

CITY COMMISSION AGENDA

City Hall Commission Chambers

Monday, October 18, 2010

7:00 p.m.

MEETING #4821

CALL TO ORDER

ROLL CALL

INVOCATION: by Elder David Smith of the Hanna Memorial Church of God in Christ

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).

CONSENT CALENDAR

1. Approval of City Commission Meeting minutes, October 4, 2010
2. Approval of Joint City/County Commission minutes, October 5, 2010
3. Appropriation Ordinance No. 19, October 18, 2010
4. Cereal Malt Beverage License
 - a. Presto #1624, 2615 E. Trail Street
 - b. Presto #1625, 609 S. 2nd Avenue
 - c. Presto #1645, 800 W. Wyatt Earp Blvd.
 - d. Kates, 305 E. Trail Street

ORDINANCES & RESOLUTIONS

Ordinance No. 3498: An Ordinance Annexing to the City of Dodge City the Described Property, in Accordance with K.S.A. 12-520 ET. SEQ; Providing for the Zoning Thereof, and Placing the Property in a Voting Ward. Report by Director of Developmental Services, Dennis Veatch.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of bid from Mid America Liner, Valley Park, Missouri for removal and replacement of the damaged covers on lagoons #1 and #2 and repair of the biogas recovery system on lagoon #2. Report by Superintendent of Public Works, Mike Klein.

OTHER BUSINESS

EXECUTIVE SESSION

Attorney Client Privilege Matter

ADJOURNMENT

CITY COMMISSION MINUTES

City Hall Commission Chambers

Monday, October 4, 2010

7:00 p.m.

MEETING #4818

CALL TO ORDER

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

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).

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

Employee of the Month for October 2010, Shirley Ackley, was announced by the Director of Public Information, Jane Longmeyer in Ms. Ackley's absence. Mayor Smoll congratulated Shirley.

The City Character Trait, Loyalty was presented by Director of Public Information, Jane Longmeyer.

CONSENT CALENDAR

1. Approval of City Commission Meeting minutes, September 20, 2010
2. Approval of City Commission Work Session minutes, September 20, 2010
3. Appropriation Ordinance No. 18, October 4, 2010
4. Approval of Appointment of Bonita Green to the SMPC Advisory Board
5. Approval to Allow Consumption of Alcoholic Beverages on a Temporary Basis in Eisenhower Park.

Commissioner Jim Sherer moved to approve the Consent Calendar as presented, seconded by Commissioner Brian Weber with correction to Work Session minutes of September 20, 2010. The motion carried 5-0.

ORDINANCES & RESOLUTIONS**UNFINISHED BUSINESS****NEW BUSINESS**

Commissioner Jim Sherer moved to approve a Grant Application for a Mobility Manager Position and a match commitment of \$8,000. Commissioner Brian Weber seconded the motion. The motion carried 5-0.

OTHER BUSINESS

Ken Strobel, City Manager:

- Reminded the Commission of the Joint City/County Commission meeting at 5:30 p.m. in the Rose Room on October 5, 2010;
- October 7th is the Economic Summit to be held in Garden City;
- October 28th is the LKM Regional Supper at Cowtown at 5:30 p.m.; and
- Commented on the two (2) incidents that recently happened in Dodge City.

Commissioner Jim Sherer:

- Fireball Run – Chelsey Fisher and Staff at Economic Development, Boothill and Racetrack did a great job.

Commissioner Rick Sowers:

- Thanked staff for hard work gathering information for consultants that conducted the Fire Study.

Commissioner Monte Broeckelman:

- Congratulations to the High School Football Team.

Commissioner Brian Weber:

- Just returned from California and heard positive comments about the local economy in Dodge City.

Mayor Kent Smoll:

- Saturday and Sunday was the Coca Cola Boothill Shootout Sport Modified races at the Raceway Park;
- Saturday at the Civic Center several hundreds of people volunteered for Numana with bagging food to send to Haiti...thanked the High School Band, it was an incredible project, and thanked Norma Henton for her hard work with this;
- Tri-City meeting was held in Liberal; and
- Commented about the Fireball Run.

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

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

JOINT CITY/COUNTY MEETING MINUTES

Ford County Government Center

The Rose Room

City Meeting #4819

County Meeting #2010-59

Tuesday, October 5, 2010

5:30 p.m.

