

# **CITY COMMISSION AGENDA**

City Hall Commission Chambers

Monday, May 3, 2010

7:00 p.m.

MEETING #4804

## **CALL TO ORDER**

## **ROLL CALL**

**INVOCATION:** by Valero Pasquel of Iglesia Rio de Aqua Viva

## **PLEDGE OF ALLEGIANCE**

## **PETITIONS & PROCLAMATIONS**

National Train Day Proclamation

National Tourism Week Proclamation

Older American Month Proclamation

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

Employee of the Month – Leona Stacy

Character Trait – Discretion vs. Recklessness

## **CONSENT CALENDAR**

1. Approval of City Commission Meeting minutes, April 19, 2010
2. Appropriation Ordinance No. 8, May 3, 2010
3. Approval of Change Order for 2009 Beeson Court Subdivision.
4. Cereal Malt Beverage License
  - a. El Charro, Inc. – 1209 W. Wyatt Earp

## **ORDINANCES & RESOLUTIONS**

**Resolution No. 2010-13:** Resolution Endorsing Participation in the Kansas National Main Street Program and Approval of Memorandum of Understanding for Kansas Main Street Program. Report by Executive Director of Dodge City/Ford County Development Corporation, Joann Knight.

**Resolution No. 2010-14:** Resolution Amending Fees and Regulations for Mariah Hills Golf Course. Report by Director of Parks & Recreation, Paul Lewis.

**Resolution No. 2010-15:** Resolution for the Temporary Suspension and Waiver of Certain Provisions of Ordinance No. 2838 and the Uniform Fire Code Pertaining to the Discharge of Fireworks Within the City Limits of the City of Dodge City, Kansas. Report by Interim Fire Chief, Kevin Norton.

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

Approval of Engineering Contract with Burns & McDonnell for Ramp Expansion and Relocation of Airport Beacon at Dodge City Regional Airport. Report by Superintendent of Public Works, Mike Klein.

## **OTHER BUSINESS**

Executive Session – Discussion of Land Acquisition and Pending Litigation with Legal Counsel

## **ADJOURNMENT**

**PROCLAMATION**

**NATIONAL TRAIN DAY**

**WHEREAS**, May 8, 2010 commemorates the 141<sup>st</sup> anniversary of the first transcontinental railroad's inception by bringing to life the rich narrative of how trains transformed America; and

**WHEREAS**, The railroad has maintained a connection since 1872 in Dodge City, Kansas; and

**WHEREAS**, Rail travel provides an energy efficient mode of transportation in America; and

**WHEREAS**, More than 4,248 individuals utilized Amtrak passenger services at the Historic Dodge City Santa Fe Depot during 2009,

**NOW, THEREFORE**, I, Kent Smoll, Mayor of the City of Dodge City, Kansas do hereby proclaim May 8, 2010 as

**NATIONAL TRAIN DAY**

and urge the citizens of Dodge City and Ford County to join me in this special observance with appropriate events, commemorations and festivals.

**IN WITNESS THEREOF**, I have hereunto set my hand this 3<sup>rd</sup> day of May, 2010.

\_\_\_\_\_  
Kent Smoll, Mayor

**SEAL**

\_\_\_\_\_  
Nannette Pogue, City Clerk

## PROCLAMATION

### TRAVEL & TOURISM WEEK

**WHEREAS,** Travel to and within the United States provides significant economic benefits for the nation; and

**WHEREAS,** The travel industry ranks as the 5th largest employer in the United States and among the top 10 industries of 49 states (including the District of Columbia) when measured by employment;

**WHEREAS,** Dodge City, Kansas has a significant travel related industry contributing substantially to the local economy and quality of life contributing to personal growth, health, professional advancement, education, cultural understanding and the enhancement of America's image around the world; and

**WHEREAS,** A coordinated travel promotion program can attract new national and international visitors to Dodge City; and

**WHEREAS,** Travel can serve as a catalyst to help move the local economy forward,

**NOW, THEREFORE,** I, Kent Smoll, Mayor of the City of Dodge City, Kansas do hereby proclaim May 8 – 16, 2010 as

### TRAVEL AND TOURISM WEEK

and urge the citizens of Dodge City and Ford County to join me in this special observance with appropriate events, commemorations and festivals.

