g~~ requirements:

- 1) Provide current name, business address and phone number.
- 2) Filing of certificate of liability insurance.
- 3) Payment of required license fee.
- 4) Passing score of at least 70% on city test; or
 - 4a) Proof of new or renewed certification from Kansas Arborist Association or equivalent.
- 5) No license shall be required for any city employee doing such work in the pursuit of their public service endeavors.

13-429. SAME; FEE. The fee for a license shall be as established in the fee schedule set out in Article 9 of Chapter 1 of the city code. The license fee, or a portion of, may be waived, if the applicant completes an approved

course as prescribed by the shade tree commission and the Kansas Arborist Association or equivalent.

13-430. SAME; INSURANCE. Prior to the issuance of any license, each applicant shall first file evidence of possession of liability insurance in the minimum amount of \$500,000 per occurrence, indemnifying the City or any person injured or damaged resulting from the pursuit of such endeavors as herein described. (Ord. No. 3053, 1993)

13-431. ON-SITE INSPECTIONS. The ~~shade tree commission~~ Park and Recreation Advisory Board or a duly authorized agent of the city may inspect the work of all commercial, ~~private~~ private, or contracting arborists performing tree pruning on public property to ~~insure~~ ensure that proper pruning practices are being followed. Inspections shall be random and without notice. Arborists found in violation of proper pruning procedures shall be notified verbally and in writing by the city. Such violations shall be corrected if possible and future pruning shall comply with approved practices.

14-432. PENALTY. ~~The~~ The city ~~public officer~~ may file a complaint in

the municipal court against any person or commercial, private, or contracting arborist found to be in violation of the provisions of this article, provide that the person or arborist shall first have been sent a notice. The notice shall state:

- (1) The condition which has caused the violation of this article; and
- (2) That the person in violation shall have:
 - (a) 5 days from date of deliverance of the notice to alleviate the obstructing violation; or
 - (b) 30 days from date of deliverance of the notice to alleviate the hazardous or harboring condition; and
- (3) That failure to alleviate the condition or to request ~~tt~~ a hearing may result in prosecution and/or abatement of the condition by the city with the cost assessed against the property.

Upon such complaint in the municipal court, any person or commercial, private or contracting arborists found to be in violation of the provisions of this article shall upon conviction be punished by a fine of not less than \$50 nor more than \$100, or by imprisonment, for not more than 30

days, or by both such fine and imprisonment, for each
 offense. For the purpose of this article, a
 separate offense shall be deemed committed for each tree on
 which such violation exists.

13-433. REVIEW; BY GOVERNING BODY. The City Commissiongoverning
body shall
 have the right to review the conduct, acts and decisions of
 the ~~shade tree commission~~Park and Recreation Advisory Board in
its exercise of shade tree commission duties. Any person may
appeal from any
 ruling or order of the ~~shade tree commission~~Park and Recreation
Advisory Board in its exercise of shade tree commission duties
to the
 ~~governing body~~City Commission who may hear the matter and make
final
 decision. ~~(Ord. No. 3028)~~

13-14

ARTICLE 4. TREES AND SHRUBS

13-401. PARK AND RECREATION ADVISORY BOARD ABSORBS SHADE TREE COMMISSION. Henceforth, as of the date of the adoption of this provision, the Park and Recreation Advisory Board shall absorb the Shade Tree Commission, along with all its rights and responsibilities. Elsewhere in this Municipal Code, any reference to the Shade Tree Commission shall refer to the Park and Recreation Advisory Board.

13-403. SAME; COMPENSATION. Members of the Park and Recreation Advisory Board shall conduct the duties of the body previously known as the Shade Tree Commission without additional compensation.

13-404. SAME; DUTIES AND RESPONSIBILITIES. It shall be the responsibility of the Park and Recreation Advisory Board to study, investigate, counsel and develop and/or update annually and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, and in other public areas. Such plan will be presented annually to the city commission and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the city. The Park and Recreation Advisory Board, when requested by the city commission, shall consider, investigate, make finding, report and recommend upon any special matter of questions coming within the scope of its work.

13-405. SAME; OPERATION. The Park and Recreation Advisory Board, in conducting the duties previously held by the Shade Tree Commission, shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

13-406. SAME; DEFINITIONS. Park Trees are herein defined as trees, shrubs, bushes, and all other woody vegetation in public parks having individual names and all areas owned by the city, or to which the public has free access as a park.

Sight triangles are herein defined as the line of sight between 3 points. These points are the center of the intersection and 2 points measured at right angles along the

streets a distance of 120 feet on arterial streets and 90 feet on secondary streets.

Street trees are herein defined as trees, shrubs, bushes and all other woody vegetation with a mature height in excess of 18 inches on land lying between property lines on either side of all streets, avenues or ways within the city.

Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

13-407. STREET TREES; LIST. A list of preferred and recommended street tree species, which shall consist of small, medium and large trees, shall be established from time to time by the Park and Recreation Advisory Board, and a copy of the current list shall be maintained in the office of the director of parks and recreation and the Ford County Extension Council and copies of the list shall be provided without charge to persons requesting the same.

13-408. TRIMMING REQUIRED. It is hereby made the duty of the owner or occupant of any premises abutting on any street, avenue or alley in the city to cut, trim or remove, in accordance with the provisions of this article, all trees and shrubbery growing in the city which may constitute any hazard or any sight obstruction to any vehicular or pedestrian traffic upon the streets or sidewalks.

13-409. MINIMUM HEIGHT. The limbs, trees or shrubbery abutting on any street, avenue or alley in the city shall be trimmed or cut so that the same shall not be less than eight (8) feet above the sidewalks, twelve (12) feet above the streets or avenues over which they hang.

13-410. DISTANCE FROM LIGHT POLES AND FIREPLUGS. All trees and shrubbery which are greater than 18 inches in height are prohibited within 20 feet of street lighting poles or within 10 feet of fire hydrants.

13-411. NOTICE TO OWNER, OCCUPANT. The City shall have the right to serve notice to cut any trees, boughs, shrubbery, or limbs to conform to the provisions of the article by the duly appointed public officer upon the owner or occupant of the abutting premises.

13-412. ABATEMENT BY CITY. If such owner or occupant shall not within five (5) days of receiving notice pursuant to section 13-411 of this code cause such obstructing trees, boughs, shrubbery or limbs to be removed as provided in accordance with the provisions of this article, then the city shall have the right to remove them. This section, however, shall not be construed as waiving the rights of the city to prosecute under the provisions of this article.

13-413. ASSESSMENT OF COSTS. The costs of abatement of any condition prohibited by this article by the city shall be assessed and charged against the lot or parcel of ground on which the condition existed.

13-414. COLLECTION OF COSTS. The city clerk shall, at the time of certifying other city taxes to the county clerk, certify the costs of abatement of any condition prohibited by this article by the city; and the county clerk shall extend the same on the tax roll of the county against the property upon which such condition existed. Such costs shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid.

13-415. STREET TREES; SPACING. The spacing of street trees shall be in accordance with the tree species size classes listed in the "Street Tree"; List" section of this article and no trees may be planted closer together than the following: small trees, 30 feet; medium trees, 40 feet; and large trees, 50 feet, except in special plantings approved by the shade tree commission, landscape coordinator or forester.

13-416. SAME; DISTANCE FROM CURB AND SIDEWALK. The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the "Street Trees; List" size classes and no trees may be planted closer to any curb or sidewalk than the following: small trees, two feet; medium trees, three feet; and large trees, four feet. Exceptions can be granted by the landscape coordinator, forester or Park and Recreation Advisory Board.

13-417. SIGHT TRIANGLE. No street trees shall be planted within the sight triangle of an intersection as defined in the "Definitions" section of this article.

13-418. UTILITIES. No street trees other than those species listed as small trees in the "Street Trees; List" section of this

article may be planted under or within 10 lateral feet of any overhead utility wire, or over or within five (5) lateral feet of any underground water line, sewer line, transmission line or other utility. The city shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light, or interferes with visibility of any traffic control device or sign.

13-419. PUBLIC TREE CARE. The city shall have the right to plant, prune, maintain and remove trees, plants, shrubs and tree stumps, within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

13-420. TREE TOPPING. It shall be unlawful as a normal practice for any person, firm or city department to top any street tree, park tree or other tree on public property. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions, where other pruning practices are impractical may be exempted from this article at the determination of the Park and Recreation Advisory Board.

13-421. PRUNING, CORNER CLEARANCE. Every owner of any tree overhanging any street or right-of-way within the city shall prune the branches so that such branches shall have a clear space of eight (8) feet above the surface of the sidewalk and twelve (12) feet above the surface of the street. The owner shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. It shall be unlawful to permit any hedge or shrub to grow over any sidewalk, street or alley.

13-422. DEAD OR DISEASED TREE REMOVAL ON PRIVATE PROPERTY. The city shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The Park and Recreation Advisory Board shall have the right to notify in writing the owners of such trees. Removal shall be done by the owners at their own expense within 30 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the city shall have the authority to remove such trees and charge the cost of removal on the owner's property tax notice.

13-423. PERMIT TO PLANT, PRUNE OR REMOVE TREES ON EASEMENTS.

It shall be unlawful for a person without a written permit to plant, prune, remove or cut any tree or shrub in any part of the streets, avenues, or public grounds. The permit shall state specifically the work to be done under it and shall be void after ten (10) days from the date thereof. Proper permitting shall be obtained through the city.

13-424. TREE PROTECTION. (a) It shall be unlawful for any person to attach wire, rope, chain, sign or any other material to any tree on any public street, alley or other public property. (b) Any person constructing, repairing or razing any building or structure shall use sufficient guards, barriers or protectors to prevent injury to any tree on any street, alley or public property, and all building materials, dirt or other debris shall be kept outside the barrier. The guard shall be a fence, frame or box not less than 4 feet high and 8 feet square. (c) The landscape coordinator, forester or shade tree commission may exempt certain trees on any street, alley or public property from protection and have them removed when in the way of public improvements.

13-425. REMOVAL OF STUMPS FROM STREET EASEMENTS. Any tree, tree stump, shrub or vine that shall be removed from any of the streets, avenues, alleys or public ways shall be removed below the surface of the ground so that the top of the stump removed shall not project above the surface of the ground.

13-426. INTERFERENCE WITH PARK AND RECREATION ADVISORY BOARD IN THEIR ROLE AS THE SHADE TREE COMMISSION. It shall be unlawful for any person to prevent, delay or interfere with the Park and Recreation Advisory Board in the administration of their duties as the shade tree commission, except the city commission or their agent, or any of his or her agents, or servants, while engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees, park trees or trees on private grounds, as authorized in this article.

13-427. ARBORISTS LICENSE. It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating or removing trees within the city without first having obtained a license. Said license shall not be transferable when there is a change in the business status of the licensee.

13-428. SAME; QUALIFICATIONS. Licenses required by this provision shall be issued at the parks and recreation office. The applicant shall meet the following requirements:

- 1) Provide current name, business address and phone number.
- 2) Filing of certificate of liability insurance.
- 3) Payment of required license fee.
- 4) Passing score of at least 70% on city test; or
 - 4a) Proof of new or renewed certification from Kansas Arborist Association or equivalent.
- 5) No license shall be required for any city employee doing such work in the pursuit of their public service endeavors.

13-429. SAME; FEE. The fee for a license shall be as established in the fee schedule set out in Article 9 of Chapter 1 of the city code. The license fee, or a portion of, may be waived, if the applicant completes an approved course as prescribed by the shade tree commission and the Kansas Arborist Association or equivalent.

13-430. SAME; INSURANCE. Prior to the issuance of any license, each applicant shall first file evidence of possession of liability insurance in the minimum amount of \$500,000 per occurrence, indemnifying the City or any person injured or damaged resulting from the pursuit of such endeavors as herein described. (Ord. No. 3053, 1993)

13-431. ON-SITE INSPECTIONS. The Park and Recreation Advisory Board or a duly authorized agent of the city may inspect the work of all commercial, private, or contracting arborists performing tree pruning on public property to ensure that proper pruning practices are being followed. Inspections shall be random and without notice. Arborists found in violation of proper pruning procedures shall be notified verbally and in writing by the city. Such violations shall be corrected if possible and future pruning shall comply with approved practices.

14-432. PENALTY. The city may file a complaint in the municipal court against any person or commercial, private, or contracting arborist found to be in violation of the provisions of this article, provide that the person or arborist shall first have been sent a notice. The notice shall state:

- (1) The condition which has caused the violation of this article; and
- (2) That the person in violation shall have:
 - (a) 5 days from date of deliverance of the notice to alleviate the obstructing violation; or
 - (b) 30 days from date of deliverance of the notice to alleviate the hazardous or harboring condition;

and

(3) That failure to alleviate the condition or to request a hearing may result in prosecution and/or abatement of the condition by the city with the cost assessed against the property.