CALL TO ORDER

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

NEW BUSINESS

1. Presentation of McGrath EMS & Fire Study by Dr. Tim McGrath. Commissioner Brian Weber moved to accept the study. Commissioner Jim Sherer seconded the motion. The motion carried 5-0.

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

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

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

SECTION 1 – LICENSE TYPE

Check One: New License Renew License

Check One:

License to sell cereal malt beverages for consumption on the premises.

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): Applied for-Acquisition

Name of Corporation The Pantry Inc.		Principal Place of Business Cary, NC	
Corporation Street Address 305 Gregson Drive		Corporation City Cary	State NC
		Zip Code 27511	
Date of Incorporation 07/13/87	Articles of Incorporation are on file with the Secretary of State.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Resident Agent Name	Phone No.		
Residence Street Address	City	State	Zip Code

SECTION 3 – LICENSED PREMISE

Licensed Premise (Business Location)				Mailing Address			
DBA Name Presto # 1624				Name The Pantry, Inc.			
Business Location Address 2615 E. Trail St.				Address PO Box 8019			
City Dodge City	State KS	Zip 67801		City Cary	State NC	Zip 27512	
Business Phone No. 919-774-6700 X:6392				<input checked="" type="checkbox"/> Applicant owns the proposed business location.			
				<input type="checkbox"/> Applicant does not own the proposed business location.			
Business Location Owner Name(s) The Pantry Inc.							

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 Terrance M. Marks		Position Officer		Date of Birth 08/25/60	
Residence Street Address 565 Trimble Lake Court		City Atlanta	State GA	Zip Code 30342	
Spouse Name Cecile Marks		Position		Date of Birth 01/09/60	
Residence Street Address 565 Trimble Lake Court		City Atlanta	State GA	Zip Code 30342	
Name Berry L. Epley		Position Officer		Date of Birth 02/27/66	
Residence Street Address 3365 Seven Lakes West		City West End	State NC	Zip Code 27376	
Spouse Name Kimothy Epley		Position		Age 12/21/66	
Residence Street Address 3365 Seven Lakes West		City West End	State NC	Zip Code 27376	
Name Lindsay S. Cunningham		Position Officer		Date of Birth 12/08/72	
Residence Street Address 3208 Fox Terrace Drive		City Apex	State NC	Zip Code 27502	
Spouse Name Sean Cunningham		Position		Age 06/11/64	
Residence Street Address 3208 Fox Terrace Drive		City Apex	State NC	Zip Code 27502	

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK (CONTINUED)					
Name	Mark K. Bierley	Position	Officer	Date of Birth	08/17/66
Residence Street Address	49633 Pine Ridge Drive	City	Plymouth	State	MI
				Zip Code	48170
Spouse Name	Helen Bierley	Position		Date of Birth	5/28/1965
Residence Street Address	49633 Pine Ridge Drive	City	Plymouth	State	MI
				Zip Code	48170
Name		Position		Date of Birth	
Residence Street Address		City		State	
				Zip Code	
Spouse Name		Position		Date of Birth	
Residence Street Address		City		State	
				Zip Code	
Name		Position		Date of Birth	
Residence Street Address		City		State	
				Zip Code	
Spouse Name		Position		Date of Birth	
Residence Street Address		City		State	
				Zip Code	
Name		Position		Date of Birth	
Residence Street Address		City		State	
				Zip Code	
Spouse Name		Position		Date of Birth	
Residence Street Address		City		State	
				Zip Code	
Name		Position		Date of Birth	
Residence Street Address		City		State	
				Zip Code	
Spouse Name		Position		Date of Birth	
Residence Street Address		City		State	
				Zip Code	
Name		Position		Date of Birth	
Residence Street Address		City		State	
				Zip Code	
Spouse Name		Position		Date of Birth	
Residence Street Address		City		State	
				Zip Code	
Name		Position		Date of Birth	
Residence Street Address		City		State	
				Zip Code	
Spouse Name		Position		Date of Birth	
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 Amy Kathleen Gordon	Phone No. 316-285-6837	Date of Birth 09/26/72
Residence Street Address 16359 South West 146th Street	City Rose Hill	Zip Code 67133
Manager or Agent Spousal Information		
Spouse Name Michael Lee Gordon	Phone No. 316-285-6837	Date of Birth 05/07/71
Residence Street Address 16359 South West 146th Street	City Rose Hill	Zip Code 67133

SECTION 6 – QUALIFICATIONS FOR LICENSURE	
<p>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.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>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.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
All of the individuals identified in Sections 4 & 5 are at least 21 years of age ¹ .	<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  DATE 10/01/2010

FOR CITY/COUNTY OFFICE USE ONLY:	
<input checked="" type="checkbox"/> License Fee Received Amount \$ <u>20.75⁰⁰</u> Date <u>10/4/10</u> (\$25 - \$50 for Off-Premise license or \$25-200 for On-Premise license)	
<input checked="" type="checkbox"/> \$25 CMB Stamp Fee Received Date <u>10/4/10</u>	
<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.