**IN WITNESS THEREOF,** I have hereunto set my hand this 3<sup>rd</sup> day of May, 2010.

\_\_\_\_\_  
Kent Smoll, Mayor

**SEAL**

\_\_\_\_\_  
Nannette Pogue, City Clerk

**Older Americans Month 2010  
A Proclamation**

**Whereas**, Sterling House is a community that includes twenty-four citizens aged sixty and older; and

**Whereas**, the older adults in Sterling House are among of our most “treasured resources,” united by historical experiences, strengthened by diversity, and interpreting events through varied perspectives and backgrounds to bring wisdom and insight to our community; and

**Whereas**, increasing numbers of adults are reaching retirement age and remaining strong and active for longer than ever before; and

**Whereas**, the older adults in Sterling House deserve recognitions for the contributions they have made and will continue to make to the culture, economy, and character of our community and our nation; and

**Whereas**, our community can provide that recognition and respect by improving the quality of life for older Americans by:

- ~Increasing their opportunities to remain active and engaged in community life;
- ~Providing individualized services and support systems to maintain the dignity, independence, and self-determination of older Americans as they age;
- ~Combating ageist attitudes by honoring their past, present, and future contributions;

**Now Therefore**, We of Dodge City, Kansas do hereby proclaim May 2010 to be Older Americans Month. We urge every citizen to take time this month to honor our older adults and the professionals, family members, and volunteers who care for many of them. Our recognition and involvement of older Americans can enrich our entire community’s quality of life.

Dated this 3rd day of May 2010

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E. Kent Smoll, Mayor

SEAL

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Nannette Pogue, City Clerk

# **CITY COMMISSION MINUTES**

City Hall Commission Chambers

Monday, April 19, 2010

7:00 p.m.

MEETING #4803

## **CALL TO ORDER**

**ROLL CALL:** Commissioners Rick Sowers, Kent Smoll, Jim Sherer, Monte Broeckelman and Brian Weber were all present.

**ELECTION OF MAYOR AND VICE MAYOR:** Commissioner Jim Sherer moved to nominate Commissioner Kent Smoll as Mayor, seconded by Commissioner Brian Weber. Motion carried 5-0.

Mayor Kent Smoll moved to nominate Commissioner Brian Weber as Vice Mayor, seconded by Commissioner Jim Sherer. Motion carried 5-0.

Mayor Kent Smoll thanked Commissioner Rick Sowers for his year of service as Mayor this past year.

**INVOCATION:** Pastor Corey Godbey, First United Methodist Church

**PLEDGE OF ALLEGIANCE:** Boy Scout Troop #162 presented the colors, then introduced the Boys Scouts and Leaders.

## **PETITIONS & PROCLAMATIONS**

Fair Housing proclaimed for the 42<sup>nd</sup> year.

Arbor Day Proclamation was presented by Mike Schubert. Friday, April 30<sup>th</sup> there will be a ceremony at Arrowhead West on St. Mary's Plains College Campus. In addition, trees will be planted at Liberty Garden in honor of Dan Williamson, former Fire Chief and John Ball, former Chief of Police at 2:30 p.m.

Proclaimed April 18-24 as Volunteer Week.

Silver Star Banner Day proclaimed as May 1, 2010

**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).

Cathy Reeves with the Dodge City Public Library presented the Quarterly Report on the Dodge City Public Library.

Kurth Lancaster presented the Annual Report on CREW/KDCB.

### **CONSENT CALENDAR**

1. Approval of City Commission Executive/Work Session Meeting minutes, April 5, 2010
2. Approval of City Commission Meeting minutes, April 5, 2010
3. Appropriation Ordinance No. 7, April 19, 2010
4. Cereal Malt Beverage License
  - a. Kwik Shop, Inc. – 1811 Central
  - b. Kwik Shop, Inc. – 1500 W. Wyatt Earp
  - c. Billy Vo and Bich Lam – 1202 E. Wyatt Earp
5. Approval of Change Order for Hoover Pavilion Roof Project
6. Approval of Contract with Wald & Co., Inc. d/b/a All American Display Fireworks.

Commissioner Rick Sowers moved to approve the Consent Calendar as presented, seconded by Commissioner Brian Weber. The motion carried 5-0.

### **ORDINANCES & RESOLUTIONS**

**Resolution No. 2010-11:** Accepting the Water Line, Sewer Lines and Street Improvements in Mariah Center Addition was approved on a motion by Commissioner Jim Sherer, seconded by Commissioner Brian Weber. The motion carried 5-0.

**Resolution No. 2010-12:** Authorizing EFM Consulting LLC to act on the City of Dodge City's behalf in the analysis and development of a Hazard Mitigation Plan in accordance with Federal, State and County Requirements was approved on a motion by Commissioner Brian Weber, seconded by Commissioner Monte Broeckelman. The motion carried 5-0.

**Resolution No. 2010-13:** Accepting the water lines and sewer lines at the Ford County Detention Facility Site was approved on a motion by Commissioner Rick Sowers, seconded by Commissioner Jim Sherer. The motion carried 5-0.