Upon such complaint in the municipal court, any person or commercial, private or contracting arborists found to be in violation of the provisions of this article shall upon conviction be punished by a fine of not less than \$50 nor more than \$100, or by imprisonment, for not more than 30 days, or by both such fine and imprisonment, for each offense. For the purpose of this article, a separate offense shall be deemed committed for each tree on which such violation exists.

13-433. REVIEW; BY GOVERNING BODY. The City Commission shall have the right to review the conduct, acts and decisions of the Park and Recreation Advisory Board in its exercise of shade tree commission duties. Any person may appeal from any ruling or order of the Park and Recreation Advisory Board in its exercise of shade tree commission duties to the City Commission who may hear the matter and make final decision.

CITY OF DODGE CITY ORDINANCE NO. 3807

AN ORDINANCE TO REPEAL CHAPTER 13, ARTICLE 4, SECTION 14-402 OF THE MUNICIPAL CODE FOR THE CITY OF DODGE CITY

WHEREAS, the City Commission of the City of Dodge City has determined that it is in the best interest of the city to repeal certain provisions of the municipal code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DODGE CITY:

SECTION 1: REPEAL OF SECTION 14-402

(A) Chapter 13, Article 4, Section 14-402 of the Municipal Code of the City of Dodge City is hereby repealed in its entirety.

SECTION 2: EFFECTIVE DATE

This ordinance shall take effect from and following its publication in the official paper, as provided by law.

SECTION 3: SEVERABILITY

If any provision of this ordinance or its application to any person or circumstances is held invalid, the remainder of the ordinance or the application of its provisions to other persons or circumstances shall not be affected.

SECTION 4: REPEALER

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Mayor Michael Burns

Connie Marquez, City Clerk

APPROVED AS TO FORM:

Paige Gilmore, City Attorney

Date: December 18, 2023



Memorandum

To: City Manager, City Commissioners
From: Mollea Wainscott, Assistant Director of Economic Development
Date: 12/18/23
Subject: RHID
Agenda Item: Resolution No. 2023-40

Recommendation: Staff recommends adoption of Resolution 2023-40, which permits the submittal of a proposed Rural Housing Incentive District (RHID) to the Kansas Secretary of Commerce for approval.

Background: In 2008, the City commissioned a Housing Needs Analysis, which reflected a critical shortage of housing available in the community. In 2009, the City Commission adopted a Resolution providing for several incentive programs in order to encourage housing development in the City. The RHID was identified as one of those programs. The program has captured the attention of several developers, locally and statewide. In 2022, the City commissioned another Housing Needs Analysis taking into consideration the progress that had developed since the 2008 Analysis. The latest Analysis continued to reflect a major shortage of housing. The establishment of this RHID will provide the incentive needed to entice developers to and in our community.

Justification: Housing continues to be a constant challenge in the Dodge City area. Establishment of the RHID is necessary in order to address the City's critical housing shortage.

Financial Considerations: None at this time. However, if utilized, the financial consideration would be dependent upon each independent development agreement.

Purpose/Mission: To provide adequate housing in order for the City to accommodate present and future growth.

Legal Considerations: None

Attachments: Resolution No. 2023-40

RESOLUTION NO. 2023-40

A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR HOUSING WITHIN THE CITY OF DODGE CITY, KANSAS AND SETTING FORTH THE LEGAL DESCRIPTION OF REAL PROPERTY PROPOSED TO BE DESIGNATED AS A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY.

WHEREAS, K.S.A. 12-5241 et seq. (the “Act”) authorizes any city incorporated in accordance with the laws of the state of Kansas (the “State”) with a population of less than 60,000 located in a county with a population of less than 80,000, to designate rural housing incentive districts within such city; and,

WHEREAS, prior to such designation the governing body of such city shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community; and,

WHEREAS, after conducting such analysis, the governing body of such city may adopt a resolution making certain findings regarding the establishment of a rural housing incentive district and providing the legal description of property to be contained therein; and,

WHEREAS, after publishing such resolution, the governing body of such city shall send a copy thereof to the Secretary of Commerce of the State (the “Secretary”) requesting that the Secretary agree with the finding contained in such resolution; and,

WHEREAS, if the Secretary agrees with such findings, such city may proceed with the establishment of a rural housing incentive district within such city and adopt a plan for the development or redevelopment of housing and public facilities in the proposed district; and,

WHEREAS, the City of Dodge City, Kansas (the “City”) has an estimated population of 27,340, is located in Ford County, Kansas, which has an estimated population of 33,848 and therefore constitutes a city as said term is defined in the Act; and,

WHEREAS, the Governing Body of the City has performed a Housing Needs Analysis dated June 2022 (the “Needs Analysis”), a copy of which is on file in the office of the City Clerk; and,

WHEREAS, based on the Needs Analysis, the Governing Body of the City proposes to commence proceedings necessary to create a Rural Housing Incentive District, in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED by the Governing Body of the City of Dodge City, Kansas, as follows:

Section 1. The Governing Body hereby adopts and incorporates by this reference as part of this Resolution the Needs Analysis, a copy of which is on file in the office of the City Clerk, and based on a review of said Needs Analysis makes the following findings and determinations.

Section 2. The Governing Body hereby finds and determines that there is a shortage of quality housing of various price ranges in the City despite the best efforts of public and private housing developers.

Section 3. The Governing Body hereby finds and determines that the shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City.

Section 4. The Governing Body hereby finds and determines that the shortage of quality housing is a substantial deterrent to the future economic growth and development of the City.

Section 5. The Governing Body hereby finds and determines that the future economic well-being of the City depends on the Governing Body providing additional incentives for the construction or renovation of quality housing in the City.

Section 6. Based on the findings and determinations recited in *Sections 2* through *5* of this Resolution, the Governing Body proposes to establish a Rural Housing Incentive District pursuant to the Act, within boundaries of the real estate legally described in *Exhibit A*, attached hereto, and shown on the maps depicting the existing parcels of land contained in *Exhibit B*, attached hereto (the “District”).

Section 7. The City Clerk is hereby directed to publish this Resolution one time in the official City newspaper, and to send a certified copy of this Resolution to the Secretary of Commerce for the Secretary’s review and approval.

Section 8. This Resolution shall take effect after its adoption and publication once in the official City newspaper.

Approved this 12th day of December 2023 and signed by the Mayor.

Mayor

ATTEST:

City Clerk

Resolution No. 2023-29
Exhibit A

Beginning at the Northwest corner of Lot 12, Westview Place No.2, a subdivision of Dodge City, Ford County, Kansas; thence south along the West line of said Lot 12 to the Southwest corner thereof; thence west along the North line of Lot 14 of said Westview Place No.2 to the Northwest corner thereof; thence south along the West line of Lots 14 through 34 inclusive of said Westview Place No.2 to the Southwest corner of said Lot 34; thence west along the North line of lot 38 of said Westview Place No.2 extended to the West right-of-way line of 16th Avenue; thence south along the West right-of-way line of 16th Avenue to the South line of Westview Place No.2, a subdivision of Dodge City, Ford County, Kansas; thence east along said South line of Westview Place No.2 to the East right-of-way line of 15th Avenue; thence north along the East right-of-way line of 15th Avenue to the South right-of-way line of West Park Street; thence east along the South right-of-way line of West Park Street to the West right-of-way line of North 14th Avenue; thence southerly along the West right-of-way line of North 14th Avenue a distance of 710 feet; thence east to the Southwest corner of Lot 3, block 1, Gunsmoke Plaza, a subdivision of Dodge City, Ford County, Kansas, being on the East right-of-way line North 14th Avenue; thence northerly along the East right-of-way line of North 14th Avenue to the South right-of-way line of Park Street; thence east along the South right-of-way line of Park Street a distance of 240 feet; thence north perpendicular to the previous course to the North right-of-way line of Park Street; thence west along the North right-of-way line of Park Street to the East right-of-way line of North 14th Avenue; thence north along the East right-of-way line of North 14th Avenue a distance of 210 feet; thence west perpendicular to the previous course to the West right-of-way line of North 14th Avenue; thence south along West right-of-way line of North 14th Avenue to the North right-of-way line of West Park Street; thence west along the North right-of-way line of West Park Street to the Southeast corner of Lot 1, Moncrief Place No.1, a subdivision of Dodge City, Ford County, Kansas; thence northerly along the East line of said lot 1 to the Northeast corner thereof; thence westerly along the North line of lots 1 through 7 inclusive of Moncrief Place No.1, a subdivision of Dodge City, Ford County, Kansas to the Northwest corner of said Lot 7 as platted; thence south along the West line of said Lot 7 as platted extended to the South right-of-way line of West Park Street: thence easterly along the South right-of-way line of West Park Street to the Northwest corner of Lot 12, Westview Place No.2 and Point o Beginning.

Resolution No. 2023-40
Exhibit B





Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Nicole May, Finance Director
Date: December 13, 2023
Subject: Allocation of 2023 Special Alcohol and Drug Funds
Agenda Item: New Business

Purpose: The City receives a portion of the alcohol and drug tax that is collected in the community. The City solicits applications from those who qualify for the funds. The applications received met the general requirements of the program. The recommendations by the committee are the amounts they feel best meets the overall goals of the program.

Recommendation: I recommend the approval of the disbursements of Special Alcohol and Drug Tax money for the recommended programs.

Background:

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: The City of Dodge City receives a portion of the alcohol and drug tax that is collected in the community. That tax is allocated 1/3 to the General Fund, 1/3 to a Special Park and Recreation Fund and 1/3 to a Special Alcohol and Drug Fund. This allocation is spelled out in the Kansas State Statutes. The amount deposited into the Special Alcohol and Drug fund are to be used for “the purchase, establishment, maintenance or expansion of services or programs whose principal purpose is alcoholism and drug abuse prevention and education, alcohol and drug detoxification, intervention in alcohol and drug abuse or treatment of persons who are alcoholics or drug abusers or are in danger of becoming alcoholics or drug abusers”. In order to accomplish this, we take applications from agencies/programs that provide those services. There is approximately \$123,000 to be allocated for these programs. The applications received, the amount applied for and the recommended allocation is:

Organization	Project	Amount of Request	Recommendation
New Chance	Assist with social detox position & bilingual licensed counselor position	88,010	88,010
Compass Behavioral Health	Dual Diagnosis services	22,715	22,715

Amount \$: \$110,725

Fund:124

Dept:65000

Expense Code: 420003

Budgeted Expense

Grant

Bonds

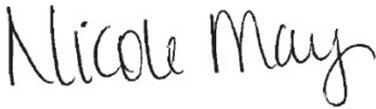
Other

Legal Considerations: None

Mission/Values: Support the quality of life in Dodge City by best spending the monies the City receives for drug and alcohol treatment, education and prevention programs.

Attachments: None

Approved for the Agenda by:



Nicole May, Finance Director



Memorandum

To: Nick Hernandez, City Manager and City Commissioners

From: Ray Slattery, PE, Director of Engineering Services

Date: December 18, 2023

Subject: Approval of Supplemental Agreement for Inspection Services for South Bound 14th Avenue Bridge Repairs, ST 2202

Agenda Item: New Business

Purpose: Provide Inspection Services for the necessary repairs to the South Bound 14th Ave. Bridge.

Recommendation: Approve the Supplemental Agreement with PEC for Inspection Services for the South Bound 14th Ave. Bridge Repairs in an amount not to exceed \$168,243.43.

Background: In April of 2021 the City received the results of the Biennial Bridge Inspections. As a result of this inspection, it was determined the South Bound 14th Ave. Bridge over the Arkansas River had a couple of items in need of repair.

In September of 2022, the Commission approved design services with PEC to complete the design of the repairs that included but were not limited to:

- Develop plans, specifications, and assist the City in bidding the repair of the South Bound 14th Ave. Bridge over the Arkansas River;
 - Patching of the spalled areas on the deck of the driving surface and sidewalk area.
 - Concrete surface repairs at all pier beam ends.

In July of this year, bids were opened for the repair work to the bridge. PbX Corporation bid was approved at the August 7th Commission Meeting. PbX Corporation also performed the repairs to the 2nd Ave. Bridge. PbX Corporation's tentative start date for the 14th Ave. Bridge Project is March 4, 2024. With a completion date of early July 2024, prior to Dodge City Days.

The Supplemental Agreement will be added to the Design Contract. With the Agreement PEC will provide construction inspection services for the repair work to the bridge. As with the Inspection Agreement for the 2nd Ave. Bridge Repairs, PEC will only invoice the City for the actual services rendered. On the 2nd Ave. Bridge Project, PEC only invoiced the City for 63% of the original contract amount because the project was completed in less time than the allotted calendar days of the construction contract. The construction contract for the South Bound 14th Ave. Bridge Repairs is 120 calendar days for completion, again, it is anticipated that the project will not take that long.