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

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

SECTION 1 – LICENSE TYPE	
Check One: <input checked="" type="checkbox"/> New License <input type="checkbox"/> Renew License	
Check One:	
<input type="checkbox"/> License to sell cereal malt beverages for consumption on the premises.	
<input checked="" 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): Applied for-Acquisition			
Name of Corporation The Pantry Inc.		Principal Place of Business Cary, NC	
Corporation Street Address 305 Gregson Drive		Corporation City Cary	State NC Zip Code 27511
Date of Incorporation 07/13/87		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name		Phone No.	
Residence Street Address		City	State Zip Code

SECTION 3 – LICENSED PREMISE			
Licensed Premise (Business Location)		Mailing Address	
DBA Name Presto # 1625		Name The Pantry, Inc.	
Business Location Address 609 S. 2nd Ave.		Address PO Box 8019	
City Dodge City	State KS Zip 67801	City Cary	State NC Zip 27512
Business Phone No. 919-774-6700 X:6392		<input checked="" type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location.	
Business Location Owner Name(s) The Pantry Inc.			

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 Terrance M. Marks		Position Officer	
Residence Street Address 565 Trimble Lake Court		City Atlanta	State GA Zip Code 30342
Spouse Name Cecile Marks		Position	
Residence Street Address 565 Trimble Lake Court		City Atlanta	State GA Zip Code 30342
Name Berry L. Epley		Position Officer	
Residence Street Address 3365 Seven Lakes West		City West End	State NC Zip Code 27376
Spouse Name Kimothy Epley		Position	
Residence Street Address 3365 Seven Lakes West		City West End	State NC Zip Code 27376
Name Lindsay S. Cunningham		Position Officer	
Residence Street Address 3208 Fox Terrace Drive		City Apex	State NC Zip Code 27502
Spouse Name Sean Cunningham		Position	
Residence Street Address 3208 Fox Terrace Drive		City Apex	State NC Zip Code 27502

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK (CONTINUED)			
Name	Mark K. Bierley	Position	Officer
Residence Street Address	49633 Pine Ridge Drive	City	Plymouth
		State	MI
		Zip Code	48170
Spouse Name	Helen Bierley	Position	
Residence Street Address	49633 Pine Ridge Drive	City	Plymouth
		State	MI
		Zip Code	48170
Name		Position	
Residence Street Address		City	
		State	
		Zip Code	
Spouse Name		Position	
Residence Street Address		City	
		State	
		Zip Code	
Name		Position	
Residence Street Address		City	
		State	
		Zip Code	
Spouse Name		Position	
Residence Street Address		City	
		State	
		Zip Code	
Name		Position	
Residence Street Address		City	
		State	
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Spouse Name		Position	
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Name		Position	
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Spouse Name		Position	
Residence Street Address		City	
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		Zip Code	
Name		Position	
Residence Street Address		City	
		State	
		Zip Code	
Spouse Name		Position	
Residence Street Address		City	
		State	
		Zip Code	

SECTION 5 – MANAGER OR AGENT INFORMATIONMy place of business will be conducted by a manager or agent. Yes No

If yes, provide the following:

Manager/Agent Name Amv Kathleen Gordon	Phone No. 316-285-6837	Date of Birth 09/26/72
Residence Street Address 16359 South West 146th Street	City Rose Hill	Zip Code 67133

Manager or Agent Spousal Information

Spouse Name Michael Lee Gordon	Phone No. 316-285-6837	Date of Birth 05/07/71
Residence Street Address 16359 South West 146th Street	City Rose Hill	Zip Code 67133

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.

 Yes 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.

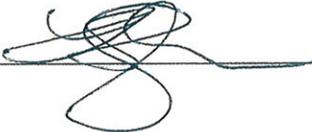
 Yes No

All of the individuals identified in Sections 4 & 5 are at least 21 years of age¹.