**Ordinance No. 3488:** Ordinance Prohibiting parking along Comanche Street from US 50 to West End of Comanche was approved on a motion by Commissioner Rick Sowers, seconded by Commissioner Brian Weber. The motion carried 5-0.

**Ordinance No. 3489:** Ordinance to provide for installation of Stop Signs on Cherry Street at Crawford Avenue and Minneola Road was approved on a motion by Commissioner Brian Weber, seconded by Commissioner Jim Sherer. The motion carried 5-0.

**Ordinance No. 3490:** Ordinance Amending the City of Dodge City Code, Chapter V, Article 6, Temporary Business License/Permits was approved on a motion by Commissioner Rick Sowers, seconded by Commissioner Jim Sherer. The motion carried 3-2, with Commissioners Monte Broeckelman and Kent Smoll opposing.

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

East Wyatt Earp Addition Final Plat was approved on a motion by Commissioner Rick Sowers, seconded by Commissioner Monte Broeckelman. The motion carried 5-0.

Approval of Purchasing Policy with minor modifications was approved on a motion by Commissioner Jim Sherer, seconded by Commissioner Brian Weber. The motion carried 5-0.

## **OTHER BUSINESS**

Ken Strobel, City Manager:

- Congratulated Mayor Kent Smoll and Vice Mayor Brian Weber on their election into office;
- Thanked Rick Sowers for his service as Mayor;
- State of the County is April 21<sup>st</sup> at Casey's Cowtown;
- Charlie Sirokman with Global will be in town most of this week; and
- Commissioners Retreat is scheduled for Wednesday, May 5<sup>th</sup> 8:00 a.m. – 12:00 p.m.

Cherise Tieben, Assistant City Manager:

- Main Street progressive dinner was held this past weekend. Thanks to the volunteers from Boothill, Carnegie and the Depot Theater; and
- Attended meeting in Liberal along with Mike Klein and Ray Slattery that was hosted by the Southwest Kansas Chambers. The agenda for the meeting was the KDOT Transportation Plan.

Jane Longmeyer, Director of Public Information:

- Highlighted the KAB event on Saturday, April 24, Clean Up in the Riverbed; and
- Cinco de Mayo festival is scheduled for May 2<sup>nd</sup>.

Commissioner Rick Sowers:

- Thanked the Development Corporation for the tour of possible future business. Thanked Representative Pat George for his representation.
- An art contest was held at the Carnegie Art Center and Representative Jerry Moran was in attendance.

Mayor Kent Smoll:

- Thanked Rick Sowers for his service as Mayor and is looking forward to the next years.

**ADJOURNMENT:** Commissioner Jim Sherer moved to adjourn the meeting, seconded by Commissioner Brian Weber. The motion carried 5-0.

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E. Kent Smoll, Mayor

ATTEST:

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Nannette Pogue, City Clerk

# Memorandum

*To:* City Manager  
Assistant City Manager  
City Commissioners

*From:* Ray Slattery,   
City Engineer

*Date:* April 22, 2010

*Subject:* 2009 Beeson Court  
Subdivision PL 0903

*Agenda Item:* Consent Calendar

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**Recommendation:** Approve change order 1 of Beeson Court Subdivision

**Background:** Beeson Court Subdivision was approved by the Commission on August 3, 2009.

**Justification:** Beeson Court Street Improvements - Install 30" Standard Curb & Gutter - The additional 11 L.F. of represents actual field measurements. A section of curb and gutter needed to be removed and replaced to provide an outlet for the drainage swale constructed along the east side of the project.

Install 30" Reverse Curb & Gutter - The additional 2 L.F. of represents actual field measurements. The island in Beeson Court was lengthened on foot as part of the construction.

Installed 30" Rolled Curb & Gutter - The decrease of 13 L.F. of represents actual field measurements. The reduction of Rolled Curb & Gutter was necessary to provide Transition Curb & Gutter adjacent to the inlet constructed with this project.

Installed 30" Transition Curb & Gutter - The additional 12 L.F. of represents actual field measurements. Please see the previous explanation.

BM-2 (2") Surface Course - The increase of 13 Tons represents actual field measurements. The additional tonnage represents an additional 1/8" of pavement thickness on average over the entire project. This is within acceptable tolerances.

BM-4 (4") Base Course - The increase of 65 Tons represents actual field measurements. This additional tonnage would represent an additional 5/8" of pavement thickness on average over the entire project.

Grading plan improvements - Seeding & Mulching - The increase of 1 acre represents actual field measurements. This is a result of having to seed beyond the street R/W due to grading needed to smooth out the excavation.