City Commission Options:

1. Approve Bid
2. Disapprove Bid
3. Table for further discussion

Financial Considerations:

Amount \$: 168,243.43

Funds: 2023 Street GOB

Budgeted Expense Grant Bonds Other

Legal Considerations: By approving the Supplemental Agreement with PEC, the City will amend the agreement with PEC and be responsible for making payments for the completed work.

Mission/Values: Approving this agreement aligns with the City's Core Values of Working Towards Excellence, Ongoing Improvement, and Safety.

Attachments: Inspection Supplemental Agreement

Approved for the Agenda by:



Ray Slattery, Dir. Of Engineering Services

December 01, 2023

Mr. Ray Slattery, P.E.
Director of Engineering Services
City of Dodge City
P.O. Box 880
Dodge City, KS 67801

Reference: SB 14th Avenue Bridge Repairs
Supplemental Agreement No. 01
Original Contract Date: February 6, 2023
PEC Project No. 32-220771-001/002

Dear Mr. Slattery:

This Supplemental Agreement by Professional Engineering Consultants, P.A. (PEC) modifies the referenced Agreement, and any other previous Supplemental Agreements as may be noted herein.

A. Modification of Scope:

1. Construction Inspection Services provided during construction of the Dodge City SB 14th Avenue Bridge Repairs over the Arkansas River and hereinafter referred to as PROJECT.
 - a. PEC will provide construction inspection services as noted in this agreement and the scope and terms shall apply to all services provided throughout the construction of the PROJECT unless a separate agreement for additional services is signed.
 - b. Provide a resident project representative (RPR) to perform construction inspection and documentation. Supervise/witness field or laboratory tests of construction materials as required by the approved plans and specifications; check the construction activities to determine compliance with the intent of the design; and maintain project records to document the work.
 - c. Provide scanned pdf of hand 'Red-Line' markup images of bid set of plans for the preparation of record drawings of the waterline and overhead lighting construction.
2. PEC Agrees:
 - a. To provide the various technical and professional services, equipment, material, and transportation to perform the tasks as outlined in the Scope of Services.
3. Client's Obligations:
 - a. Provide a point of contact for day-to-day communications.
 - b. PEC resident project representative will utilize office space at the Owner's designated location.
 - c. Provide a facility, if necessary, for Pre-Construction, Progress, or Coordination Meetings.

- d. Furnish to PEC any information currently available relative to existing and proposed improvements in the PROJECT area which may be pertinent to the PROJECT. Such information may include hazardous conditions and/or history of site contamination, underground utilities, etc. This would be information that PEC is not already in possession of.
- e. Provide right of entry for PEC's personnel in performing site visits, field testing, and inspections.
- f. Provide electronic copies of construction plans, construction specifications, and/or Geotechnical Reports if requested and not developed/conducted by PEC.
- g. Provide information related to known and/or potentially hazardous subsurface conditions and/or history of site contamination.
- h. Pay PEC for authorized additional work associated with services not included in this agreement.

4. Exclusions:

- a. Entrance into a permit-required or non-permit required Confined Space.
- b. Materials Testing (additional services that can be provided by PEC).
- c. Construction Staking (additional services that can be provided by PEC).
- d. Geotechnical Subsurface Investigation (additional services that can be provided by PEC).
- e. Record Drawings in any other format than Red-Line Drawings.
- f. Field surveys for preparation of Record Drawings.
- g. Testing for Sanitary Sewer pressure, simulated flow, pipe deflection, video recording and log, manhole vacuum testing.
- h. Final sizing of thrust blocks
- i. Storm Water Sewer video recording and log.
- j. Water Quality and Pressure Testing.
- k. NPDES permit or SWPPP review, inspection, and documentation.
- l. Transcribing and distribution of Pre-Construction, Progress, or Coordination Meeting Notes.
- m. Permit fees.
- n. Environmental assessments/clearances.

B. Time of Performance:

- 1. PEC anticipates the notice to proceed for construction to be issued approximately March 04, 2024 and for the on-site construction to be complete by July 01, 2024 (120 calendar days).

2. CLIENT acknowledges that directed changes, unforeseen conditions, and other delays may affect the completion of PEC's services. PEC will not have control over or responsibility for any contractor or vendor's performance schedule.

C. Payment Provisions:

1. **The basis of the fees for this work is based on the contract requirements provided to the contractor for a total of one-hundred twenty (120) calendar days for the contractor to reach completion for the PROJECT. Work is anticipated on Monday through Friday for eight (8) regular hours per day and two (2) OT hours per day during construction** for the PROJECT with scope for attending the preconstruction meeting/preparation, post construction closeout documentation and inspector manager oversight, project mileage and travel expenses (including lodging, meal per diems, mileage & drive time to/from Wichita, Kansas). If more than one-hundred twenty (120) calendar days elapse from the Construction Notice to Proceed to completion of the PROJECT a separate supplemental agreement shall be negotiated and executed for the remaining work, and PEC will be reimbursed at the current PEC Standard Hourly Rates.
2. Labor more than 8 hours per day Monday through Friday, shall be reimbursed at 1.5 times the Standard Rate for the Construction Inspector.
3. The Supplemental Agreement estimated fee which includes reimbursables for Construction Services is:

Inspection Services Fee:	\$168,243.43
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4. The adjusted contract amount is:

Original Contract Amount:	\$ 57,055.00
Additional Supplemental Agreement Amount:	<u>\$168,243.43</u>
New Contract Amount:	\$225,298.43
5. PEC's Fee for its Scope of Services will be **on an hourly basis** at the rates established on the current PEC Rate Schedule A for labor and Reimbursable Expenses.
6. Taxes are not included in PEC's Fees. CLIENT shall reimburse PEC for any sales, use, and value added taxes which apply to these services.
7. PEC will invoice CLIENT one time per month for services rendered and Reimbursable Expenses incurred in the previous month. CLIENT agrees to pay each invoice within 30 days after receipt.

Mr. Ray Slattery, P.E.
Dodge City – SB 14th Avenue Bridge Repairs
Supplemental Agreement No. 1
December 01, 2023
Page 4

D. Authorization to Proceed:

1. Return receipt of this executed Supplemental Agreement will be considered our authorization to proceed.

Sincerely,
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.



Matthew J. Haug, P.E., PTOE
PEC VP Inspection

MJH:jab

ACCEPTED:

CITY OF DODGE CITY

By: _____

Title: _____

Date: _____



<u>TITLE</u>	<u>HOURLY RATE *</u>
Principal Engineer	\$220
Senior Project Manager	\$200
Project Manager	\$180
Senior Engineer.....	\$175
Project Engineer.....	\$155
Senior Landscape Architect	\$165
Landscape Architect.....	\$115
Land Use Planner.....	\$140
Design Engineer.....	\$125
Senior Technician	\$140
Design Technician	\$105
Senior Commissioning Agent	\$140
Commissioning Agent.....	\$115
GIS Specialist	\$140
GIS Analyst.....	\$110
Project Assistant	\$90
Senior Field Project Manager	\$160
Field Project Manager.....	\$145
Senior Inspector	\$150
Inspector	\$120
Senior Field Technician.....	\$100
Field Technician	\$80
Driller.....	\$105
Land Surveyor.....	\$130
Party Chief.....	\$110
Survey Technician	\$90
*Premium time for all non-salaried personnel or as noted in the contract	1.5 multiplier

REIMBURSABLES:

Infrared Camera.....	\$50/Hour
Structural Testing Equipment	\$50/Hour
Outside Consultants.....	Cost plus 10%
Reproduction & Photography	Cost plus 10%
Equipment Rental	Cost plus 10%
Material	Cost plus 10%
Vehicle Mileage	IRS Rate/Mile
Truck Mileage	\$0.70/Mile
ATV.....	\$20/Hour
GPS	\$50/Hour
3D Laser Scanner	\$150/Hour
Robotic Total Station.....	\$50/Hour
UAS.....	\$150/Hour
Mobile Lidar Unit.....	\$150/Hour
Drill Rig Use	\$75/Hour
Car Rental and Fuel.....	Cost plus 10%
Per Diem, Meals	Cost plus 10%
Per Diem, Lodging	Cost plus 10%
Deliveries and Overnight Mail. . .	Cost plus 10%
Travel, Hotel, Meals, and Subsistence.....	Cost plus 10%
Filing Fees	Cost plus 10%
Concrete Testing Equipment	\$10/Each
Nuclear Gauge Equipment.....	\$20/Each
Compression Tests of Cylinders	\$12/Each
Ultra Sonic Testing Equipment	\$50/Each
Semi-Trailer Mileage.....	\$3/Mile

**The rates shown above are effective for services through December 31, 2023 and are subject to revision thereafter.



Memorandum

To: Nick Hernandez, City Manager and City Commissioners

From: Ray Slattery, PE, Director of Engineering Services

Date: December 18, 2023

Subject: Approve Change Order (CO) #6 for the Expansion of the S. WWTP from UCI – SS 2101

Agenda Item: New Business

Purpose: Approval CO #6 for the installation of the H2S removal vessels, piping, and associated hardware.

Recommendation: Approve CO #6 for the installation of the H2S vessels, piping, and hardware for the biogas project in the amount of \$374,150.00.

Background: At the September 22, 2022, Commission Meeting the Commission approved the purchase of the H2S Purification Vessels and Media from Schlumberger. The City worked with PEC and UCI on the design for and the installation of the vessels, piping, and associated hardware. Once the vessels were delivered, UCI proceeded to install the equipment, load the media, and make all the necessary connections to the existing biogas plant and to the control center.

Not knowing the exact amount of work that would be required from UCI for the installation and the urgency to get the equipment installed and operational, it was agreed that this would be a cost-plus fee for the installation. The total cost of the installation is included in CO#6.

There may be a couple of additions to the H2S equipment we are reviewing to see if they should be installed. One is a moisture sensor to the system so we can track the moisture of the final gas prior to that gas going to NNG. We have had an issue with high moisture and do not have any way to track this data except receiving data from the NNG interconnect. However, sometimes we receive the data too late which in turn causes the system to get slammed in and the sale of biogas to stop. The other is a connection pipe and valve between the product gas line and the flare line. This would allow the out of spec biogas to go directly to the flare from the H2S removal vessels instead of to the product compressor and NNG's interconnect. Once at the interconnect we will be slammed in because of the out of spec gas. We must work with NNG to revalve the system and send the gas back to the flare. This requires NNG to have personnel onsite for both sending the gas back to the flare and once clean, back to NNG. With the connection pipe and valve, we could send gas to the flare without being slammed in and then return flow to NNG without the assistance of NNG personnel.

We do have a contingency fund for this project. Currently, the contingency fund is \$636,752.15. However, Staff would prefer not to fund the construction of this retaining wall from the contingency fund as the project is far from the finish and there may be other expenses that the fund will need to cover.

Here is a summary of the CO's to date.

- CO #1 – Addition of Earthwork to UCI's GMP
- CO #2 – Bentonite Sealing of Anaerobic and Aerobic Lagoons, not needed after further clarification from KDHE
- CO #3 – Retaining Wall, after further investigation, CO #5 was required for Retaining Wall

- CO #4 – Change in Seeding of disturbed areas, Deduct and added to Contingency
- CO #5 – Retaining Wall for Anaerobic #4

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: CO #6 amount is \$374,150.00. Funding will come from the State Revolving Fund.

Amount \$: \$374,150.00

Fund:

Budgeted Expense Grant Bonds Other SRF

Legal Considerations: This Change Order will be added to the UCI's GMP Contract.

Mission/Values: This aligns with the City's Core Value of Ongoing Improvement, Safety, Working Towards Excellence.

Attachments: CO #6

Approved for the Agenda by:



Ray Slattery, PE, Dir. of Engineering Services

Change Order

Utility Contractors Inc
PO Box 9592
Wichita, KS 67277-0592

Distribution

- City of Dodge City
 Professional Engineering Consultants
 Office Field
 Other

Job: City of Dodge City Package 3 – System Expansion
122025. P.O. Box 880
Dodge City, KS 67801

Contract Number: Dodge City Wastewater System Expansion Package 3 dated November 7th, 2022.

CO #: 6

Seq #: 1

Contractor: Utility Contractors Inc
PO Box 9592
Wichita, KS 67277-0592

Change Order Date: 12/12/23

Change Order Page: 1

C.O. Item	Contract Item	Quantity	UM	Description	Unit Price	Amount
6	1		LS	Biogas Expansion		\$374,150.00

Change Order 6 per the attached scope of work and breakdown.

*CO#6 requires 13 working days.

Not valid until signed by both the Owner and Architect. Signature of the Contractor indicates the Contractor's agreement herewith, including any adjustment in the Contract Sum or Contract Time.

CO# 6 can be deducted from current contingency or added to the GMP.