 Yes 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


DATE 10/01/2010

FOR CITY/COUNTY OFFICE USE ONLY:

 License Fee Received Amount \$ 75⁰⁰ Date 10/4/10
 (\$25 - \$50 for Off-Premise license or \$25-200 for On-Premise license)

 \$25 CMB Stamp Fee Received Date 10/4/10
 Background Investigation Completed Date _____ Qualified Disqualified

 New License Approved Valid From Date _____ to _____ By: _____

 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.

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CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

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City or County of Dodge City

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

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Date of Incorporation 07/13/87		Articles of Incorporation are on file with the Secretary of State.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Resident Agent Name		Phone No.	
Residence Street Address		City	State Zip Code

SECTION 3 – LICENSED PREMISE			
Licensed Premise (Business Location)		Mailing Address	
DBA Name Presto # 1645		Name The Pantry, Inc.	
Business Location Address 800 W. Wyatt Earp Blvd.		Address PO Box 8019	
City Dodge City	State KS	City Cary	State NC
Zip 67801		Zip 27512	
Business Phone No. 919-774-6700 X:6392		<input checked="" type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location.	
Business Location Owner Name(s) The Pantry Inc.			

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Spouse Name Cecile Marks		Position	Date of Birth 01/09/60
Residence Street Address 565 Trimble Lake Court		City Atlanta	State GA
			Zip Code 30342
Name Berry L. Epley		Position Officer	Date of Birth 02/27/66
Residence Street Address 3365 Seven Lakes West		City West End	State NC
			Zip Code 27376
Spouse Name Kimothy Epley		Position	Age 12/21/66
Residence Street Address 3365 Seven Lakes West		City West End	State NC
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Name Lindsay S. Cunningham		Position Officer	Date of Birth 12/08/72
Residence Street Address 3208 Fox Terrace Drive		City Apex	State NC
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Spouse Name Sean Cunningham		Position	Age 06/11/64
Residence Street Address 3208 Fox Terrace Drive		City Apex	State NC
			Zip Code 27502

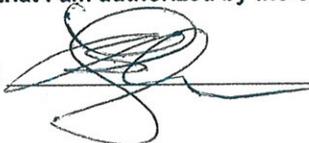
SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK (CONTINUED)

Name	Mark K. Bierley	Position	Officer	Date of Birth	08/17/66
Residence Street Address	49633 Pine Ridge Drive	City	Plymouth	State	MI Zip Code 48170
Spouse Name	Helen Bierley	Position		Date of Birth	5/28/1965
Residence Street Address	49633 Pine Ridge Drive	City	Plymouth	State	MI Zip Code 48170
Name		Position		Date of Birth	
Residence Street Address		City		State	Zip Code
Spouse Name		Position		Date of Birth	
Residence Street Address		City		State	Zip Code
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Spouse Name		Position		Date of Birth	
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Residence Street Address		City		State	Zip Code
Spouse Name		Position		Date of Birth	
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 Amy Kathleen Gordon	Phone No. 316-285-6837	Date of Birth 09/26/72
Residence Street Address 16359 South West 146th Street	City Rose Hill	Zip Code 67133
Manager or Agent Spousal Information		
Spouse Name Michael Lee Gordon	Phone No. 316-285-6837	Date of Birth 05/07/71
Residence Street Address 16359 South West 146th Street	City Rose Hill	Zip Code 67133

SECTION 6 – QUALIFICATIONS FOR LICENSURE	
<p>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.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>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.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
All of the individuals identified in Sections 4 & 5 are at least 21 years of age ¹ .	<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  DATE 10/01/2010

FOR CITY/COUNTY OFFICE USE ONLY:	
<input checked="" type="checkbox"/> License Fee Received Amount \$ <u>75.00</u> Date <u>10/4/10</u>	(\$25 - \$50 for Off-Premise license or \$25-200 for On-Premise license)
<input checked="" type="checkbox"/> \$25 CMB Stamp Fee Received Date <u>10/4/10</u>	
<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.

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



**INDIVIDUAL/SOLE PROPRIETOR
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

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 licensee's premises.	