Waterline Improvements - Remove Asphalt & Replace w/7" Asphalt - The increase of 11 S.Y. represents actual field measurements. This is a result of removing more of the existing street in order to reconnect to the existing waterline. The existing waterline was further out into the street than what was shown on the plans.

Remove & Replace Curb & Gutter - The decrease of 6 L.F. of represents actual field measurements. Due to the location where the new waterline was installed, the contractor was able to minimize the amount of existing curb & gutter that needed to be removed and replaced.

**Financial Considerations:** Change Order 1 is for an increase of \$8,790.05

**Purpose/Mission:** One of the City's core values in Ongoing Improvements. With the construction of these improvements the City is preparing for the community's future and providing new possibilities for current and future citizens of our community.

**Legal Considerations:** N/A

**Attachments:** Change Order 1



# CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

City or  County of Dodge City, Ks 67801

SECTION 1 - LICENSE TYPE	
Check One: <input type="checkbox"/> New License <input checked="" type="checkbox"/> Renew License	
Check One: <input checked="" type="checkbox"/> License to sell cereal malt beverages for consumption on the premises. <input type="checkbox"/> License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.	

SECTION 2 - APPLICANT INFORMATION			
Kansas Sales Tax Registration Number (required): <u>10351208 001 M</u>			
Name of Corporation <u>El Charro Inc.</u>		Principal Place of Business <u>1209 W. Wyatt Earp</u>	
Corporation Street Address <u>1209 W. Wyatt Earp</u>		Corporation City <u>DODGE CITY</u>	State <u>KS.</u> Zip Code <u>67801</u>
Date of Incorporation <u>9-17-1980</u>		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name <u>Richard Rodriguez</u>		Phone No. <u>(620) 225-0371</u>	
Residence Street Address <u>2210 Ave A</u>		City <u>Dodge City</u>	State <u>KS.</u> Zip Code <u>67801</u>

SECTION 3 - LICENSED PREMISE			
Licensed Premise (Business Location)		Mailing Address	
DBA Name <u>El Charro</u>		Name <u>El Charro</u>	
Business Location Address <u>1209 W. Wyatt Earp</u>		Address <u>1209 W. Wyatt Earp</u>	
City <u>Dodge City, Ks</u>	State <u>KS</u> Zip <u>67801</u>	City <u>Dodge City</u>	State <u>KS.</u> Zip <u>67801</u>
Business Phone No. <u>(620) 225-0371</u>		<input type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location.	
Business Location Owner Name(s) <u>Richard &amp; Patricia A. Rodriguez</u>			

SECTION 4 - OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK			
List each person and their spouse, if applicable. Attach additional pages if necessary.			
Name <u>Richard Rodriguez</u>	Position <u>President</u>	Date of Birth <u>11-20-50</u>	
Residence Street Address <u>2210 AVE A</u>	City <u>Dodge City</u>	State <u>KS</u>	Zip Code <u>67801</u>
Spouse Name <u>Patricia A. Rodriguez</u>	Position <u>Sec./Treasurer</u>	Date of Birth <u>1-14-52</u>	
Residence Street Address <u>2210 Ave A</u>	City <u>Dodge City</u>	State <u>KS.</u>	Zip Code <u>67801</u>
Name	Position	Date of Birth	
Residence Street Address	City	State	Zip Code
Spouse Name	Position	Age	
Residence Street Address	City	State	Zip Code
Name	Position	Date of Birth	
Residence Street Address	City	State	Zip Code
Spouse Name	Position	Age	
Residence Street Address	City	State	Zip Code

SECTION 5 -- MANAGER OR AGENT INFORMATION		
My place of business will be conducted by a manager or agent.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the following:		
Manager/Agent Name <i>Catherine B. Rincon</i>	Phone No. <i>(620) 255-3499</i>	Date of Birth <i>10-22-78</i>
Residence Street Address <i>509 Runyan</i>	City <i>Dodge City, KS</i>	Zip Code <i>67801</i>
Manager or Agent Spousal Information		
Spouse Name <i>Byron Rincon</i>	Phone No. <i>(620) 255-3499</i>	Date of Birth <i>10-20-78</i>
Residence Street Address <i>509 Runyan</i>	City <i>Dodge City, KS</i>	Zip Code <i>67801</i>

SECTION 6 -- QUALIFICATIONS FOR LICENSURE	
Within 2 years immediately preceding the date of this application, none of the individuals identified in Sections 4 & 5 have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
None of the individuals identified in Sections 4 and 5 were managers, officers, directors or stockholders owning more than 25% of the stock of a corporation which: (1) had a cereal malt beverage license revoked; or (2) was convicted of violating the Club and Drinking Establishment Act or the CMB laws of Kansas.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
All of the individuals identified in Sections 4 & 5 are at least 21 years of age <sup>1</sup> .	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct and that I am authorized by the corporation to complete this application. (K.S.A. 53-601)