Authorized By Owner: _____
City of Dodge City
P.O. Box 880
Dodge City, KS 67801

Accepted By Contractor: _____
Utility Contractors Inc
PO Box 9592
Wichita, KS 67277-0592

Engineer: _____
Professional Engineering Consultants
303 S Topeka
Wichita, KS 67202



1930 S. Hoover • Wichita, KS • 67209 • Phone 316.265.9506 • Fax 316.265.8314

Project Title: City of Dodge City, Ks. Package 1 & 3 System Expansion

Proposed Change Order # PCO 6

Title: Biogas System Expansion

Required Days for PCO #6: 13 days

Description: Biogas System Expansion - Includes equipment pads, piers, setting of the H2S Vessels, loading media in vessels, piping, electrical, plumbing, coating of pipe, pipe supports, fencing, electrical rack, and electrical per plans.

DIRECT LABOR				
	Rate	Unit	Duration	Subtotal
Supervisor Manhours	\$75.00	MH	126	\$9,450
Operator Manhours	\$44.00	MH	70	\$3,080
Concrete Tech Manhours	\$35.00	MH	292	\$10,220
Concrete Tech Manhours (OT)	\$52.50	MH	104	\$5,460
DIRECT LABOR TOTAL				592 \$28,210
MATERIALS				
				Subtotal
Reinforcement				\$805
Form Material / Misc Material				\$1,000
Flow Fill				\$1,180
Concrete				\$1,765
UD-1				\$629
Anchors				\$3,265
SS Equipment Rack				\$5,263
Sch 80 Pipe & Fittings				\$3,355
Pipe Supports				\$6,804
MATERIAL TOTAL				\$24,066
EQUIPMENT RENTAL				
	Rate	UNIT	Duration	Subtotal
PU Truck	\$80.00	DY	13	\$1,040
289 Skid Steer	\$167.00	DY	7	\$1,169
303 Excavator	\$80.00	DY	7	\$560
	\$0.00	DY	5	\$0
	\$0.00	DY	0	\$0
	\$0.00	DY	0	\$0
	\$0.00	DY	0	\$0
Subtotal				\$2,769
Misc Equipment Running Costs				
Fuel, oil, gas, grease (30% of Equipment Rental Cost)				\$831
				\$0
Subtotal				\$831
EQUIPMENT TOTAL				\$3,600
GENERAL EXPENSE				
Labor				
Project Leader	\$95.00	MH	8	\$760
Site Manager	\$95.00	MH	0	\$0
Production Leader	\$105.00	MH	24	\$2,520
Production Associate	\$85.00	MH	8	\$680
QA/QC Associate	\$85.00	MH	8	\$680
Procurement Associate	\$85.00	MH	4	\$340
Safety Supervisor	\$85.00	MH	8	\$680
Subtotal				60 \$5,660
Materials				
Safety provisions	\$1.00	MH	652	\$652
Area yard charges	\$1.00	MH	652	\$652
Small tools	\$1.50	MH	652	\$978
Subsistence	\$150.00	Day	59.2	\$8,880
Utilities	\$15.00	Day	0	\$0
Office Facilities	\$45.00	Day	0	\$0
Subtotal				\$11,162
GENERAL EXPENSE TOTAL				\$16,822
UCI TOTAL WORK ITEMS				\$72,698
UCI FEE	15%			\$10,904.70
UCI TOTAL COST				\$83,603
SUBCONTRACTS				
American Fence				\$3,981
Gray Painting				\$13,100
Tatro				\$77,743
Shelley				\$160,225
Swisher Hydro-excavating				\$2,769
Allied Crane				\$6,316
SUBCONTRACT TOTAL WORK ITEMS				\$264,134
UCI SUBCONTRACT FEE	10%			\$26,413.41
UCI SUBCONTRACT TOTAL COSTS				\$290,548
TOTAL COST (UCI WORK AND SUBCONTRACTORS)				\$374,150

Jason Brady

From: Walter Marcotte
Sent: Wednesday, November 15, 2023 1:18 PM
To: Walter Marcotte
Subject: FW: Dodge City Final Construction Plans

From: Bob Stuhlsatz <Bob.Stuhlsatz@AmericanFence.com>
Sent: Thursday, September 7, 2023 3:33 PM
To: Walter Marcotte <wmarcotte@ucict.com>
Subject: RE: Dodge City Final Construction Plans

Walter,

Sorry, forgot to send you this quote. To install 1 – 9'8" ovg a 6' tall chain link with 3-strand barbwire top double swing gate. Total \$3,981.00. We will sleeve the existing 2 3/8" line post with 2 7/8" post and brace and truss each side of the new gate to the next line post. No digging or setting of posts will have to be done. Can do this all in one day. Let me know with a ny questions. Thank you for the opportunity.

On another note when do you think you will be ready for us to start the other projects out in Dodge City?

Cordially,

Bob Stuhlsatz
Industrial/Commercial Estimator
American Fence Co.
316-945-5001 office
316-945-2440 fax
316-570-2931 cell

GRAY&

COMPANY

Proposal

To: UCI

Date: 8/29/2023

Project: Dodge City WWTP – Biogas System Expansion

Scope: Apply (2) coats of Tnemec Series N69 epoxy, and (1) coat of Tnemec Series 73 urethane to 4” pipes at the Biogas System Expansion

Price: \$ 13,100

Notes:

- All work is figured at regular time rates. Overtime and off-hour work are not included.
- Proposal includes one mobilization for majority of the work, followed by touch up at a later date while mobilized for other work on site.
- Man lift to be provided by UCI

Thank you for considering our proposal. Please call with any questions you may have.

Sincerely,



Walker Gray

785-232-0913
3401 S Kansas Ave
Topeka KS 66611
graycoatings.com



Shelley Electric, Inc.

3619 W 29th St South
PO Box 12124
Wichita, KS 67277
Ph 316-945-8311
Fax 316-945-2604

November 9, 2023

Mr. Walter Marcotte
UCI

VP-Estimating

WMarcotte@ucict.com

(316) 265-9506

Dodge City WWTP – Biogas H2S Scrubber;

We are pleased to provide you with a quote for your consideration for the above project.

Base Bid: \$ 160,225.00

Scope of work:

- Includes providing (3) pressure, (1) temperature, (2) 4" Genie Probes, (1) H2S Analyzer Instruments and the Control Panel.
- Includes providing 120V power to the control box provided by Pedrotti. The control box will provide communications to the SCADA system.
- Includes connecting instrumentation to the control panel.
- Excludes 1/4" tubing from the genie probe to the H2S Analyzer.
- Excludes excavation.
- Includes quote from Pedrotti.
- Excludes SALES TAX.

If you have any questions, please call me at (316) 945-8311

Respectfully Submitted,

SHELLEY ELECTRIC, INC.

Curtis Mitchell
VP-Estimating

SHELLEY ELECTRIC, INC.

**Change Order #001 Biogas H2S Scrubber
PRICING SUMMARY**

Description: Provide power and instrument wiring for the H2S Scrubber

I MATERIAL			
A. Per Extend Sheet			\$ 14,178.06
B. Quoted Items	H2S Analyzer		\$ 56,151.00
C. Subcontractor	Pedrotti		\$ 32,217.00
			\$ -
			\$ -
TOTAL MATERIAL COSTS			\$ 102,546.06
II LABOR COSTS			
	HOURS	RATE	
A. Journeyman	223.34	\$ 35.00	\$ 7,816.90
Journeyman O.T.	0	\$ 52.50	\$ -
Foreman (16% of JW)	35.73	\$ 38.50	\$ 1,375.61
Foreman O.T.	0	\$ 57.75	\$ -
Gen Foreman	0	\$ 42.00	\$ -
Gen Foreman O.T.	0	\$ 63.00	\$ -
B. Burden %	75%		<u>\$6,894.38</u>
TOTAL LABOR COSTS			\$ 16,086.88
TOTAL DAYS ADDED TO THE PROJECT:			32.4
III EQUIPMENT COSTS			
A. Small Tools (4.5%) of Labor Cost			\$ 723.91
B. Rental Equipment			
C. Transportation Costs (6%) of materials			\$ 850.68
D. Storage Costs (3.5%) of materials			<u>\$ 3,589.11</u>
TOTAL EQUIPMENT COSTS			\$ 5,163.71
IV JOB COSTS EXPENSES			
A. Offsite storage & Pre-fab			\$ 1,186.33
B. Bonds, Security, Project Insurance			\$ 45.00
C. Permits, Fees			\$ 321.74
D. Safety Equipment (2%) of Labor Costs			\$ 1,684.53
E. Freight (3%) of quoted items			\$ 1,186.33
F. Mobilize/Demobilize			\$ 593.16
G. Document Controls			\$ 2,372.66
H. Warranty			\$ 4,050.00
I. Technology			
J. Per Diem (\$125 per day)			<u>\$ 7,389.75</u>
V TOTAL PRIME COST			\$ 131,186.40
VI OVERHEAD @ 13%			\$ 17,054.23
VII TOTAL NET COSTS			\$ 148,240.63
VIII SUBTOTAL			\$ 148,240.63
IX PROFIT @ 8%			\$ 11,859.25
X SALES TAX PERCENTAGE 7.50%			\$ -
XI TOTAL AND SELL PRICE FOR DIRECT COSTS			\$ 160,100.00
PREPARATION FEE	HOURS	RATE	
	1	\$ 125.00	\$ 125.00
TOTAL CHANGE TO CONTRACT			\$ 160,225.00
TOTAL DAYS ADDED TO THE CONTRACT			32.4

November 15, 2023

Walter Marcotte - UCI

Re Revised - Additional piping CO

Mr. Marcotte,

We would like to offer the following **Revised - Lump Sum proposal** for the completed work per the scope below:

1. Provide and Install H2S Piping as indicated on stands provided by others
2. Install customer provided Swing Check Valve CV-1
3. Installation of customer provided valves
4. Installation of customer provided sensors (to-be complete upon arrival)
5. Installation of 2 - additional thread-olets on spools provided by others

Lump Sum: \$77,743

Exclusions:

- Valves of any kind
- Painting of any kind
- Engineering of any kind
- 3rd party NDE/ X-ray
- Excavation of any kind
- Insulation of any kind

We appreciate the opportunity to provide our services. Please feel free to contact Justin Sanchez or myself with any questions you may have.

Sincerely,
TATRO

Curtis Logan / Project Manager



SWISHER

HYDRO EXCAVATING

Invoice

Swisher Hydro Excavating
 50 Arapaho Road
 Inman, KS 67546
 Adam Swisher 620-694-9165

Bill To:

UCI
 PO Box 9592
 Wichita, KS 67277-0592

Date	Invoice No.	P.O. Number	Terms	Project
09/26/23	1896	122025-SC4		

Serviced	Item	Description	Quantity	Rate	Amount
08/31/23	Digging	Service Order#122025-SC4; Electrical Trench; Dodge City	7	265.00	1,855.00
	Drive Time		5	132.50	662.50
	Support Truck		12	10.00	120.00
	Fuel Surcharge 5%			131.88	131.88

Thank you for your business.

Total **\$2,769.38**



3201 Casado, Wichita, Kansas 67217
 P.O. Box 398, Wichita, Kansas 67201-0398
 Phone: 316.945.2415 Fax: 316.945.7277

Invoice

Bill to: **UTILITY CONTRACTORS**
 P.O. BOX 9592
 WICHITA, KS 67277-0592

Ship to:
 1930 S. HOOVER RD, STE 100
 WICHITA, KS 67277-0592

Cust #	Customer Ref	Invoice #	Invoice Date	Due Date	Disc Date	Terms
2105		C23-0922	09/30/23	10/30/23		NET 30 DAYS

Mth/Trans	Line	Description	Contract	Item	Quantity	Unit Price	Amount
09/23	45	1	1-810 MOVE IN	823208-	3	250.00	750.00
09/23	45	2	1-805 9/20/23 HTC-86110	823208-	2	350.00	2,800.00
09/23	45	3	1-847-5 5% FUEL SURCHARG	823208-	23	140.00	140.00
09/23	45	4	1-815 MOVE OUT	823208-	4	350.00	875.00
09/23	45	5	1-810 MOVE IN	823208-	3	150.00	450.00
09/23	45	6	1-805 9/22/23 T800	823208-	2	205.00	820.00
09/23	45	7	1-847-5 5% FUEL SURCHARG	823208-	23	30.75	30.75
09/23	45	8	1-815 MOVE OUT	823208-	4	150.00	450.00

Notes:
 UCI, DODGE CITY WWTF, H2S EXPANSION, SET NEW TANKS

CHRIS
 316-265-9506

NO INSTALLATION OF TANGIBLE PERSONAL PROPERTY PERFORMED.
 THANK YOU! WE APPRECIATE YOUR BUSINESS!

