

CITY COMMISSION AGENDA

City Hall Commission Chambers

October 19, 2009

7:00 p.m.

MEETING #4782

CALL TO ORDER

ROLL CALL

INVOCATION: Captain Joaquin Rangel, Salvation Army

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

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

Stephen Martino, Kansas Racing & Gaming Commission, Executive Director

CONSENT CALENDAR

1. Approval of City Commission Work Session minutes, October 7, 2009
2. Approval of City Commission Meeting minutes, October 7, 2009
3. Approval of Joint City/County Meeting minutes, October 13, 2009
4. Appropriation Ordinance No. 20, October 19, 2009
5. Cereal Malt Beverage License
 - a. Kate's, 305 E. Trail Street

ORDINANCES & RESOLUTIONS

UNFINISHED BUSINESS

NEW BUSINESS

OTHER BUSINESS

EXECUTIVE SESSION: Discussion of Personnel Matters of Non-Elected Employees

ADJOURNMENT

CITY COMMISSION WORK SESSION MINUTES

City Hall Commission Chambers

Wednesday, October 7, 2009

6:00 p.m.

MEETING #4779

CALL TO ORDER

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

1. Discussion and presentation of 2008 Audited Financial Statements by John Hendrickson and Pat Kolb, Kennedy McKee.
2. The Neighborhood Revitalization Program was presented by Cherise Tieben, Assistant City Manager, Joann Knight, Director of Dodge City/Ford County Development Corporation and Kaci Davignon, Housing and Neighborhood Revitalization Coordinator.

ADJOURNMENT: Mayor Sowers adjourn the meeting.

Rick Sowers, Mayor

ATTEST:

Nannette Pogue, City Clerk

CITY COMMISSION MINUTES

City Hall Commission Chambers

Wednesday, October 7, 2009

7:00 p.m.

MEETING #4780

CALL TO ORDER

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

INVOCATION

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

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

City Character Trait: Patience vs Restlessness

Dodge City Public Library Quarterly Report: Cathy Reeves, Director, Danielle Dougherty, Youth Services Coordinator, and Ana Koecher, Youth Services Assistant.

CONSENT CALENDAR

1. Approval of City Commission meeting minutes, September 21, 2009
2. Appropriation Ordinance No. 19, October 5, 2009
3. Ratification of ARFF Vehicle Grant Agreement

Commissioner Sherer moved to approve the Consent Calendar as presented, seconded by Commissioner Smoll. The motion carried 4-0.

ORDINANCES & RESOLUTIONS

Ordinance No. 3480: An ordinance authorizing and providing for the issuance of \$6,280,000 principal amount of General Obligation Refunding and Improvement Bonds, SERIES 2009-A, of the City of Dodge City, Kansas, for the purpose of providing funds to refund certain outstanding General Obligation Bonds; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said

bonds as they become due; authorizing certain other documents and actions in connection therewith, and making certain covenants with respect thereto.

Commissioner Smoll moved to approve the ordinance, seconded by Commissioner Weber. The motion carried 4-0.

Resolution No. 2009-23: A resolution prescribing the form and details of and authorizing and directing the sale and delivery of \$6,280,000 principal amount of General Obligation Refunding and Improvement Bonds, Series 2009-A, of the City of Dodge City, Kansas, previously authorized by Ordinance No. 3480 of the issuer, making certain covenants and agreements to provide for the payment and security thereof, and authorizing certain other documents and actions connected therewith.

Commissioner Sherer moved to approve the resolution, seconded by Commissioner Weber. The motion carried 4-0.

NEW BUSINESS

1. The 2008 Audit was moved for approval by Commissioner Smoll, seconded by Commissioner Sherer. The motion carried 4-0.
2. Bids for roofing projects for various city facilities in the amount of \$173,120.45 from Cook Construction for removal and replacement of damaged composition roofs on various city buildings and \$30,130.86 from Diamond Roofing for aluminum fibered and elastomeric roof coating were approved on a motion by Commissioner Sherer, seconded by Commissioner Weber. The motion carried 4-0.