SIGNATURE *Richard Rodriguez, President* DATE *4-20-10*

FOR CITY/COUNTY OFFICE USE ONLY:	
<input type="checkbox"/> License Fee Received Amount \$ _____ Date _____ ((\$25 - \$50 for Off-Premise license or \$25-200 for On-Premise license)	
<input type="checkbox"/> \$25 CMB Stamp Fee Received Date _____	
<input type="checkbox"/> Background Investigation <input type="checkbox"/> Completed Date _____ <input type="checkbox"/> Qualified <input type="checkbox"/> Disqualified	
<input type="checkbox"/> New License Approved Valid From Date _____ to _____ By: _____	
<input type="checkbox"/> License Renewed Valid From Date _____ to _____ By: _____	

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR QUARTERLY REPORT (ABC-301) TO THE ALCOHOLIC BEVERAGE CONTROL, 915 SW HARRISON STREET ROOM 214, TOPEKA, KS. 66625-3512.

<sup>1</sup> Spouse not required to be over 21 years of age. K.S.A. 41-2703(b)(9)



## Memorandum

*To: City Manager  
Assistant City Manager  
City Commissioners*

*From: Joann Knight*

*Date: April 27, 2010*

*Subject: Resolution and Preliminary  
Memorandum of Agreement  
endorsing participation in the Kansas  
National Main Street Program  
Agenda Item: Ordinances and Resolutions*

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**Recommendation:** Approve Resolution and Preliminary Memorandum of Agreement.

**Background:** Dodge City's Main Street Program dissolved in the early 90's. In efforts to enter the program again, the Dodge City/Ford County Development Corporation applied to the Kansas Main Street Inside Track Program and was accepted in August 2009. By participating in this program for the past year Dodge City is now eligible to submit an application to be a fully designated Kansas Main Street Community.

**Justification:** The annual application is due May 21, 2010 and requires a resolution and Preliminary Memorandum of Agreement to be signed by City Commission. The Development Corporation has agreed to facilitate the program and has appointed a Main Street Board comprised of City, Chamber, Downtown and Community representatives.

**Financial Considerations:** A minimum budget of \$40,000 for at least the next 5 years is required. The Development Corporation has agreed to provide \$18,500 for organizational expenses, office space, and dedicate staff for a full time director and support staff. This staffing is provided by the City of Dodge City in their existing annual contribution. The Main Street Board of Directors is also working on a membership campaign to raise \$50,000 in annual pledges.

**Purpose/Mission:** The Kansas Main Street Program goes along with the mission to improve the quality of life and preserve Dodge City's heritage. The main purpose of the program is to help rural communities of population between 1,000 and 50,000 revitalize and strengthen their downtown area back into a place the community can be proud of. The Kansas Main Street Program utilizes a comprehensive four-point approach focusing on all aspects of the downtown area including design, promotion, organization and economic restructuring.

**Legal Considerations:** Resolution and Preliminary Memorandum of Agreement is required for the application.

**Attachments:** Resolution 2010-13 and Preliminary Memorandum of Agreement.

## **Preliminary Memorandum of Agreement**

A Memorandum of Agreement is required to be signed by all cities designated to participate in the Kansas Main Street Program. The Memorandum of Agreement includes:

1. An outline of services to be provided to the designated Program Cities by the State. (The exact services for the SFY2011 Program are pending finalization of legislative funding and the negotiation of contracts with national consultants.) Typical services include reconnaissance visit, basic training, market analysis, work plan development, design assistance, on-site technical assistance as needed, Incentives Without Walls program, quarterly training, National Town Meeting on Main Street and State Conference.
2. Requirements of a designated Kansas Main Street City:
  - a. Maintain program funding level and expend funds and in-kind services as outlined in the participant's application.
  - b. Budget will include adequate financing for travel to attend all in-state training/meetings and the Annual National Main Street Conference.
  - c. Employee qualified, professional level as the Executive Director at an appropriate salary level commensurate with other similar professional level positions in the community. In the event the Director's position is vacated, the position must be filled in a timely manner, not to exceed 4 months.
  - d. The Director and Board Members will be expected to:
    1. Attend and participate in all joint training activities sponsored by the State and National Programs.
    2. Attend and participate in all scheduled on-site services/visits by the State and National Programs.
  - e. Maintain thorough records and photographic documentation of the local Program and submit requested articles, reports and information to the State by identified deadlines.
3. Provisions
  - a. The Memorandum of Agreement will be executed on an annual basis. Cities are eligible to receive training and technical assistance as long as designation is maintained by meeting basic participation requirements.
  - b. The State and National Main Street Program reserve the right to:
    1. Cancel any joint training services if an adequate number of participants have not confirmed their attendance 48 hours prior to the scheduled service.
    2. Cancel any on-site visits if adequate local commitment and participation is not confirmed 48 hours prior to the scheduled service.
    3. Review the Main Street Designation if any of the requirements outlined above are not met throughout the duration of this agreement.