Total	6,315.75
Sales Tax	
Less Retainage	
Total Due	6,315.75

A+Bolt & Steel LLC
 2250 N Rock Rd Ste 118-145
 Wichita, KS 67226
 316-201-6981
 accounting@aplusboltsteel.com

Invoice



BILL TO
UCI 1930 S. Hoover Rd, Ste 100 Wichita, KS 67209

SHIP TO
UCI Jason Brady 1850 S Hoover Rd Wichita, KS 67209 (785) 764-2329

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
23-543	09/15/2023	\$1,940.00	10/15/2023	Net 30	

P.O. OR JOB NUMBER
22025

ORDERED BY
Jason Brady

TAX EXEMPT NUMBER
0000107285

QTY	DESCRIPTION	AMOUNT
1	16 1-8 x 12" ATR - A193 B&M 316SS Domestic Domestic Material	1,865.00
	32 1-8 HVY Nut A194-8M Domestic	
	16 USS Flat Washer 316SS Domestic	
1	RUSH FEE!!!	75.00

Thank you for your business have a blessed day!

BALANCE DUE

\$1,940.00

All Credit Card Payments will be charged a 4% processing fee.

REMIT TO:

A + Bolt & Steel, LLC
 2250 N. Rock Rd, Suite 118-145
 Wichita, KS 67226

A+Bolt & Steel LLC
2250 N Rock Rd Ste 118-145
Wichita, KS 67226
316-201-6981
accounting@aplusboltsteel.com

Invoice



BILL TO
UCI
1930 S. Hoover Rd, Ste 100
Wichita, KS 67209

SHIP TO
UCI
Jason Brady
1850 S Hoover Rd
Wichita, KS 67209
(785) 764-2329

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
23-554	10/13/2023	\$1,325.00	11/12/2023	Net 30	

P.O. OR JOB NUMBER
122025

ORDERED BY
Jason Brady

TAX EXEMPT NUMBER
0000107285

QTY	DESCRIPTION	AMOUNT
1	24 3/4" Ø x 9" (316) Stainless Steel All-Thread Rod, (2) Nuts, (1) Washer	1,325.00

Thank you for your business have a blessed day!

BALANCE DUE

\$1,325.00

All Credit Card Payments will be charged a 4% processing fee.

REMIT TO:

A + Bolt & Steel, LLC
2250 N. Rock Rd, Suite 118-145
Wichita, KS 67226

A+Bolt & Steel LLC
2250 N Rock Rd Ste 118-145
Wichita, KS 67226
316-201-6981
accounting@aplusboltsteel.com

Invoice



BILL TO
UCI
1930 S. Hoover Rd, Ste 100
Wichita, KS 67209

SHIP TO
UCI
Jason Brady
1850 S Hoover Rd
Wichita, KS 67209
(785) 764-2329

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
23-512	10/20/2023	\$6,804.00	11/19/2023	Net 30	

P.O. OR JOB NUMBER
122025

ORDERED BY
Jason Brady

TAX EXEMPT NUMBER
0000107285

QTY	DESCRIPTION	AMOUNT
1	6 4" Sch 40 Galv Pipe Supports Domestic	6,554.00
	24 5/8" x 2" Galv A325 B/N/W	
	24 4" Galv U-Bolt w/ I-Rod	
1	RESTOCKING FEE Galvanized AB order Stopped	250.00

Thank you for your business have a blessed day!

BALANCE DUE

\$6,804.00

All Credit Card Payments will be charged a 4% processing fee.

REMIT TO:

A + Bolt & Steel, LLC
2250 N. Rock Rd, Suite 118-145
Wichita, KS 67226

T L Steel LLC

7021 S Prairie Lake Rd
Burton, KS 67020
316-500-1546



INVOICE

BILL TO
UCI Construction
1930 S Hoover Rd STE 100
Wichita, KS 67209

SHIP TO
UCI Construction
1930 S Hoover Rd STE 100
Wichita, KS 67209

INVOICE 7984
DATE 10/03/2023
TERMS Net 30
DUE DATE 11/02/2023

ACTIVITY	QTY	RATE	AMOUNT
Services Dodge City pipe supports -1ea of the stainless steel H2S rack(1/D-501) -delivery included -delivery to be 3 weeks from approval			5,263.18
SUBTOTAL			5,263.18
TAX			0.00
TOTAL			5,263.18
BALANCE DUE			\$5,263.18



Mail Payments to:
M6 Concrete Accessories
1030 South McComas
Wichita, KS 67213
(316) 263-7251
Fax (316) 263-2710
www.conacc.com

STEEL INVOICE

INVOICE NUMBER: J035574-IN
INVOICE DATE: 8/31/2023
JOB NUMBER: 0050069
CUSTOMER NO: 0007089
PAGE: 1

UCI
P O BOX 9592
WICHITA, KS 67277-0592

DODGE-PACKAGE 3 SYSTEM EXP.
DODGE CITY,KS 67277-0592

CONTACT:	TERMS:
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NET 30 DAYS

COMMENT:	CUSTOMER PO:	BILL METHOD:
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ADDED BIOGAS EXP. REBAR	122025-003	FIXED CONTRACT
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ORIGINAL CONTRACT AMOUNT:	246,637.00
TOTAL CHANGE ORDERS:	<u>17,645.00-</u>
REVISED CONTRACT AMOUNT:	228,992.00
PERCENTAGE COMPLETED TO DATE:	97.52%
BILLABLE CONTRACT AMOUNT:	223,317.00
LESS PREVIOUSLY INVOICED:	222,512.00
AMOUNT BILLED THIS INVOICE:	805.00
INVOICE TOTAL:	<u>805.00</u>

Daily Report



Thursday, August 31, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Dry
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Clear, Sunny
Prepared by	Blake Fulbright	Temperatures	93F 60 F
Working Hours: 344.00	Start Time: 0700	End Time: 1900	Lunch: 30 minutes

For the record - Problems/comments/delays

Event/Action	From-with-by (person)	Critical Path	About-Reason why-What happened-General description	Impact or result
Design/spec conflict	PEC, UCI	false	UCI started hydro excavating for pipe piers at the biogas expansion facility. It was quickly realized that the improved subgrade was almost impossible to hydro excavate through. UCI sent an RFI asking for the piers to be spread footings instead. Also in the RFI was information regarding the dimensions of the existing facility being different than what was shown on the prints and what needed to be done to remedy that situation.	Disruption/Loss of Productivity

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Blake Fulbright	Indirect	Task MHs 50 Field Leadership.	5	10	50.00
Andreas Whaley Steel Corp	Direct	Task MHs 40 Tied the bottom and a portion of the top mat for the intermediate lift station slab.	4	10	40.00
Victor Gandara	Direct	Task MHs 40 Assisted hydro excavation, formed up for pipe support piers, tied slab rebar mats.	4	10	40.00
Justin Jones	Direct	Task MHs 70 Started installation of the construction joint forms and the chamfer around the edge of the slab.	7	10	70.00
Jacob Max Jantz Excavating LLC	Direct	Task MHs 144 MJE moved 15285 CY of dirt for construction of the anaerobic, aerobic, and facultative cells.	12	12	144.00

Material/Equipment Received

Material/Equipment Received	Quantity	Units	Vendor/Supplier
Biogas Rebar	1	pallet	M6

UCI/Rental Equipment

UCI/Rental	Category	Model	Quantity	Notes
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Rental	CT Loader	Other	1	299 Skid Steer from Foley Rental
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Notes

Site Safety Observations

Quality Control Observations

Inspections or testing performed

PEC performed compaction testing on the fill dirt for the anaerobic, aerobic, and facultative cells.

Attachments

Photos



UCI Industrial Construction Services

UCI-a8eb8b34-49c6-4828-865a-d28f56d6457f

Daily Report



Friday, September 1, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Dry
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Sunny, Clear
Prepared by	Blake Fulbright	Temperatures	97F 63 F
Working Hours: 248.00	Start Time: 0700	End Time: 1700	Lunch: 30 minutes

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Victor Gandara	Direct	Task MHs 32 Started excavating for the drain line tie-in.	4	8	32.00
Andreas Whaley Steel Corp	Direct	Task MHs 40 Completed the top mat and started tying the wall dowels for the intermediate lift station.	4	10	40.00
Jacob Max Jantz Excavating LLC	Direct	Task MHs 120 MJE moved 14375 CY of dirt for construction of the anaerobic, aerobic, and facultative cells.	12	10	120.00
Justin Jones	Direct	Task MHs 56 Finished installation of the CJ forms. Started installing water stop for the intermediate lift station.	7	8	56.00

Notes

Site Safety Observations

Quality Control Observations

Inspections or testing performed

PEC performed compaction testing on the fill dirt for the anaerobic, aerobic, and facultative cells.

Attachments

Photos



UCI-6a2854be-b6c7-4784-b1d7-0d7ab2e23043

Daily Report



Tuesday, September 5, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Dry
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Sunny, Clear
Prepared by	Blake Fulbright	Temperatures	88F 51 F
Working Hours: 364.00	Start Time: 0700	End Time: 1900	Lunch: 30 minutes

For the record - Problems/comments/delays

Event/Action	From-with-by (person)	Critical Path	About-Reason why-What happened-General description	Impact or result
Abnormal event	PEC, UCI, MJE	false	PEC's drillers showed up to site to drill to the settlement plates. They didn't bring enough auger to reach any of the plates so they left to get more auger bits to be back in the morning.	Disruption/Loss of Productivity

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Justin Jones	Direct	Task MHs 70 Completed installation of the grade pins, water stop, and chamfer for the wet well at the intermediate lift station. Set up the site for the early morning placement.	7	10	70.00
Victor Gandara	Direct	Task MHs 40 Equipment: 289 Skid steer, 303 excavator Material: Sch. 80 pipe and fittings purchased by Ed and Jason. Excavated and relocated the condensate drain line at the biogas facility.	4	10	40.00
Andreas Whaley Steel Corp	Direct	Task MHs 40 Finished installing wall dowels for the intermediate lift station wet well and started installed wall dowels for the dry well.	4	10	40.00
Jacob Max Jantz Excavating LLC	Direct	Task MHs 144 MJE moved 14500 CY of dirt and 1680 CY of top soil for construction of the anaerobic, aerobic, and facultative cells.	12	12	144.00
Tyler Shelley Electric Inc	Direct	Task MHs 20 Installed power and instrumentation conduit in the dry well slab at the intermediate lift station.	2	10	20.00
Blake Fulbright	Indirect	Task MHs 50 Field Leadership.	5	10	50.00

UCI/Rental Equipment

UCI/Rental	Category	Model	Quantity	Notes
Rental	Misc	Other	2	Light plants for early morning placement

Notes

PEC's drillers didn't bring enough auger to reach any of the settlement plates. Will be back in the morning with more auger bits.

Site Safety Observations

Quality Control Observations

Inspections or testing performed

PEC performed compaction testing on the fill dirt for the anaerobic, aerobic, and facultative cells.

Attachments

Photos

UCI-6eb969be-ef7b-44da-af2f-beb4c3d5420a

Daily Report



Wednesday, September 6, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Dry
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Sunny, Clear
Prepared by	Blake Fulbright	Temperatures	89F 63 F
Working Hours: 350.00	Start Time: 0700	End Time: 1900	Lunch: 30 minutes

For the record - Problems/comments/delays

Event/Action	From-with-by (person)	Critical Path	About-Reason why-What happened-General description	Impact or result
No-show	UCI, Brundage Bone	false	Brundage Bone was 2 hours late to the intermediate wet well placement this morning. Croell concrete had the first truck batched before I could put them on hold until the pump truck arrived. I did speak with brundage bone about the delay and the wasted concrete caused by the delay. They are aware of the bill from Croell that will be forwarded to them by UCI from Croell.	Disruption/Loss of Productivity

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Andreas Whaley Steel Corp	Direct	Task MHs 40 Finished tying the wall dowels for the dry well of the intermediate lift station. Started shagging out rebar for the wall mats.	4	10	40.00
Tyler Shelley Electric Inc	Direct	Task MHs 16 Finished installing the conduit for the intermediate lift station dry well.	2	8	16.00
Victor Gandara	Direct	Task MHs 40 Equipment: 289 Skid Steer, 303 Excavator, plate packer, jumping jack Material: 40 tons of UD-1 Started to backfill and compact the UD-1 material over the relocated drain line. Formed up 4 of the 5 pipe support footings/piers.	4	10	40.00
Jacob Max Jantz Excavating LLC	Direct	Task MHs 144 MJE moved 13020 CY of dirt and 1715 CY of topsoil for construction of the anaerobic, aerobic, and facultative cells.	12	12	144.00
Justin Jones	Direct	Task MHs 70 Placed 82 CY of concrete for the intermediate lift station wet well slab. Cured and covered the slab.	7	10	70.00
Felipe Escamilla	Direct	Task MHs 40 Traveled to site. Prepped the Hilmar excavation for the setting of the precast wet well tomorrow and Friday.	4	10	40.00

Material/Equipment Received

Material/Equipment Received	Quantity	Units	Vendor/Supplier
UD-1	40	tons	Klotz sand

UCI/Rental Equipment

UCI/Rental	Category	Model	Quantity	Notes
Rental	Misc	Other	1	Jumping jack

Notes

Trand's crane was delivered and assembled today for the setting of the Hilmar wet well tomorrow and Friday. PEC's drillers also made it back to site with more auger bit but was unable to locate the west most settlement plate. They were successful in finding the eastmost settlement plate and will be back tomorrow to find the southeast settlement plate.