OTHER BUSINESS

Ken Strobel, City Manager

- Essential Air Service-Great Lakes will provide 4 flights to Denver and share with Garden City one flight a day to Kansas City
- Joint City/County Commission Meeting on Tuesday, October 13th at 5:30 p.m. in the Rose Room. Dunn Construction and representatives from Global will be in town for the meeting.
- Consideration of cattle truck route
- Groundbreaking for Special Events Center on Tuesday, October 27th.
- SW Bypass Ribbon Cutting on Highway 50 on Thursday, October 15th

Christa Roy, Public Information Officer

- Reported on progress on bridge, US 50, and 14th Street
- Wyatt Earp concrete placement
- Horse Thief Canyon Reservoir dedication on Saturday, October 17th at 2:00 p.m.

Commissioner Weber

- Kansas Newman Event, Newman University at Dodge Brew to be held on October 17th

Commissioner Sherer

- Talked about the League of Kansas Municipalities conference
- Announced the Service Awards

Commissioner Smoll

- Attended League of Kansas Municipalities conference
- Neighborhood Investment Association-CDBG grant for low income neighborhood park
- Jim Sherer elected as Director in League of Kansas Municipalities

Mayor Sowers

- Thanks for fellow Commissioners and staff for attendance at the League of Kansas Municipalities conference
- City Manager evaluation will be forthcoming

ADJOURNMENT: Commissioner Smoll moved to adjourn the meeting, seconded by Commissioner Sherer. The motion carried 4-0.

Rick Sowers, Mayor

ATTEST:

Nannette Pogue, City Clerk

JOINT CITY/COUNTY COMMISSION MINUTES

Ford County Government Building, Rose Room

October 13, 2009

5:30 p.m.

MEETING #4781

CALL TO ORDER

ROLL CALL

City Commission: Mayor Rick Sowers, Commissioners Monte Broeckelman, Brian Weber, Jim Sherer and Kent Smoll.

County Commission: Commissioners John Swayze and Terry Williams. Kim Goodnight was reported absent.

Charlie Sirockman from ICC reintroduced her team for the Special Events Center. They are Barry Kohlus, Encore Facility Management and GETIX, Rene Wood, Encore Facility Management, Rob Clevenger and David Young, JE Dunn and Jessie Goldman Sink, Combs and Dethlefs.

NEW BUSINESS

1. Amendment #1 to the JE Dunn Contract for construction of the Special Events Center with a new Guaranteed Maximum Price (GMP) of \$28,463,783.00 was approved on a motion by Commissioner Sherer, seconded by Commissioner Smoll. The motion carried unanimously.

Ford County vote: Commissioner Swayze moved to approve the amendment, seconded by Commissioner Williams. The motion carried 2-0.

2. The City/County and BHC Supplemental Agreement was approved on a motion by Commissioner Smoll, seconded by Commissioner Sherer. The motion carried 4-1 with Commissioner Broeckelman voting no.

Ford County vote: Commissioner Swayze moved to approve the amendment, seconded by Commissioner Williams. The motion carried 2-0.

3. The Bid and Site Work for the Special Events Center Parking and Common Area from McPherson Contractors, Inc. in the amount of \$5,163,455 plus electrical in the amount of \$39,229 for a total of \$5,202,684 was approved on a motion by Commissioner Smoll, seconded by Commissioner Sherer. The motion was rescinded on a motion by Commissioner Smoll, seconded by Commissioner Sherer. The vote carried unanimously.

Commissioner Smoll moved to approve the bid from McPherson Contractors, Inc. for the Special Events Parking and Common area in the amount of \$5,163,455 and add the electrical alternate to the original bid. Commissioner Sherer seconded the motion. The motion carried on a vote of 4-1, with Commissioner Weber voting no.

Ford County Vote – Commissioner Williams moved to approve the contract with McPherson Contract, Inc in the amount of \$5,163,455 and add the electrical alternate to the original bid, seconded by Commissioner Swayze. The motion carried 2-0.

4. The proposal with Sink, Combs, Dethlefs for Design of Special Events Center Event Garden in the amount of \$7,600 was approved on a motion by Commissioner Broeckelman, seconded by Commissioner Sherer. The motion carried unanimously.

Ford County Vote: Commissioner Williams moved to approve the proposal with Sink, Combs, Dethlefs for Design of Special Events Center Event Garden in the amount of \$7,600, seconded by Commissioner Swayze. The motion carried 2-0.

5. Resolution No 2009-24 Establishing Authority of City Manager Regarding Special Events Center was approved on a motion by Commissioner Broeckelman, seconded by Commissioner Sherer. The motion carried 5-0.

Ford County passed a similar Resolution.

Commissioner Sherer left the meeting.