Cities selected to participate in the Kansas Main Street Program will be required to

execute a Memorandum of Agreement, committing to the provisions outlined above, upon receiving designation as a Kansas Main Street Program City.

As an Applicant to this program, the City of Dodge City understands this requirement and will be willing to execute such an agreement if selected for the Kansas Main Street Program.

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Mayor, E. Kent Smoll

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Date

**Resolution 2010-13**

**RESOLUTION ENDORSING PARTICIPATION IN THE  
KANSAS NATIONAL MAIN STREET PROGRAM**

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**WHEREAS**, the Kansas Main Street Program has been created to assist small cities in developing a public-private effort to revitalize their “Main Street” areas, and up to two cities will be selected to participate in the program in SFY2011, and

**WHEREAS**, the Kansas National Main Street Program is of benefit to the overall economic health of the community, and

**WHEREAS**, the City of Dodge City will participate in the development of the local Main Street Program with the specific goal of revitalization of the Central Business District, including the preservation and rehabilitation of its historic and culturally important buildings.

**THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Dodge City, Kansas that the governing body does hereby request its selection as a participant in the Kansas Main Street Program.

Approved this 3<sup>rd</sup> day of May 2010 and signed by the Mayor.

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Mayor, E. Kent Smoll

ATTEST:

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Nannette Pogue, City Clerk

## Memorandum

To: City Manager  
Assistant City Manager  
City Commissioners

From: Paul Lewis

Date: April 29, 2010

Subject: Golf Course Fees

Agenda Item: Ordinances and Resolutions



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**Recommendation:** Staff recommends approval of Resolution 2010-14 revising fees and charges established for Mariah Hills golf course.

**Background:** Annually the Golf Course Advisory Board reviews user fees and season pass rates for Mariah Hills and provides recommendations to the Commission for change when appropriate. Over their last couple of meetings the Advisory Board has completed this process and the attached resolution reflects their recommendation for revision.

With this resolution, standard daily fees and pass rates remain unchanged. Rates at Mariah are consistent with other municipal operations and reflect a fair value for the course and service provided. Additionally it's believed any significant increase in fees will have a negative impact on total revenue.

This resolution proposes a new season pass program labeled as a Gold pass. The Gold pass is a one time annual charge that incorporates the season pass fee, cart rental or trail fee, surcharges and unlimited driving range usage.

Probably the most frequent request at Mariah is to eliminate the daily surcharge associated with season passes. The Gold pass addresses that request by providing an annual fee incorporating all associated charges for a player into one fee. At the proposed price points, the Gold pass represents a discount for high frequency players and is designed to be an attractive alternative for the medium frequency player.

The only other changes to this resolution include the following:

- With the City's ownership of the cart rental business, those fees are now outlined in the resolution. Fees for 18 hole rentals are raised from the current \$11 to \$12 per rider. The 9 hole rental rate remains unchanged at \$8.
- Trail fees are increased from \$8 to \$10.
- The definition for eligible family members for a family pass is provided to include children 22 years of age and younger and still at home or in school.

**Justification:** Current fees and charges established for Mariah Hills are still valid and appropriate for our market and are comparable to other municipal operations. The proposed Gold pass is an effort to address requests from users to provide a one time fee as well as potentially attract other users to step up to a premium service level.

**Financial Considerations:** The actual financial impact of the Gold pass program is difficult to estimate. The program represents a discount for golfers that play more than 50 times per season and there is the potential for a decrease in revenue. On the other hand, over the last couple of seasons Mariah has lost a handful of frequent players and one of the issues cited is the ongoing surcharge. The Golf pass is designed to address that issue and prevent further slides in membership and hopefully attract other players to buy up to a premium pass program.

The modifications to the cart rental and trail fee rates will provide an additional \$5,000 to \$6,000 in revenue at current usage levels.

**Purpose/Mission:** Adoption of Resolution 2010-14 meets the City's core value of Ongoing Improvement by providing variable and attractive price points for utilization of Mariah Hills Golf Course and strives to maximize revenue and utilization of the facility.