Site Safety Observations

Quality Control Observations

Inspections or testing performed

PEC performed compaction testing on the fill dirt for the construction of the anaerobic, aerobic, and facultative cells. Also, tested UD-1 material for backfill of the drain line at the Biogas facility. Also tested concrete for the intermediate lift station wet well placement.

Attachments

Photos





2005 Industrial Construction Services





UCI-84293798-2ea7-420e-933f-7a928e1710d2

Daily Report



Thursday, September 7, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Dry
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Sunny, Clear, Windy
Prepared by	Blake Fulbright	Temperatures	89F 62 F
Working Hours: 364.00	Start Time: 0700	End Time: 1900	Lunch: 30 minutes

For the record - Problems/comments/delays

Event/Action	From-with-by (person)	Critical Path	About-Reason why-What happened-General description	Impact or result
Lack of materials	WCP, UCI	true	WCP did not deliver 1 of the 2 types of mastic with the wet well sections. UCI contacted WCP around 1:00pm informing them of the lack of mastic. They loaded the mastic on a truck and hot shotted it to site. It arrived around 4:40pm.	Disruption/Loss of Productivity

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Victor Gandara	Direct	Task MHs 50 Finished forming up the piers and spread footings. Placed flow fill for the vessel pad subgrade.	5	10	50.00
Jacob Max Jantz Excavating LLC	Direct	Task MHs 144 MJE moved 14392 CY of dirt and 665 CY of topsoil for construction of the anaerobic, aerobic, and facultative cells.	12	12	144.00
Tyler Shelley Electric Inc	Direct	Task MHs 20 Finished conduit at the intermediate lift station slab. Installed grounding for the Biogas Expansion.	2	10	20.00
Andreas Whaley Steel Corp	Direct	Task MHs 40 Finished wall dowels and started tying wall mats at the intermediate lift station.	4	10	40.00
Justin Jones	Direct	Task MHs 50 Stripped the construction joint forms and installed water stop for the intermediate lift station dry well.	5	10	50.00
Felipe Escamilla	Direct	Task MHs 60 Set 2 of the first 3 wet well sections.	6	10	60.00

Material/Equipment Received

Material/Equipment Received	Quantity	Units	Vendor/Supplier
Flowable Fill	7	CY	Croell

Notes

WCP forgot to load butyl mastic on the trucks delivering the wet well. Caused about a 4 hour delay.

Site Safety Observations

Quality Control Observations

Inspections or testing performed

PEC performed compaction testing on the fill dirt for the anaerobic, aerobic, and facultative cells. Witnessed setting of the wet well.

Attachments

Photos



UCI Industrial Construction Services

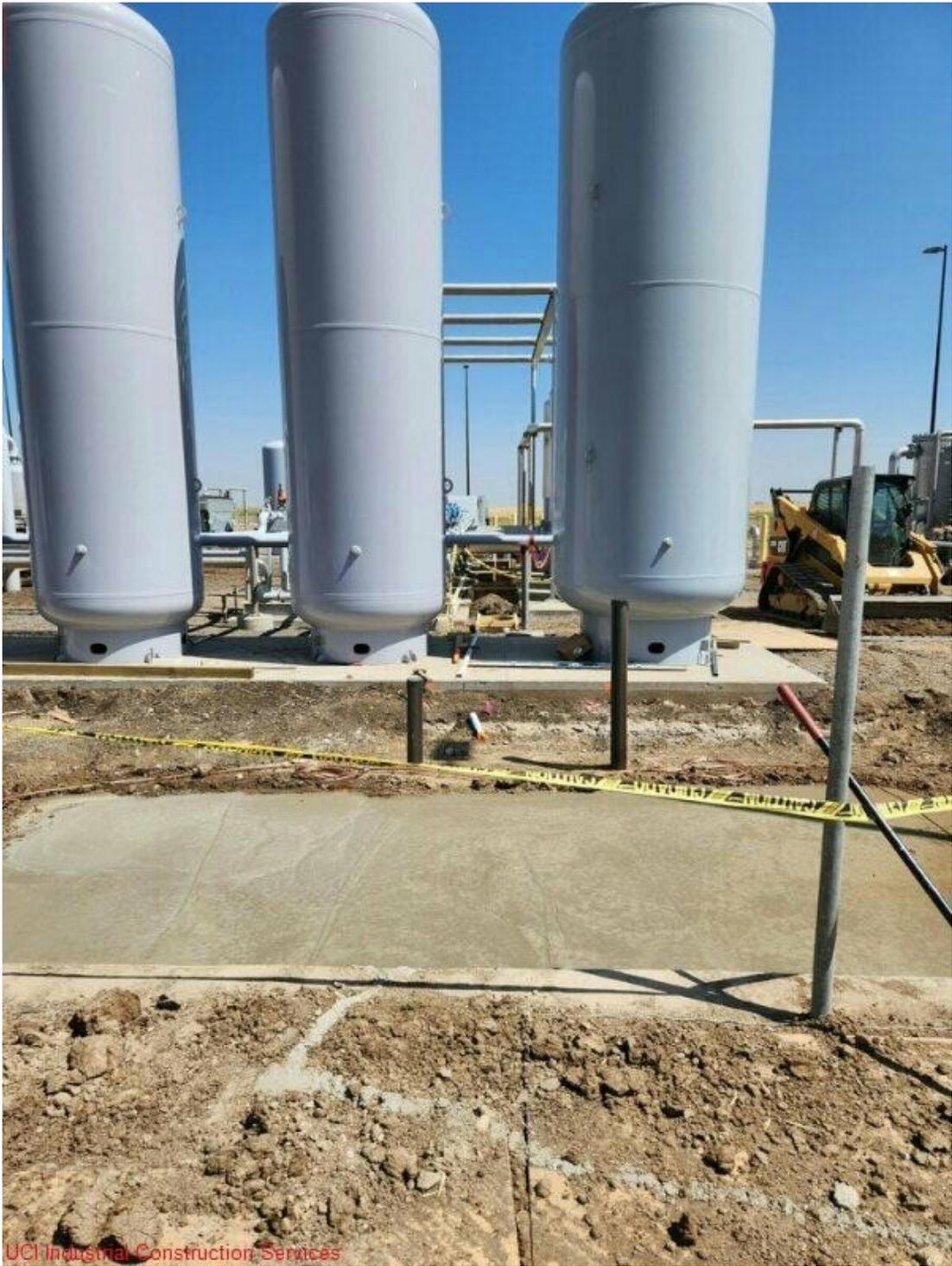


UCI Industrial Construction Services





UCI Industrial Construction Services



UCI-0acd34d7-65b1-4d9a-80b1-5754b3e5d6e9

Daily Report



Friday, September 8, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Dry
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Clear, Sunny
Prepared by	Blake Fulbright	Temperatures	92F 66 F
Working Hours: 3 12.00	Start Time: 0700	End Time: 1500	Lunch: 30 minutes

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Andreas Whaley Steel Corp	Direct	Task MHs 32 Tied wall mats for the intermediate lift station.	4	8	32.00
Felipe Escamilla	Direct	Task MHs 48 Set the remaining 4 sections of the Hilmar wet well.	6	8	48.00
Jacob Max Jantz Excavating LLC	Direct	Task MHs 144 MJE moved 13270 CY of dirt and 1050 CY of topsoil for construction of the anaerobic, aerobic, and facultative cells.	12	12	144.00
Victor Gandara	Direct	Task MHs 32 Placed the vessel pad and pipe support footings/piers at the biogas facility.	4	8	32.00
Justin Jones	Direct	Task MHs 56 Installing water stop, grade pins, and chamfer for the intermediate lift station pump room slab.	7	8	56.00

Notes

Site Safety Observations

Quality Control Observations

Inspections or testing performed

PEC performed compaction testing on the fill dirt for the anaerobic, aerobic, and facultative cells. Also, they tested the concrete for the Biogas pad.

Attachments

Photos

UCI-575ab6da-0f01-4367-826d-7634743adc35

Daily Report



Monday, September 11, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Muddy
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Rain
Prepared by	Blake Fulbright	Temperatures	63F 49 F
Working Hours: .00	Start Time: 0700	End Time: 1700	Lunch: 30 minutes

For the record - Problems/comments/delays

Event/Action	From-with-by (person)	Critical Path	About-Reason why-What happened-General description	Impact or result
Bad weather	UCI, MJE, Whaley, PEC	true	All work was called off due to rain.	Disruption/Loss of Productivity

Notes

Site Safety Observations

Quality Control Observations

Inspections or testing performed

Attachments

Photos

UCI-cf866df8-99e7-4bf5-8593-6a9b9f6aca2c

Daily Report



Tuesday, September 12, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Muddy
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Mostly Cloudy
Prepared by	Blake Fulbright	Temperatures	69F 47 F
Working Hours: 220.00	Start Time: 0700	End Time: 1900	Lunch: 30 minutes

For the record - Problems/comments/delays

Event/Action	From-with-by (person)	Critical Path	About-Reason why-What happened-General description	Impact or result
Bad weather	MJE	false	MJE did not do any work down south as the site conditions hadn't improved.	Disruption/Loss of Productivity

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Blake Fulbright	Indirect	Task MHs 50 Field Leadership.	5	10	50.00
Victor Gandara	Direct	Task MHs 50 Equipment: Skid steer, mini excavator, jumping jack Material: Load of UD-1 from Klotz (dirty, did not use) Back filled electrical conduit for the biogas expansion work (20 MH's). Continued building wall form bulkheads.	5	10	50.00
Justin Jones	Direct	Task MHs 70 Installed water stop and grade pins for the intermediate lift station dry well slab placement.	7	10	70.00
Tyler Shelley Electric Inc	Direct	Task MHs 10 Installed conduit for the biogas expansion.	1	10	10.00
Jacob Max Jantz Excavating LLC	Direct	Task MHs 40 MJE mobilized equipment to Hilmar and started backfill on the wet well structure.	4	10	40.00

Notes

Site Safety Observations

Quality Control Observations

Inspections or testing performed

PEC started testing compaction on the backfill of the hilmar wet well structure.

Attachments

Photos

UCI-bd26e4a8-8973-4d58-bc7b-50245f946e6d

Daily Report



Tuesday, September 19, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Dry
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Partly Cloudy
Prepared by	Blake Fulbright	Temperatures	86F 55 F
Working Hours: 324.00	Start Time: 0700	End Time: 1800	Lunch: 30 minutes

For the record - Problems/comments/delays

Event/Action	From-with-by (person)	Critical Path	About-Reason why-What happened-General description	Impact or result
Bad weather	UCI, MJE	false	Around 4pm, there was a thunderstorm that developed shutting down all work.	Disruption/Loss of Productivity

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Jacob Max Jantz Excavating LLC	Direct	Task MHs 162 MJE moved 9980 CY of dirt and 1470 CY of topsoil at the south plant. Continued backfill of the Hilmar wet well.	18	9	162.00
Justin Jones	Direct	Task MHs 63 Laid out and drilled holes for Biogas Vessels being delivered tomorrow.	7	9	63.00
Felipe Escamilla	Direct	Task MHs 45 Exposed existing FM for tie-in and laid 1 joint of pipe.	5	9	45.00
Victor Gandara	Direct	Task MHs 54 Ganged wall forms at primary.	6	9	54.00

Material/Equipment Received

Material/Equipment Received	Quantity	Units	Vendor/Supplier
Piping, hardware, ladder, and platform for vessels	1	truck	Schlumberger

Notes

Site Safety Observations

Quality Control Observations

Inspections or testing performed

PEC completed compaction testing on the Hilmar backfill and at the south plant.

Attachments

Photos

UCI-4bcf7207-f7a5-4262-adde-681259fffde2

Daily Report



Wednesday, September 20, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Dry
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Partly Cloudy
Prepared by	Blake Fulbright	Temperatures	87F 57 F
Working Hours: 304.00	Start Time: 0700	End Time: 1900	Lunch: 30 minutes

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Tyler Shelley Electric Inc	Indirect	Task MHs 10 Planning and received electrical material.	1	10	10.00
Andreas Whaley Steel Corp	Direct	Task MHs 40 Finished pre-tying intermediate lift station wall mats.	4	10	40.00
Jacob Max Jantz Excavating LLC	Direct	Task MHs 72 Continued backfill of the Hilmar wet well.	6	12	72.00
Felipe Escamilla	Direct	Task MHs 50 Continued laying 16" line at Hilmar.	5	10	50.00
Victor Gandara	Direct	Task MHs 60 Set wall forms for the primary lift station wet well walls.	6	10	60.00
Justin Jones	Direct	Task MHs 72 Set 2 biogas vessels and installed the access ladder and platform.	6	12	72.00

Material/Equipment Received

Material/Equipment Received	Quantity	Units	Vendor/Supplier
Biogas vessels	2	units	Schlumberger

UCI/Rental Equipment

UCI/Rental	Category	Model	Quantity	Notes
Rental	Crane	Other	1	110 ton crane from Allied Crane

Notes

Site Safety Observations

UCI crews were not using the correct method for silica dust control. Discussion was held with supervisor and crew regarding importance of controlling and mitigating silica dust exposure. Hepavacs are being obtained.