SECTION 2 - APPLICANT INFORMATION		
Kansas Sales Tax Registration Number (required): <u>004-481236736-FO1</u>		
Name <u>Riley E. Skaggs</u>	Phone No. <u>620-225-9466</u>	Date of Birth <u>Feb. 21 43</u>
Residence Street Address <u>305 E. Tulin St.</u>	City <u>Dodge City, KS</u>	Zip Code <u>67801</u>
Applicant Spousal Information		
Spouse Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code

SECTION 3 - LICENSED PREMISE	
Licensed Premise (Business Location)	Mailing Address
DBA Name <u>Kates</u>	Name <u>Kates</u>
Business Location Address <u>305 E. Tulin St.</u>	Address <u>305 E. Tulin St.</u>
City <u>Dodge City</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>620-225-9466</u>	<input checked="" type="checkbox"/> I own the proposed business location. <input type="checkbox"/> I do not own the proposed business location.
Business Location Owner Name(s) <u>Riley E. Skaggs</u>	

SECTION 4 - APPLICANT QUALIFICATION	
I am a U.S. Citizen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of Kansas for at least one year prior to application.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have resided within the state of Kansas for <u>65</u> years.	
I am at least 21 years old.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse ¹ has 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
My spouse has previously held a CMB license.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**INDIVIDUAL/SOLE PROPRIETOR
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**
(This form prepared by the Attorney General's Office)

SECTION 5 - MANAGER OR AGENT QUALIFICATION			
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>Carol J. McCain</i>	Phone No. <i>620-225-5335</i>	Date of Birth <i>July 2, 68</i>	
Residence Street Address <i>11057 Ridge Rd.</i>	City <i>Dodge City KS</i>	Zip Code <i>67801</i>	
Manager or Agent Spousal Information			
Spouse Name	Phone No.	Date of Birth	
Residence Street Address	City	Zip Code	
Qualification Statement			
My manager/agent and his/her spouse ² meets all of the qualifications in Section 4.			<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. (K.S.A. 52-601)

SIGNATURE *Carol J. McCain* DATE *Oct. 4, 2010*

\$ 225⁰⁰

FOR CITY/COUNTY OFFICE USE ONLY:	
<input checked="" type="checkbox"/> License Fee Received Amount \$ <u><i>225⁰⁰</i></u> Date <u><i>10-4-10</i></u> ((\$25 - \$50 for Off-Premise license or \$25-200 On-Premise license)	
<input checked="" type="checkbox"/> \$25 CMB Stamp Fee Received Date <u><i>10-4-10</i></u>	
<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.

¹ If renewal application, applicant's spouse not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)
² Spouse not required to be U.S. citizen, Kansas resident or over 21 years of age. K.S.A. 41-2703(b)(9)



Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*

From: Dennis Veatch

Date: October 13, 2010

Subject: Ziegler Annexation

Agenda Item: Ordinance No. 3498

Recommendation: City staff recommends approval of this annexation ordinance.

Background: Phillip & Trisha Ziegler submitted a petition to annex the proposed property and request that resolution, notice to public hearing in connection with the request be waived and that the matter proceed before the City Commission for its action.

Justification: This is a voluntary annexation. This property is adjacent to the existing City Limits and city services are available to the property.

Financial Considerations: None

Purpose/Mission: To provide overall growth to the community and provide city services to developed areas.

Legal Considerations: None

Attachments: Ordinance No. 3498, Petition for Annexation and map showing proposed area.

ORDINANCE NO. 3498

AN ORDINANCE ANNEXING TO THE CITY OF DODGE CITY THE DESCRIBED PROPERTY, IN ACCORDANCE WITH K.S.A. 12-520 ET. SEQ; PROVIDING FOR THE ZONING THEREOF, AND PLACING THE PROPERTY IN A VOTING WARD.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DODGE CIY, KANSAS:

SECTION 1: By the virtue of the authority granted by K.S.A. 12-520 and by one or more of the conditions listed therein being fulfilled, the following described real property located in Ford County, Kansas is hereby annexed to, and made part of the City of Dodge City:

That part of Lot 1, Block 1, Final Plat of Church Subdivision, Ford County Kansas, described as follows:

Beginning at the Southeast corner of said Lot 1; thence on the platted bearing of North 89 degrees 52 minutes 40 seconds West, along the South line of said Lot 1 for a distance of 374.24 feet; thence on the bearing of North 00 degrees 07 minutes 20 seconds East for a distance of 415. 64 feet; thence on the bearing of South 47 degrees 41 minutes 14 seconds East for a distance of 326.15 feet; thence on the bearing of South 89 degrees 42 minutes 28 seconds East for a distance of 130.05 feet to the East line of said Lot 1; thence on the bearing of South 00 degrees 36minutes 49 seconds East, along the East line, for a distance of 196.23 feet to the point of beginning.