**Legal Considerations:** None

**Attachments:** Resolution 2010-14

**RESOLUTION NO. 2010-14**

**A RESOLUTION ESTABLISHING FEES AND REGULATIONS  
FOR MARIAH HILLS GOLF COURSE**

**WHEREAS**, The City maintains and operates the Mariah Hills Golf Course to provide recreational opportunities for the citizens of Dodge City; and

**WHEREAS**, The City desires to establish a reasonable and equitable schedule of fees and charges necessary to provide these facilities at a uniform cost to all users; and

**WHEREAS**, The creation of policies and regulations are necessary in order to maintain the golf course and facilities and effectively administrate their use,

**NOW, THEREFORE** be it resolved by the governing body of the City of Dodge City that the following schedule of fees and regulations be established.

**Section I.** Definitions

- A. Junior - Juniors shall be defined as anyone seventeen (17) years of age and younger.
- B. Family – Family’s shall be immediate family and limited to husband and wife, and all children 22 years of age and younger living in the home or enrolled as a full time student.
- C. Senior- Seniors shall be defined as anyone 62 years of age and older.

**Section II.** Fees and Charges

- A. Standard charges for Daily Fees, Season Passes and other charges shall be as follows:

Daily Fees

Mon. - Fri.	17.00
Weekends & Holidays	20.00
Twilight Fee	12.00
Junior	9.00
Adult Pass Surcharge	3.00
Junior Pass Surcharge	1.00

Season Passes

Single	400.00
Family	590.00
Senior	300.00
Senior Family	490.00
Junior	150.00
Gold Single	1,000.00
Gold Family	1,200.00
Gold Senior	900.00
Gold Family	1,100.00

Other Charges

Cart Rental (18)	12.00
Cart Rental (9)	8.00
Trail Fee	10.00

\* Gold Passes include season pass, cart rental/trail fee, and unlimited driving range privileges. Gold passes are exempt from surcharges.

**Section III. School Team Program**

- A. A program for school teams and their coaches is available to any local school district or community college sponsoring a competitive golf team.
- 1) High School Teams
    - a. Fees for high school team members and coaches are \$75 per player.
    - b. Team memberships may be used Monday – Friday for team practices and events and are valid only during the team’s regular season of practice and competition.
    - c. Any team member wishing to purchase a Junior season pass will receive credit for the paid Team membership and is required to pay only the difference between the Team fee and Junior pass.
  - 2) College Teams
    - a. Fees for college team members and coaches are \$275 per player.
    - b. Team Memberships are valid everyday during Fall and Spring semesters.
    - c. Any team member wishing to purchase a Single season pass will receive credit for the paid Team membership and is required to pay only the difference between the Team fee and Single pass.
  - 3) Team memberships are exempt from daily surcharges.
  - 4) Coaches are allowed to practice and play with their players during the season for all team functions and practices. If a coach wishes to play outside of a team function, he shall be required to pay a daily fee or purchase a season pass.

**Section IV. Special Promotions**

- A. Tournament Rates – A tournament rate of \$15 per player will be available to any event with 50 or more players.
- B. The Golf Course Advisory Board may from time to time determine special promotional rates and fees in order to promote the golf course. Such promotions shall be approved by the City Manager prior to publication and/or implementation.

**Section V. Effective Date**

- C. This Resolution shall take effect following its adoption by the Governing Body.

**ADOPTED AND APPROVED** by the Governing Body of the City of Dodge City this 3<sup>rd</sup> day of May, 2010.

\_\_\_\_\_  
E. KENT SMOLL, MAYOR

ATTEST:

\_\_\_\_\_  
NANNETTE POGUE, CITY CLERK

# Memorandum

*To: City Manager  
Assistant City Manager  
City Commissioners*  
*From: Kevin Norton DCFD*  
*Date: 05/03/2010*  
*Subject: Temporary Suspension of Ord.  
No.2838 (Fireworks Ban)*

*Agenda Item:  
Ordinances and Resolutions*

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**Recommendation:** Approve the resolution.

**Background:** This resolution is the same as those that have been approved over the last several years. This was originally started as a request from Ford County in an effort to reduce the amount of fireworks being discharged in their jurisdiction.

**Justification:** In the past this resolution has been successful in reducing the discharge of fireworks in rural ford county. This resolution was considered and discussed by the city fireworks committee on March 12<sup>th</sup> and they are in favor of its approval.

**Financial Considerations:** None

**Purpose/Mission:** Mission Statement: "Together, we promote open communications with our community members to improve quality of life and preserve our heritage to foster a better future." Temporarily lifting the ban on fireworks provides a limited opportunity for those people who choose this traditional method of celebrating our Independence day.

**Legal Considerations:** None

**Attachments:** A copy of resolution no. 2010-15 is attached.

**RESOLUTION NO. 2010-15**

**A RESOLUTION FOR THE TEMPORARY SUSPENSION AND WAIVER OF CERTAIN PROVISIONS OF ORDINANCE NO. 2838 AND THE UNIFORM FIRE CODE PERTAINING TO THE DISCHARGE OF FIREWORKS WITHIN THE CITY LIMITS OF THE CITY OF DODGE CITY, KANSAS:**

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**SECTION 1:** For the time periods and under the conditions set forth herein, the provisions of Ordinance No. 2838 and the International Fire Code prohibiting the discharge of legal fireworks, as defined by state statutes and regulations of the State Fire Marshal, shall be temporarily suspended and waived so as to allow the lawful discharge of such legal fireworks within the corporate limits of the City of Dodge City, Kansas, subject to the exceptions and under the conditions as provided herein, for the period from July 3, 2010 through July 5, 2010, between the hours of 10:00 a.m. to 11:00 p.m. of said days;

**SECTION 2:** This waiver and suspension shall not apply to, and the discharge of fireworks shall be prohibited at any time, including July 3, 2010 through July 5, 2010, on any public property, including but not limited to all public parks, public recreation areas such as ball fields and soccer fields, any school grounds including, school playgrounds and athletic facilities, any public rights of way, or public parking areas (Civic Center / Memorial Stadium).

**SECTION 3:** This waiver and suspension shall not apply to, and the discharge of fireworks shall be prohibited at any time, including July 3, 2010 through July 5, 2010, on any real property within the corporate limits of the City of Dodge City without the permission of the owner or person or entity in control of said real property.

**SECTION 4:** Notwithstanding this suspension and waiver, officers of the Dodge City Fire Department and the Dodge City Police Department shall have the authority to confiscate any fireworks from any individual possessing the same, if in the opinion of said officer, the use or discharge of such fireworks is being conducted in such a manner as to create a health or safety hazard for the user or other persons, or in such a manner as to create a safety hazard to public or private property.

**SECTION 5:** This waiver will automatically expire at 11:01 p.m. on July 5, 2010, and may be rescinded prior thereto by action of the governing body.

**SECTION 6:** This Resolution shall take effect and be in force from and after its adoption and publication once in the official City newspaper.

Adopted by the governing body this 3rd day of May, 2010.

\_\_\_\_\_  
Kent Smoll, Mayor

ATTEST:

\_\_\_\_\_  
Nannette Pogue, City Clerk

## Memorandum

*To: City Manager  
Assistant City Manager  
City Commissioners*

*From: Mike Klein, Airport Manager*

*Date: April 27, 2010*

*Subject: Professional Engineering Services  
for Ramp Expansion and Relocating  
Airport Beacon, FAA Grants 25 & 26*

*Agenda Item: New Business*

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### **Recommendation:**

It is the recommendation of the airport staff and Airport Advisory Board to approve the Professional Engineering Services Agreement with Burns & McDonnell of Kansas City, MO. for the total lump sum of \$ 124,660.00.

The engineering services agreement is for two FAA Grants. Grant # 25, total amount \$ 25,000.00 is for the engineering and design for a new airport beacon and the removal of the old beacon. The old beacon is a 1940's model which has provided excellent service over the years. However, it is difficult to find replacement parts and light bulbs for the old beacon.

FAA Grant # 26, total amount \$ 99,660.00 is for the engineering and design phase for the ramp expansion project. The ramp expansion project will provide additional temporary and long term aircraft parking and expand the existing apron 20,600 square yards.

The engineering services agreement for grants 25 and 26 consists of preliminary phase, specifications, engineering, design, bidding and construction award. Burns & McDonnell will perform the scope of services for a total lump sum of \$ 124,660.00.

### **Background:**

Dodge City Regional Airport received notification from the Federal Aviation Administration to initiate action necessary to obtain a Professional Engineering Services Agreement with our airport engineering consultant, Burns & McDonnell of Kansas City,

MO. The engineering services agreement is for the engineering and design phase of the ramp expansion and installation of a new airport beacon.

**Justification:**

Engineering and design of the ramp expansion is to provide additional temporary and long term aircraft parking. The installation of the new airport beacon is required to maintain safety at the airport.

**Financial Considerations:**

This phase of the project will be 95% federally funded \$118,427.00 and 5% local match \$ 6,233.00.

**Purpose/Mission:**

To provide additional parking for aircraft and to comply with Part 139 regulations.

**Legal Considerations:**

Compliance with the assurances and conditions contained in the grant and to follow Part 139 requirements for the operation of the airport.

**Attachments:**

NA