Quality Control Observations

Inspections or testing performed

PEC performed compaction testing for the Hilmar wet well backfill.

Attachments

Photos

UCI-f4eaa5cb-8791-4b0c-8656-2ab099f44e50

Daily Report



Thursday, September 21, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Dry
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Clear
Prepared by	Blake Fulbright	Temperatures	89F 64 F
Working Hours: 436.00	Start Time: 0700	End Time: 1900	Lunch: 30 minutes

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Tyler Shelley Electric Inc	Indirect	Task MHs 10 Planning and received electrical material.	1	10	10.00
Victor Gandara	Direct	Task MHs 60 Continued setting wall forms for the primary wet well.	6	10	60.00
Andreas Whaley Steel Corp	Direct	Task MHs 40 Started hanging wall mats for the primary wet well.	4	10	40.00
Justin Jones	Direct	Task MHs 60 Finished bolt up of platform and access ladder for biogas vessels. Made temporary plywood platforms because the supplied grating did not fit. Backfilled the electricians trench. Opened manways for media installation tomorrow.	6	10	60.00
Jacob Max Jantz Excavating LLC	Direct	Task MHs 216 MJE moved 11320 CY of dirt and 525 CY of topsoil at the south plant. Continued backfill of the Hilmar wet well.	18	12	216.00
Felipe Escamilla	Direct	Task MHs 50 Continued installation of 16" pipe at Hilmar. 3 more joints, plug valve, and wye.	5	10	50.00

UCI/Rental Equipment

UCI/Rental	Category	Model	Quantity	Notes
Rental	Misc	Other	1	Jumping jack

Notes

Site Safety Observations

Quality Control Observations

Inspections or testing performed

PEC performed compaction testing at the south plant and Hilmar sites.

Attachments

Photos

UCI-d0191a47-49f6-456e-9454-8a889997104e

Daily Report



Friday, September 22, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Dry
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Sunny
Prepared by	Jacob McKenzie	Temperatures	84F 56 F
Working Hours: 436.00	Start Time: 0700	End Time: 1700	Lunch: 30 minutes

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Felipe Escamilla	Direct	Task MHs 50 Continued installation of 16" pipe at Hilmar.	5	10	50.00
Victor Gandara	Direct	Task MHs 60 Finished inside forms for wall A and wall B	6	10	60.00
Justin Jones	Direct	Task MHs 60 Assisted with install of media in the H2S vessels and finished bolt up of pipe.	6	10	60.00
Jacob Max Jantz Excavating LLC	Direct	Task MHs 216 MJE moved 11320 CY of dirt and 525 CY of topsoil at the south plant. Continued backfill of the Hilmar wet well.	18	12	216.00
Andreas Whaley Steel Corp	Direct	Task MHs 40 Continued hanging wall mats for the primary wet well.	4	10	40.00
Tyler Shelley Electric Inc	Indirect	Task MHs 10 Planning and received electrical material.	1	10	10.00

UCI/Rental Equipment

UCI/Rental	Category	Model	Quantity	Notes
Rental	Misc	Other	1	Jumping jack

Notes

Site Safety Observations

Quality Control Observations

Inspections or testing performed

Attachments

Photos

UCI-0655a4ad-06df-484b-a984-93cb51a46ab4

Daily Report



Monday, September 25, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Dry
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Sunny
Prepared by	Jacob McKenzie	Temperatures	90F 50 F
Working Hours: 436.00	Start Time: 0700	End Time: 1700	Lunch: 30 minutes

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Jacob Max Jantz Excavating LLC	Direct	Task MHs 216 MJE moved 11320 CY of dirt and 525 CY of topsoil at the south plant. Continued backfill of the Hilmar wet well.	18	12	216.00
Tyler Shelley Electric Inc	Indirect	Task MHs 10 Planning and received electrical material.	1	10	10.00
Felipe Escamilla	Direct	Task MHs 50 Continued installation of 16" pipe at Hilmar.	5	10	50.00
Justin Jones	Direct	Task MHs 60 Installed piping for the H2S vessels	6	10	60.00
Andreas Whaley Steel Corp	Direct	Task MHs 40 Continued hanging wall mats for the primary wet well.	4	10	40.00
Victor Gandara	Direct	Task MHs 60 Set wall sleeves in wall B at the primary wet well.	6	10	60.00

UCI/Rental Equipment

UCI/Rental	Category	Model	Quantity	Notes
Rental	Misc	Other	1	Jumping jack

Notes

Site Safety Observations

Quality Control Observations

Inspections or testing performed

Attachments

Photos

UCI-263f161e-f05b-4181-9863-d07b8dc0adeb

Daily Report



Friday, October 27, 2023

Client/Owner	City of Dodge City, KS	Site conditions:	Dry
Location	806 N 2nd Street Dodge City, KS 67801	Weather:	Clear
Prepared by	Blake Fulbright	Temperatures	48F 30 F
Working Hours: 440.00	Start Time: 0700	End Time: 1900	Lunch: 30 minutes

Work Log

Supervisor/Lead/Subcontractor	Work Type	Work completed	Quantity	Hours	Total
Jacob Max Jantz Excavating LLC	Direct	Task MHs 96 MJE moved 11700 CY of dirt for construction of facultative cell #6.	8	12	96.00
Felipe Escamilla	Direct	Task MHs 60 Started removing material to install insulation for MCC grade beam. Continued backfill around vaults. Bolt together process pipes.	6	10	60.00
Victor Gandara	Direct	Task MHs 70 Continued setting forms on wall G.	7	10	70.00
David Max Jantz Excavating LLC	Direct	Task MHs 144 Placed final sections of the anaerobic toe wall.	12	12	144.00
Justin Jones	Direct	Task MHs 70 Placed 2nd wall at Intermediate lift station.	7	10	70.00

Notes

Site Safety Observations

Quality Control Observations

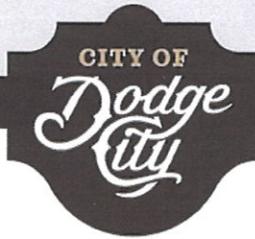
Inspections or testing performed

PEC performed compaction testing for facultative cell #6. PEC tested concrete for the intermediate wall and for the anaerobic toe wall.

Attachments

Photos

UCI-7d258247-1c5c-48fa-9b2d-8f4eb42699f7



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Corey Keller, Public Works Director
Date December 13, 2023
Subject: Approval to Purchase a Max Pak Closed Door Eject Baler
Agenda Item: New Business

Purpose: The purpose is to purchase a new closed-door full eject baler for the Jane Longmeyer recycling center.

Recommendation: To approve the purchase of one Max-Pak Closed Door Full Eject Baler and in floor feed conveyor for the amount not to exceed \$151,640.00 from Dehart Recycling Equipment of St Louis, Missouri.

Background: This purchase will replace a similar baler purchased in March of 1997. The baler is used to bale the majority of all the recycled materials that is brought to the recycle center. Over the past several years the current baler has started to break down quite frequently. Parts for the baler have become quite difficult to get and, in most cases, must be purchased through eBay if parts are available. This piece of equipment is vital to the operation of the recycling center which would not be able to operate without it.

Staff did receive two bids for this purchase, the second was from Harmony Enterprise Inc of Harmony Minnesota. The price for this baler was \$151,495.00. Staff has tried to reach back out to this company several times and have not heard any response back. The Dehart price includes several safety features for the in-floor conveyor which the Harmony baler did not include. Dehart has also offered a \$7000.00 trade in value for the purchase of the old baler.

City Commission Options:

- 1. Approve Purchase
- 2. Disapprove Purchase
- 3. Table for further discussion

Financial Considerations: There is \$150,000.00 budgeted for this purchase. The remainder \$1,640.00 will come from the Recycling Community Promotions fund which is funded by the sale of recycled materials.

Amount \$: 151,640.00

Funds:	Recycling Fund	53043200-441005	\$150,000.00
	Community Promotion Fund	53043200-422007	\$ 1,640.00

Budgeted Expense Grant Bonds Other

Legal Considerations: None

Mission/Values: Approving this agreement aligns with the City's Core Values of Working Towards Excellence and Ongoing Improvement.

Attachments: Pictures

Approved for the Agenda by:



Corey Keller, Public Works Director



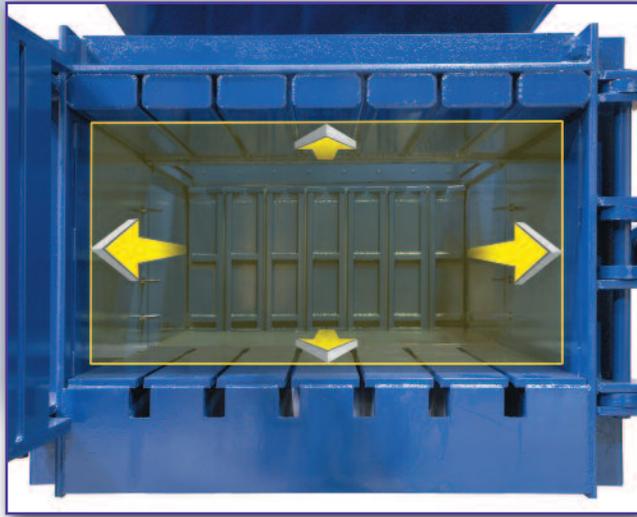
FULL EJECT

Horizontal Closed End Baler



Baling Without Preparation

Bale a Variety of Materials Without Spending Time and Money on Preparation



Superior ram penetration – to within 6 inches of bale chamber wall – breaks down materials and eliminates the need for preparation devices.



Massive door clamp is hydraulically operated and secures the baler door with an extra measure of safety, by transferring the packing forces through the baler frame and body.

Max-Pak's Horizontal Closed End FULL EJECT Baler will allow you to bale multiple materials faster, without advance preparation using fluffers, shredders, or perforators.

Our largest Full Eject Baler uses a single trunnion mounted cylinder, generating up to 235,000 pounds of pressure as the packing ram travels to within six inches of the packing door. The result is a baler that defeats the memory of plastics, compresses high grade paper into a virtual brick, and tackles all non-ferrous materials without a whimper.



A single, clevis mounted cylinder directs force in a linear path for more consistent pressure. Trunnion mounting of the main cylinder is available on the FE-9 and FE-10 models.

The Full Eject is ideally suited to operations that process a variety of materials, demanding high output with minimal labor. And because it's a Max-Pak, the Full Eject is the perfect choice for operators who insist on heavy-weight toughness and reliability, and a proven track record for long term service. With a variety of customized options to fit your needs, the Max-Pak Full Eject delivers.

HYDRAULICS

STANDARD SPECS	HCE 48 FE-7	HCE 60 FE-8	HCE 60 FE-9	HCE 60 FE-10
Main Pumps	Piston - 46.5 GPM - HP Limited	Piston - 60 GPM - HP Limited	Piston - 92 GPM - HP Limited	Piston - 92 GPM - HP Limited
System Pressure	2850 psi / 3000 psi Maximum	2850 psi / 3000 psi Maximum	2850 psi / 3000 psi Maximum	2850 psi / 3000 psi Maximum
Main Cylinder, Bore x Rod x Stroke	7" x 5" x 89"	8" x 5.5" x 89"	9" x 6" x 92"	10" x 7" x 92"
Ram Face Pressure, Platen Force	80.47 psi / 109,681 lbs.	83.73 psi - 143,256 lbs.	105.97 psi - 181,310 lbs.	130.82 psi - 223,839 lbs.
Oil Reservoir	150 gallons	180 gallons	350 gallons	350 gallons
Hydraulic Manifold	Integral Relief	Integral Relief	Integral Relief	Integral Relief
Filtration	5 micron	5 micron	5 micron	5 Micron
Directional Valve	CETOP 8	CETOP 8 - Regenerative Optional	Regenerative Hydraulic Circuit	Regenerative Hydraulic Circuit
Air/Oil Cooler	Optional	Optional	Standard	Standard

ELECTRICAL

Motor	20HP, 230/460V, 3 Phase	30HP, 230/460V, 3 Phase	50HP, 230/460V, 3 Phase	50HP, 230/460V, 3 Phase
Enclose	NEMA 12 - Rated			
Motor Type	TEFC	TEFC	TEFC	TEFC
Controls	UL and CUL Listed - Touchscreen Interface			
PLC	Allen Bradley Micro Logix 1400 - Ethernet Ready			