SECTION 2: The property annexed is currently zoned A, "Agricultural" and will be designated RS, Residential Suburban", in accordance with the Dodge City Zoning Regulations.

SECTION 3: The property annexed is placed in the 10th voting precinct.

SECTION 4: The City Clerk shall file a certified copy of this ordinance with the County Clerk and Register of Deeds of Ford County, pursuant to K.S.A 12-522.

SECTION 5: This ordinance shall take effect, from and following its publication in the official City paper, as provided by law.

PASSED BY THE CITY OF DODGE CITY GOVERNING BODY, IN REGULAR SESSION AND APPROVED BY THE MAYOR, THIS EIGHTEENTH DAY OF October, 2010.

E. Kent Smoll, MAYOR

ATTEST:

NANNETTE POGUE, CITY CLERK



Proposed Annexation

ROAD 110

3100

WHISPER

3280



That part of Lot 1, Block 1, Final Plat of Church Subdivision, Ford County, Kansas, describe as follows:

Beginning at the Southeast Corner of said Lot 1; thence on the platted bearing of North $89^{\circ}52'40''$ West, along the South line of said Lot 1, for a distance of 374.24 feet; thence on the bearing of North $00^{\circ}07'20''$ East for a distance of 415.64 feet; thence on the bearing of South $47^{\circ}41'14''$ East for a distance of 326.15 feet; thence on the bearing of South $89^{\circ}42'28''$ East for a distance of 130.05 feet to the East line of said Lot 1; thence on the bearing of South $00^{\circ}36'49''$ East, along said East line, for a distance of 196.23 feet to the point of beginning, containing 2.29 acres.

Report of Survey

COPY

For CATHOLIC DIOCESE OF DODGE CITY
 c/o DANIEL M. STREMEL CPA
 Mailing Address P.O. BOX 137 910 CENTRAL
DODGE CITY, KS. 67801
 Address of Survey NA
 Lot PART OF 1
 Block 1
 Addition FINAL PLAT OF CHURCH SUBD.
 City DODGE CITY KS.
 Field Completion Date NOV., 2008.
 Job No. 08-13

NE COR. OF SEC. 15 - T. 26 S.
 R. 25 W. OF THE 6TH P.M. FORD CO.
 KANSAS (THE NE COR. OF CHURCH
 SUBD.) WAS NOT RECOVERED FOR THIS
 SURVEY

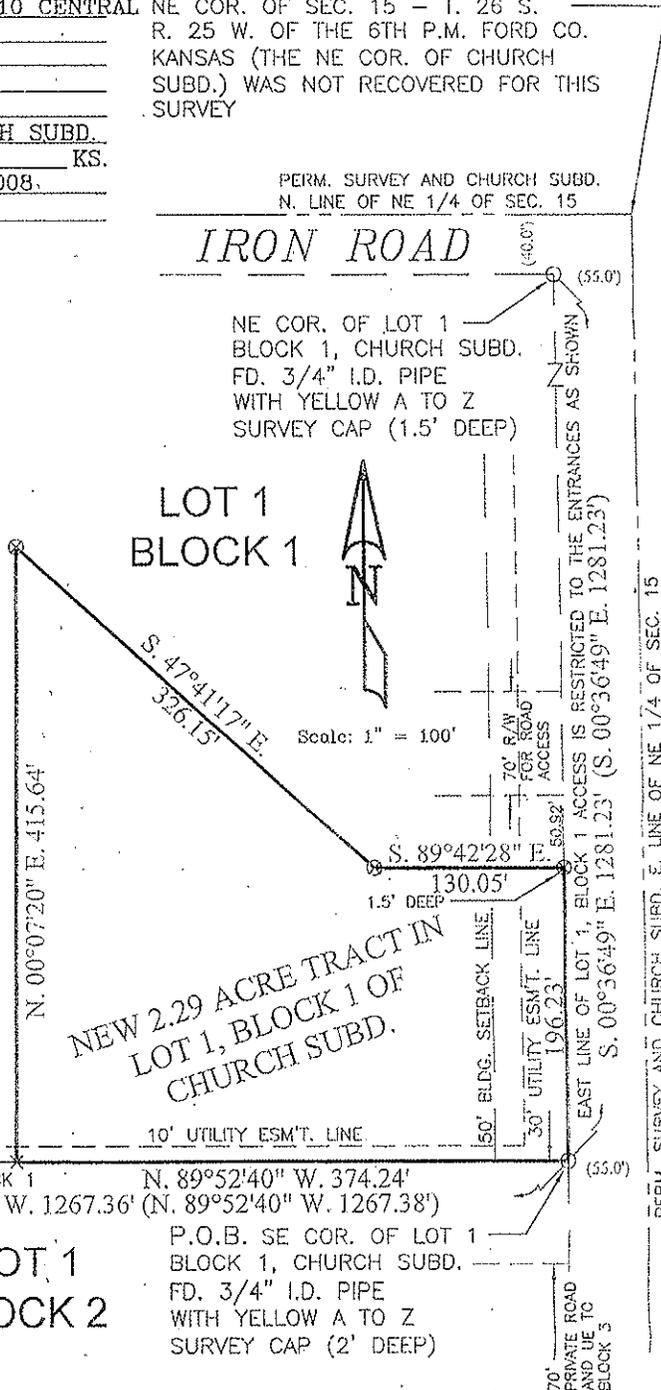
PERM. SURVEY AND CHURCH SUBD.
 N. LINE OF NE 1/4 OF SEC. 15