6. Global Entertainment Management Presentation was given by Barry Kohlus and Ivan Moore.
7. At 7:00 p.m. Commissioner Smoll moved to adjourn to Executive Session to discuss Attorney/Client Privileged matters not to exceed 20 minutes, seconded by Commissioner Weber. The motion carried 4-0. At 7:20 p.m., the Executive Session was extended for 5 minutes on a motion by Commissioner Weber, seconded by Commissioner Smoll. The motion carried 4-0.

The Special Meeting reconvened at 7:25 p.m.

8. Commissioner Smoll moved to have City and County staff start negotiating a management contract with Global Entertainment and have a proposed agreement to the Commissions by November 16, 2009, seconded by Commissioner Weber. The motion carried 4-0.

Ford County Vote: Commissioner Williams moved to negotiate a management contract with Global Entertainment, seconded by Commissioner Swayze. The vote carried 2-0.

9. A brief discussion regarding a Cattle Truck Route Ordinance took place. No action was taken.

Commissioner Weber moved to adjourn the meeting, seconded by Commissioner Broeckelman. The motion carried 4-0.

Rick Sowers, Mayor

ATTEST;

Nannette Pogue, City Clerk

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

APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES

_____, _____ COUNTY, KANSAS Oct. 4, 2009
TO THE GOVERNING BODY OF THE CITY OF Dodge City, KANSAS
or

THE BOARD OF COUNTY COMMISSIONERS OF _____ COUNTY, KANSAS

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

- 1. (a) Name of proposed licensee Riley E. Skaggs
- (b) Age 66
- (c) Place and date of birth Houston, TX. Feb. 21, 1943
- (d) Residence address 307 E. Trail St. Dodge City, KS. 67801
- (e) I have been a resident of the State of Kansas 64 years.

2. The premises for which the license is desired are located at 305 E. Trail St. Dodge City

- (a) The legal description of said property is _____
- (b) The street number is 305 E. Trail St.
- (c) The building to be used is _____
- (d) The business will be conducted under the following name: Kate's

3. The name and address of the owner or owners of the premises upon which the proposed business will be located is Riley E. Skaggs
307 E. Trail St.

- 4. I am a citizen of the United States. Yes (), No ().
- (a) My citizenship arises by birth (), Naturalization ().
- (b) My place of naturalization and the date thereof is as follows:

5. I have (), have not (), been convicted of a felony within two years immediately preceding the date of this application.

6. I have (), have not (), been convicted of a crime involving moral turpitude within two years immediately preceding the date of the application.

7. I have (), have not (), been adjudged guilty of drunkenness within two years immediately preceding the date of this application.

8. I have (), have not (), been adjudged guilty or entered a plea, or forfeited bond to a charge of driving a motor vehicle while under the influence of intoxicating liquors within two years immediately preceding the date of this application.

9. I have (), have not (), been convicted of a violation of any state or federal intoxicating liquor law within two years immediately preceding the date of this application.

10. My place of business will be conducted by a manager or agent -
Yes (), No ()

a. If the answer above is yes, the name, age, and residence of manager or agent is Edward J. McCarty
11057 Ridge Rd. Dodge City, KS 67801 41 yr.
Said manager or agent does (), does not (), have the qualifications to have a license issued in his own name. The same to be determined by reference to K.S.A. 41-2703, K.S.A. 41-2702. Specifics concerning his residence, citizenship, and the answers to questions 5 through 9 are as follows:
Same As Above

11. I have (), have not (), been a resident of this State for at least one year immediately preceding making this application.

12. My Spouse would (), would not (), be eligible to receive a retailer's license.

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

A license fee of \$225⁰⁰ is enclosed herewith.

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

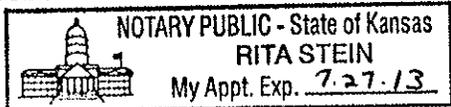
Riley E. Skaggs
(Signature of Applicant)

STATE OF KANSAS, COUNTY OF Ford, ss.

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

Riley E. Skaggs
(Signature of Applicant)

SUBSCRIBED AND SWORN TO before me this _____ day of _____,



Rita Stein
(Character of official administering oath)

My commission expires on the _____ day of _____,

APPLICATION APPROVED this _____ day of _____,

By _____
(Official position)

of _____, Kansas
(City or county)

Recorded in Volume _____, at page _____

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