STRUCTURAL

Shipping Weight	22,000 lbs. (approximate)	26,000 lbs. (approximate)	30,000 lbs. (approximate)	31,000 lbs. (approximate)
Frame Design (all models)	Channel and Tube Steel Construction			
Floor Design (all models)	Tube Steel Lattice Network			
Platen Guides (all models)	Linen Phenolic Wear Side Guides			
Gib Bars (all models)	A 1018			
Shear Blade (all models)	T-1 Alloy Steel, Serrated Blade Sheer			
Options (all models)	Conveyor Controls, Reduced Amperage Starting, Hopper Extension, Upper Photo Eyes			

Full Eject Features

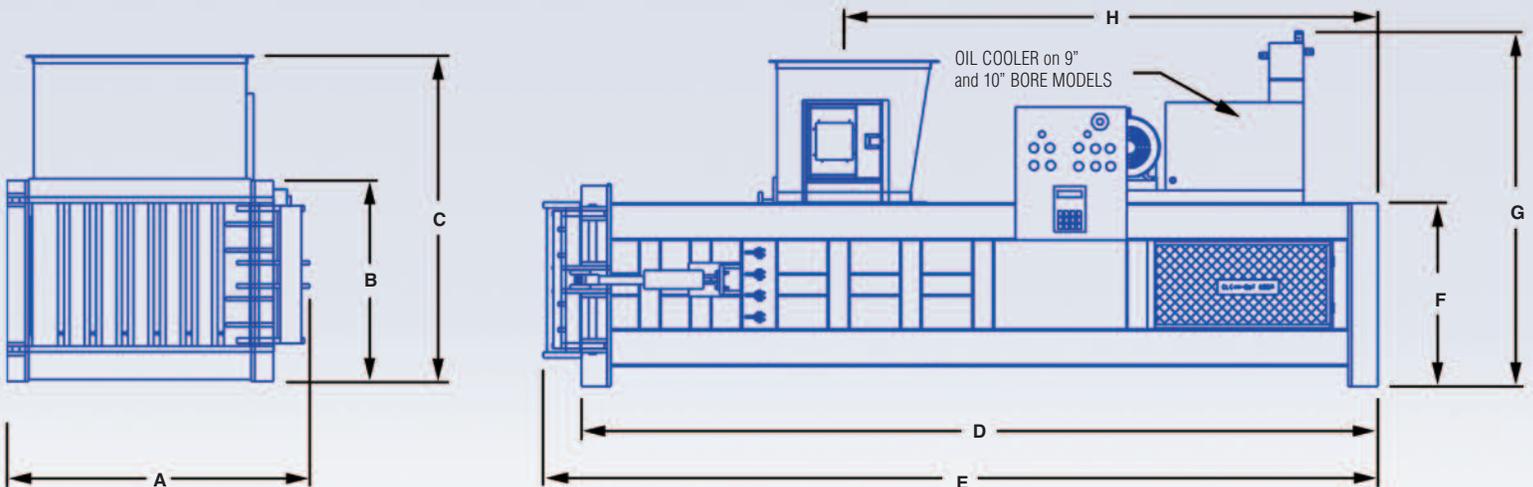
- Heavy Wall Tubular Steel Frame
- AR 400 Floor and Platen
- Hydraulic Regenerative Circuit and Air/Oil Cooler for High Performance at Lower Oil Temperatures
- Single Main Cylinder
- Up to 235,000 psi packing force
- Touchscreen Interface
- NEMA 12 Electrical System
- Conforms to OSHA and ANSI Z245.5 Standards
- Factory Delivery Available, Including Installation and Training
- One Year Warranty, Parts and Labor



Now with Digital Touchscreen Interface for operator controls and user feedback...the first of its kind in the industry.

MEASUREMENTS (inches)

MODEL	A	B	C	D	E	F	G	H
HCE 48 FE-7	70	54.25	88	215	225	49.5	96	144
HCE 60 FE-8	82	54.25	88	215	225	49.5	96	144
HCE 60 FE-9	82	54.25	88	236	246	49.5	105	160
HCE 60 FE-10	85	54.25	88	227	252.25	49.5	105	166



The Max-Pak Difference

Since 1976, Max-Pak has been making quality balers and compactors for the waste industry. It was something we had to do. You see, we're also in the waste paper recycling business, and 30 years ago we couldn't find a baler that performed the way we needed. So we built our own.

Being in the waste business has its advantages when you're designing a baler. Not only do we understand the challenges and demands expected from a baler, we get to test and fine tune our ideas in a real working environment – our own.

For our other baler customers, it means they get the benefit of our front-line experience and our determination to only build the best. A Max-Pak baler is not good enough for our customers unless it's good enough for us.

At Max-Pak we take a personal interest in every machine we sell, and every customer we serve. It comes from our small town heritage. It's who we are. So it also makes sense that we deliver and install every baler ourselves, and then train your operators before we leave. We want you to be a friend and a Max-Pak customer for a long time. That's part of our small town, small company mentality.

But make no mistake. Max-Pak is no lightweight when it comes to balers. You'll find our equipment in some of the most demanding industries, with some of the most particular companies.

Our customers have come to know and trust Max-Pak for productivity, reliability, and integrity. So it's no surprise that over 90% of all Max-Pak balers ever built are still on the job. And we plan to keep it that way.

Max-Pak Offers A Full Line of Baling and Recycling Equipment

Call Us For More Information, or to Locate Your Nearest Dealer.



Auto-Tie Balers



Horizontal Closed End Balers



Vertical Balers



Foam Balers



Two-Ram Balers



Answer Two-Ram Baler



Stamper Full Eject Balers



Compactors



Waste Processing Equipment, Inc.

260 Dilbeck Road / P.O. Box 1047 • Rainsville, AL 35986

Toll Free: 800-225-6458



Solutions for Waste & Recycling
Harmony[™]
 ENTERPRISES, INC.

HM-60

Closed Door Manual Tie Baler



Shown With Ambidextrous Hopper



Harmony's HM-60 Horizontal Baler is the Ideal Solution For:

- Distribution Centers
- Manufacturing Plants
- Recycling Centers
- Scrap Yards

Industry-Leading Warranty

Harmony provides an industry leading warranty of 1 year labor, 2 year parts, and 3 year structure and cylinder!



www.harmony1.com

Compare these features of the HM-60 with the competition:

- 7" HD Color Touch Screen
- 187,468 pounds of ram force - 30-50K more than competition!
- 54" x 40" Feed Opening - largest in its class!
- 400 Brinell Wear Liners
- 27-point chassis shear blade
- Automatic material retaining dogs
- High efficiency hydraulics
- Interlocking Chassis
- Over-sized cylinder mounts
- Full Eject feature that clears the chamber after each bale is made, allowing you to switch to another material without shutting down operations or contaminating your bale.
- Hydraulic System Includes Low Oil & Hot Oil Shutdown

Harmony's HM-60 Horizontal Baler

- Is built to withstand the harshest environments.
- Improves your business appearance and workplace safety.
- Increases profitability and efficiency.
- Has an optional feed conveyor available.



Color Touch Screen Display

Solutions for Waste Handling and Recycling



HM-60 Horizontal Baler

Standard HM60 Features

- Control Panel Is UL® Listed
- Automatic Bale Decompression
- Remote Mounted Controls
- Hydraulic Door Latch
- HMI Allows User To Select Commodity Being Baled
- Meets Or Exceeds ANSI and OHSA Safety Standards
- Hydraulic System Includes Low Oil & Hot Oil Shutdown

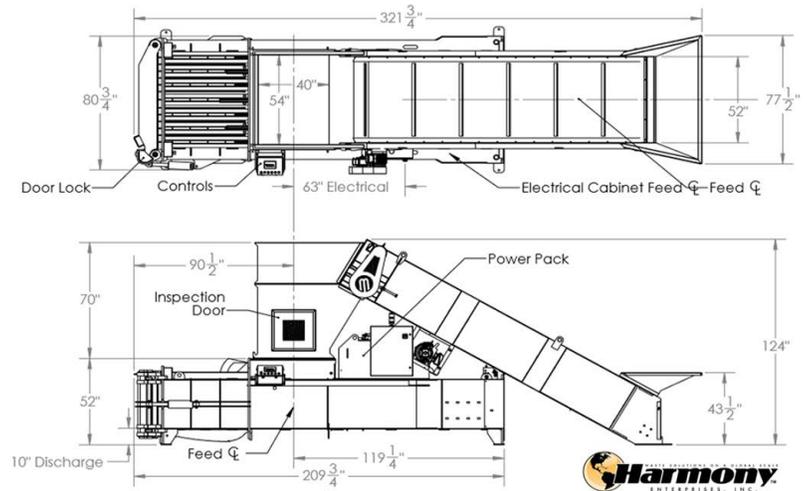
Bale Weights Produced By HM60:

- OCC: 1,300 lbs short stroke
1,500 lbs long stroke
- Magazines: 1,700 lbs
- Newspaper: 1,500 lbs
- Office Paper: 1,600 lbs
- Aluminum Cans: 700 lbs
- Tin Cans: 1,250 lbs
- HDPE: 1,125 lbs
- PET: 900 lbs

*Bale weights are approximate and may differ with moisture content, material density, and caps on PET bottles.



Harmony HM-60 Closed Door Manual Tie Baler



SPECIFICATIONS

Bale Size	30" x 60" x 12-50" (variable length) (762mm x 1524mm x 304.8-1270 mm)
Bale Weight (Cardboard)	1300 lbs-1500 lbs (590kg - 680kg)
Ram Force	187,468 lbs (85,034 kg)
System Pressure	3,800 PSI Operating ; 4,200 PSI Maximum
No Load Cycle Time	28 Seconds
Electrical Power	208/230/575 Volt, 3 Phase, 60 Cycle, TEFC
Motor	20 HP (30 HP Optional)
Cylinder	Dual 5.5" bore x 88" stroke
Pump	48 GPM Piston Pump
Bale Eject	Full Bale Eject
Bale Tying	Manual/Wire

DIMENSIONS

Overall Height	73" (1,854 mm)
Overall Length	209.75" (5,237.65 mm)
Overall Width	80.75" (2,051.05 mm)
Charge Chamber Opening	54" x 40" (1,372 mm x 1,016 mm)
Shipping Height	90" (2286 mm)
Shipping Weight	22,000 lbs (9,979 kg)
Installation and Operating Area	81" W x 322" L x 152" H with conveyor (2,058 mm x 8,179 mm x 3,861 mm)

*Specifications subject to change without notice.



Solutions For Waste Handling And Recycling

Harmony
ENTERPRISES, INC.

HM-60

ADDITIONAL BENEFITS OF HARMONY'S HM60 HORIZONTAL BALER

Harmony's HM60 Closed End Manual Tie Baler has several additional benefits that allow it to stand out as superior to other horizontal balers in its class. All of these added features provide owners with confidence that the baler will continue to work safely, properly, and with minimal operator interference or recycling down time.

Here are 8 additional benefits of the HM60 that demonstrate its superiority:

Interlocking Chassis Construction - This ensures that any stress produced by the baler is not placed on welds, but on the entire steel structure.

1/2" Steel Sidewalls - This is much more robust than that of the competition.

HMI Interface Programming - Allows the operator to preset and adjust machine pressure, size of bale, length of bale, weight of bale, commodity being baled, and the calibration of the conveyor upper and lower photo eyes. The ability to preset these settings eliminates the need to have a "cheat sheet" of instructions on the baler and reduces the chance of operator error.

Wire Placement Settings - The HMI also remembers the wire placement for different commodities and leads employees through the wire placement and tying process. For example the OCC setting might use 6 wires, while the PET setting might have 2 wires in every position, making 12. This user friendly feature ensures even occasional operators can do the job right every time.

Auto Shear Jam Correction - In the event of a shear jam the baler performs an automatic clearing function to clear the jam, seldom requiring operator intervention. If the jam cannot be cleared on its own, the baler will alert the operator with an audio signal and with an on-screen message identifying the problem.

Auto Hopper Bridge Detection and Clearing - If there are large boxes or materials lodged in the hopper, the baler will automatically attempt to correct the problem. If the baler is unsuccessful clearing the lodged material, a horn will sound to alert staff so that there is minimal down time.

Low Oil Shutdown Alarm - As equipment ages, a simple failure such as a blown hose can cause mortal damage to hydraulic pumps as they are run dry, not to mention damage caused by a full tank of hydraulic oil pumped onto a plant or distribution center floor. This safety feature senses an abnormal oil level drop, alerts the operator, and automatically shuts down the baler quickly before significant oil is lost or pumps are damaged.

Automatic Bale Decompression - Opening the door of a horizontal baler while the bale is held under pressure can be deadly. The HM60 ensures this is never done by automatically retracting the ram to fully decompress the bale before allowing the latch/door to be opened. Multiple door and latch sensors prevent the baler/operator from applying pressure while the door or latch are not fully closed and secured. These same safety features restrict ram movement if the door is in an unsafe open position during bale ejection.

With all of the features and benefits that come with the HM60, its clear to see why this baler is in a class by itself! Call us for a free quote or no-obligation site review today!