LAND SURVEYOR'S DESC:

THAT PART OF LOT 1, BLOCK 1, FINAL PLAT
 OF CHURCH SUBDIVISION, FORD COUNTY,
 KANSAS DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHEAST CORNER
 OF SAID LOT 1;
 THENCE ON THE PLATTED BEARING OF
 NORTH 89°52'40" WEST, ALONG THE SOUTH
 LINE OF SAID LOT 1, FOR A DISTANCE OF
 374.24 FEET;
 THENCE ON THE BEARING OF NORTH
 89°52'40" EAST FOR A DISTANCE OF 415.64
 FEET;
 THENCE ON THE BEARING OF SOUTH
 89°52'40" EAST FOR A DISTANCE OF 130.05
 FEET TO THE EAST LINE OF SAID LOT 1;
 THENCE ON THE BEARING OF SOUTH
 89°52'40" EAST, ALONG SAID EAST LINE, FOR
 A DISTANCE OF 196.23 FEET TO THE POINT
 OF BEGINNING.
 CONTAINING 2.29 ACRES.

COUNTY SURVEYOR'S REVIEW
 CERT.

THIS SURVEY HAS BEEN REVIEWED ON THIS
 DATE OF 11/13/2008 FOR
 MINIMUM STANDARDS AND APPLICABLE
 STATE STATUTES. LS-684



FD. 3/4" I.D. PIPE
 WITH YELLOW A TO Z
 SURVEY CAP AT NW
 COR. LOT 1, BLOCK 2
 CHURCH SUBD.

LOT 1
 BLOCK 2

P.O.B. SE COR. OF LOT 1
 BLOCK 1, CHURCH SUBD.
 FD. 3/4" I.D. PIPE
 WITH YELLOW A TO Z
 SURVEY CAP (2' DEEP)

I hereby certify that the drawing hereon is a true representation of a survey performed under my personal supervision and to the best of my knowledge, land title lines have been established or re-established, in accordance with documents of public record, or physical evidence of obliterated corner location. Easements or setbacks, if shown, are based upon platted information unless otherwise noted. KEVIN W. NOLL L.S. #1053

- FOUND ORIGINAL 3/4" I.D. PIPE WITH YELLOW A TO Z SURVEY CAP FROM PLAT (AS LABELED)
- ⊗ FOUND PREV. SET 3/4" I.D. PIPE WITH YELLOW A TO Z SURVEY CAP FROM JOB # 05-04 (NOT FINISHED)
- × SET 3/4" ID PIPE WITH YELLOW A TO Z SURVEY CAP
- (100.0') PLAT VALUE
- 99.9' MEASURED VALUE (TRIMBLE 4700 GPS)
- ≡ LINE HAS BEEN FORESHORTENED



Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*

*From: Mike Klein, Superintendent
of Public Works*

Date: October 6, 2010

*Subject: Wastewater Treatment Facility
Lagoon Cover Removal, Replacement
& Biogas Recovery System Repair*

Agenda Item: New Business

Recommendation:

It is staffs recommendation to accept the RFP from Mid America Liner, Valley Park, Missouri for a total amount of \$ 479,200.00. The project consist of the removal and replacement of the damaged covers on lagoons #1 and #2 and repair of the biogas recovery system on lagoon #2.

Starting date November 5, 2010 completion date January 5, 2011.

AE Resources Group will be in charge of the engineering, design and construction service for the installation of the new lagoon covers. AE Resources fee is included in the proposal from Mid America Liner.

Background:

Lagoon Cover #1 was damaged beyond repair during a wind storm May 22, 2010. Lagoon Cover #2 was damaged by a fire on August 16, 2010.

The main objective of this project is to remove and replace the damaged covers on lagoons 1 and 2 and repair the biogas system on lagoon 2. This will help minimize the odors and maintain the anaerobic function of the lagoons during cold weather. When the new covers are installed we will capture the biogas and it will be flared off as it is produced. This will put the lagoons back into the original operational function. The long term goal is to capture the biogas, clean it to a level that it can be injected into the gas main that is located east of the treatment facility. AE Resources Group has been working with National Beef on this part of the project. No deffinate time line has been set for this part of the project.

Justification:

Request for Proposals received on October 5, 2010

**Mid America Liner
Valley Park, MO. Total \$ 479,200.00**

Design / engineering / construction services	\$ 45,000.00
Mobilization	\$ 15,000.00
Removal of damaged cover Lagoon #1	\$ 6,000.00
Disposal cost of damaged cover Lagoon #1	\$ 8,000.00
Removal of damaged cover Lagoon #2	\$ 6,000.00
Disposal cost of damaged cover Lagoon #2	\$ 8,000.00
Installation of new cover Lagoon #1	\$ 194,000.00
Installation of new cover Lagoon #2	\$ 194,000.00
Biogas Recovery System Repair Lagoon #2	\$ 3,200.00
Total Bid:	\$ 479,200.00

New Cover material	HDPE 100 mil
Cover warranty	10year
Installation warranty	2 year

**Environmental Fabric, Inc.
Gaston, SC. \$ 671,230.00**

Design / engineering / construction services	\$ 18,500.00
Mobilization	\$ 9,500.00
Removal of damaged cover Lagoon #1	\$ 35,739.00
Disposal cost of damaged cover Lagoon #1	\$ 17,715.00
Removal of damaged cover Lagoon #2	\$ 35,739.00
Disposal cost of damaged cover Lagoon #2	\$ 17,715.00
Installation of new cover Lagoon #1	\$ 265,836.00
Installation of new cover Lagoon #2	\$ 265,836.00
Biogas Recovery System Repair Lagoon #2	\$ 4,650.00
Total Bid:	\$ 671,230.00

New Cover material	HDPE 100mil
Cover warranty	10 year
Installation warranty	2 year

**Utility Contractors, Inc.
Wichita, KS.**

\$ 746,000.00

Design / engineering / construction services	\$ 16,000.00
Mobilization	\$ 22,000.00
Removal of damaged cover Lagoon #1	\$ 50,000.00
Disposal cost of damaged cover Lagoon #1	\$ 15,000.00
Removal of damaged cover Lagoon #2	\$ 50,000.00
Disposal cost of damaged cover Lagoon #2	\$ 15,000.00
Installation of new cover Lagoon #1	\$ 283,000.00
Installation of new cover Lagoon #2	\$ 283,000.00
Biogas Recovery System Repair Lagoon #2	\$ 12,000.00
Total Bid:	\$ 746,000.00
New Cover material	HDPE 100 mil
Cover warranty	10 year
Installation warranty	2 year

Chamness Technology

Blairsburg, IA. Cover 1 & 2 removal & disposal only

\$ 106,400.00

Mobilization	\$ 4,600.00
Removal of damaged cover Lagoon #1	\$ 34,030.00
Disposal cost of damaged cover Lagoon #1	\$ 16,870.00
Removal of damaged cover Lagoon #2	\$ 34,030.00
Disposal cost of damaged cover Lagoon #2	\$ 16,870.00
Total Bid	\$ 106,400.00

Financial Considerations:

Actual cash value received from insurance \$ 415,404.00

City deductible \$50,000.00 (\$25,000 per event)

This project was not a budgeted item; the deductible will come from the Wastewater Treatment fund.

Once the project has been completed staff will submit to insurance for reimbursements of the remaining balance \$ 13,796.00.

Purpose/Mission:

To maintain the city infrastructure and operations of the wastewater treatment facility.

Legal Considerations:

Attachments: