

CITY COMMISSION AGENDA

City Hall Commission Chambers

Monday, June 20, 2011

7:00 p.m.

MEETING #4851

CALL TO ORDER

ROLL CALL

INVOCATION by

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

National Foster Care Month Proclamation

PUBLIC HEARING

1. Revolving Loan Fund Application for El Charro

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, June 6, 2011
2. Approval of City Commission Special Meeting minutes, June 9, 2011
3. Approval of Joint City/County Commission Meeting minutes, June 9, 2011
4. Appropriation Ordinance No. 12, June 20, 2011
5. Cereal Malt Beverage License
 - a. Love's Country Store #62, 400 E. Wyatt Earp
 - b. Ban Lao Garden, 102 W. Wyatt Earp

ORDINANCES & RESOLUTIONS

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of LRLF for El Charro facility. Report by Executive Director of Dodge City/Ford County Development Corporation, Joann Knight and Patty Richardson of Great Plains Development Corporation.
2. Discussion and authorization for staff to negotiate repairs of certain railroad crossings within the City of Dodge City. Report by Director of Engineering, Ray Slattery.
3. Discussion and authorization for staff to submit a letter of support for Garden City REAP Grant request.

OTHER BUSINESS

ADJOURNMENT

PROCLAMATION

Whereas, there are approximately 496,000 American children and youth in foster care and nearly half of the young people in foster care are over the age of 10; and

Whereas, there are more than 5,000 children in the foster care system in Kansas, most placed temporarily due to parental abuse or neglect; and

Whereas, there is an urgent need for foster families to care for teenagers, special needs and sibling groups; and

Whereas, the City of Dodge City shows appreciation to all foster parents for their selflessness and dedication to helping children in need.

Now, Therefore, Be It Resolved, that I, Rick Sowers, Mayor of the city of Dodge City, Kansas, do hereby proclaim May 2011, as

National Foster Care Month

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the City of Dodge City to be affixed, this 20th day of June, 2011.

Rick Sowers, Mayor

Nannette Pogue, City Clerk

CITY COMMISSION MINUTES

City Hall Commission Chambers

Monday, June 6, 2011

7:00 p.m.

MEETING #4847

CALL TO ORDER

ROLL CALL: Mayor Rick Sowers, Commissioners Kent Smoll, Michael Weece and Monte Broeckelman were present. Commissioner Jim Sherer was absent.

INVOCATION: by Captain Joaquin Rangel of the 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).

Presentation to Dick Wyatt for his years of service to the Local Revolving Loan Fund (LRLF) Advisory Board.

Director of Public Information, Jane Longmeyer, presented the Character Trait – Building Joyfulness, for June 2011.

Captain Rangel of the Salvation Army talked about plans for Numana.

CONSENT CALENDAR

1. Approval of City Commission Meeting minutes, May 16, 2011 with changes to minutes;
2. Approval of City Commission Special Meeting minutes, May 25, 2011;
3. Appropriation Ordinance No. 11, June 6, 2011;
4. Cereal Malt Beverage License
 - a. Pizza Hut #103, 1513 W. Wyatt Earp
 - b. Pizza Hut #104, 110 Frontview
 - c. El Charro of Dodge City, 1209 W. Wyatt Earp
 - d. Napoli's, 1601 W. Wyatt Earp

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

ORDINANCES & RESOLUTIONS

Resolution No. 2011-17: A Resolution Making Certain Findings and Determinations as to the Need for Housing Within the City of Dodge City, Kansas and Setting Forth the Legal Description of Real Property Proposed to be Designated as a Rural Housing Incentive District Within the City was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Michael Weece. Motion carried 4-0.

Resolution No. 2011-19: A Resolution Confirming the Designation of Fidelity State Bank and Trust Company, Dodge City, Kansas, as an Official Depository Bank and Adding an Authorized Account was approved on a motion by Commissioner Monte Broeckelman, seconded by Commissioner Kent Smoll. Motion carried 4-0.

UNFINISHED BUSINESS**NEW BUSINESS**

1. Payment for easement acquisitions for pipeline for Wastewater Reclamation Facility totaling \$35,325.76 was approved on a motion by Commissioner Michael Weece, seconded by Commissioner Monte Broeckelman. Motion carried 4-0.
2. Asphalt Mill & Overlay Bid from APAC Kansas, Inc., Shears Division in the amount of \$299,785.60 was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Michael Weece. Motion carried 4-0.
3. Soul Street Patching Bid from JAG Construction Co., in the amount of \$49,556.50 was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Michael Weece. Motion carried 4-0.
4. Asphalt Reconstruction Project for West Division Street Bid from Klotz Sand Co., in the amount of \$326,594.60 was approved on a motion by Commissioner Monte Broeckelman, seconded by Commissioner Kent Smoll. Motion carried 4-0.

OTHER BUSINESS

Ken Strobel, City Manager:

- Commented on the last easement for Wastewater Reclamation Facility from Victory Electric;
- James Arnes, known as Marshall Matt Dillon on Gunsmoke, passed away;
- Joint City/County Commission Meeting on Thursday, June 9th at 5:30 p.m.;
- Southwest Kansas Coalition meeting is scheduled for Thursday, June 16th in Garden City; and
- Dodge City A's Baseball team is playing at Cavalier Field.

Jane Longmeyer, Director of Public Information:

- Cultural Relations Advisory Board is hosting a neighborhood cleanup on Saturday;
- Zoo is ready to introduce 2 baby wolves – there will be a contest to name the cubs;
- Mainstreet Downtown Festival on Sunday afternoon 4:30 p.m. – 8:30 p.m.; and
- Civic Center roof project is complete.

Commissioner Michael Weece:

- SportsZone Grand Opening is a win-win for the community and new managers – encourage everyone to support it.

Commissioner Monte Broeckelman:

- Legends Field has had a lot of activity and hopes that Southwest Sports and SportsZone get together.

Commissioner Kent Smoll:

- T-Works announcement was held this past week; and
- Commissioner Jim Sherer arranged a National League of Cities (NLC) meeting in Dodge City this past week.

Mayor Rick Sowers:

- Thanked Governor Brownback and Secretary of Transportation, Deb Miller for holding a press conference for T-Works in Dodge City;
- Echoed Commissioner Weece's comments for SportsZone; and
- Encouraged everyone to use all the available facilities in Dodge City.

EXECUTIVE SESSION: At 7:45 p.m., Commissioner Kent Smoll moved to adjourn to Executive Session for a period of not to exceed 45 minutes to discuss employer/employee relations and negotiations, and possible land acquisition. Session to include City Manager, Ken Strobel, Asst. City Manager, Cherise Tieben, and Finance Director/City Clerk, Nannette Pogue. The motion was seconded by Commissioner Michael Weece. The motion carried 4-0.

ADJOURNMENT: Commissioner Michael Weece moved to adjourn the meeting; Commissioner Monte Broeckelman seconded the motion. The motion carried 4-0.

Rick Sowers, Mayor

ATTEST:

Nannette Pogue, City Clerk

CITY COMMISSION SPECIAL MEETING MINUTES

City Hall Commission Chambers

Thursday, June 9, 2011

5:15 p.m.

MEETING #4848

CALL TO ORDER

ROLL CALL: Mayor Rick Sowers, Commissioners Jim Sherer, Michael Weece and Monte Broeckelman were present. Commissioner Kent Smoll was absent.

NEW BUSINESS

1. North Dodge Collection System Improvements Phase 1 Bid from Utility Contractors, Inc. in the amount of \$1,252,843.00 pending KDHE's approval was approved on a motion by Commissioner Jim Sherer, seconded by Commissioner Michael Weece. Motion carried 4-0.
2. North Dodge Collection System Improvements Phase 1A Bid from APAC Kansas Inc., Shears Division in the amount of \$138,988.00 pending KDHE's approval was approved on a motion by Commissioner Monte Broeckelman, seconded by Commissioner Michael Weece. Motion carried 4-0.

OTHER BUSINESS

ADJOURNMENT: Commissioner Jim Sherer moved to adjourn the meeting; Commissioner Broeckelman seconded the motion. Motion carried 4-0.

Rick Sowers, Mayor

ATTEST:

Nannette Pogue, City Clerk

JOINT CITY/COUNTY COMMISSION MINUTES

City Hall Commission Chambers

Thursday, June 9, 2011

5:30 p.m.

MEETING #4849

CALL TO ORDER

ROLL CALL:

City of Dodge City: Mayor Rick Sowers, Commissioners Jim Sherer, Monte Broeckelman and Michael Weece. Commissioner Kent Smoll was reported absent.

Ford County: Chairman Kim Goodnight, Commissioners Terry Williams and Jerry King.

NEW BUSINESS

1. Transportation Update from Kathy Denhart, Mobility Manager and Paul Lewis, Director of Parks & Recreation.

City action: Consensus with the City Commissioners to direct the Mobility Manager, Kathy Denhart, to Continue to Explore Additional Phases of the Mobility Plan in Dodge City, Ford County and the Southwest Region.

County Action: County Commissioners agreed with the same consensus as the City.

ADJOURNMENT

City Action: Commissioner Jim Sherer moved and Commissioner Michael Weece seconded the motion to adjourn the meeting. The motion carried 4-0.

County action: Chairman Kim Goodnight moved, Commissioner Terry Williams seconded the motion to adjourn. The motion carried 3-0.

ATTEST:

Rick Sowers, Mayor

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, Kansas

SECTION 1 - LICENSE TYPE	
Check One: <input type="checkbox"/> New License <input checked="" 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): 004-731220756F-01			
Name of Corporation Love's Travel Stops&Country Stores, Inc.		Principal Place of Business	
Corporation Street Address 10601 North Pennsylvania		Corporation City Oklahoma City	State OK
		Zip Code 73120	
Date of Incorporation 12-29-1986		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name CT Corporation		Phone No. 785-233-5517	
Residence Street Address 515 South Kansas		City Topeka	State KS
		Zip Code 66603	

SECTION 3 - LICENSED PREMISE			
Licensed Premise (Business Location)		Mailing Address	
DBA Name Love's ^{Country Store} Travel Stop#62		Name Love's Travel Stops&Country Stores, Inc.	
Business Location Address 400 E. Wyatt Earp		Address Attn: Licensing Dept PO Box 26210	
City Dodge City	State KS	City Oklahoma City	State OK
Zip 67801		Zip 73126	
Business Phone No. 620-225-0641		<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) Love's Travel Stops&Country Stores, Inc.			

SECTION 4 - OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK			
List each person in a different space, if applicable. Attach additional pages if necessary.			
Name See Attached List	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		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 Virginia Bowman	Phone No. 620-253-2098	Date of Birth 11-15-67
Residence Street Address 420 W 4th	City Kinsley	Zip Code 67547
Manager or Agent Spousal Information		
Spouse Name N/A	Phone No.	Date of Birth
Residence Street Address	City	Zip Code

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 checked="" type="checkbox"/> Yes <input 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 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 06/02/11

\$75.00

FOR CITY/COUNTY OFFICE USE ONLY:

License Fee Received Amount \$ 75.00 Date 6-7-11
 (\$25 - \$50 for Off-Premise license or \$25-200 for On-Premise license)

\$25 CMB Stamp Fee Received Date 6-7-11

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.

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



LOVE'S TRAVEL STOPS & COUNTRY STORES, INC
 FEIN: 73-1220756
 10601 North Pennsylvania
 PO Box 26210
 Oklahoma City, OK 73126

OFFICERS, DIRECTORS & SHAREHOLDERS

NAME	Position Held		Director	Home Address			Date of Birth		
Thomas Eugene	Love	Chairman	YES	6824 N.W. Grand Blvd.	Oklahoma City	OK 73116-5415	10/10/1937	Judy Love	Secretary
Gregory Michael	Love	President of Development	YES	7520 Nichols Road	Oklahoma City	OK 73120-1340	10/8/1961	Lisa Love	Homemaker
Judith McCarthy	Love	Secretary	YES	6824 N.W. Grand Blvd.	Oklahoma City	OK 73116-5415	6/17/1937	Tom Love	CEO
Frank Criner	Love IV	President of Operations	YES	7444 N Country Club Dr	Oklahoma City	OK 73116-4318	4/11/1969	Malia Love	Homemaker
Douglas James	Stussi	Executive Vice President	NO	608 Deer View Crossing	Edmond	OK 73034-6699	11/19/1954	Susan Stussi	Homemaker
Matthew Thomas	Edwards	Executive Vice President-Operations	NO	18717 Otter Creek Dr.	Edmond	OK 73012-4127	2/15/1949	N/A	N/A
John Terrence	Ross	Vice Pres. of Construction & Environ. Compliance	NO	616 Deer View Crossing	Edmond	OK 73034-6699	2/9/1953	N/A	N/A
James	Xenos	Vice President of Information Technology	NO	6704 Newman Dr	Oklahoma City	OK 73162-7455	1/27/1958	N/A	N/A
Shane	Wharton	Vice President of Accounting	NO	12809 Natasha Way	Yukon	OK 73099-9488	11/10/1967	Lori Wharton	N/A
Kevin Douglas	Asbury	Vice President of Human Resources	NO	13100 N. Douglas Blvd.	Jones	OK 73049	10/6/1959	Tammy Asbury	N/A
Linda Kay	Tillinghast	Assistant Secretary	NO	10712 Ashford Drive	Yukon	OK 73099-8006	12/19/1960	Rick Tillinghast	N/A
Jennifer Love	Meyer	Shareholder	NO	6919 Avondale Court	Oklahoma City	OK 73116-5008	3/12/1966	John Meyer	N/A
Laura Anne	Love	Shareholder	NO	2416 Grand Circle	Oklahoma City	OK 73116-4118	3/18/1963	N/A	Homemaker

**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 licenses premises.	

SECTION 2 - APPLICANT INFORMATION		
Kansas Sales Tax Registration Number (required): <u>004742532314F02</u>		
Name <u>Larry Thephachanh</u>	Phone No. <u>620-338-8881</u>	Date of Birth
Residence Street Address	City <u>Dodge City</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>Ban Lao Garden</u>	Name <u>SAME</u>	
Business Location Address <u>102 W. Wyatt Blvd</u>	Address	
City <u>Dodge City</u> State <u>KS</u> Zip <u>67801</u>	City	State Zip
Business Phone No. <u>620-338-8881</u>	<input type="checkbox"/> I own the proposed business location. <input checked="" type="checkbox"/> I do not own the proposed business location.	
Business Location Owner Name(s) <u>Larry Thephachanh</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>549m</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 type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	<input type="checkbox"/> Yes <input 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, provide the following:		
Manager/Agent Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code
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 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

Kaey Shephardson

DATE 6-1-11

\$225.00

FOR CITY/COUNTY OFFICE USE ONLY:

License Fee Received Amount \$ 200.00 Date 6-2-11
(\$25 - \$50 for Off-Premise license or \$25-200 On-Premise license)

\$25 CMB Stamp Fee Received Date 6-2-11

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.

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)

Great Plains Development, Inc.

WEB SITE: gpdionline.com
Phone: 620-227-6406 – FAX: 620-225-6051 – e-mail: gpd@gpdi.kscoxmail.com
100 Military Plaza, Suite 128, P. O. Box 1116, Dodge City, Kansas 67801
An EDA Economic Development District and SBA Certified Development Company
An Equal Opportunity Lender, Provider and Employer

Serving Counties of Barber, Barton, Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Greeley, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Lane, Meade, Morton, Ness, Pawnee, Pratt, Rush, Scott, Seward, Stafford, Stanton, Stevens and Wichita.

Date: May 31, 2011

To: Dodge City Commissioners
Cherise Tieben, Assistant City Manager

Re: City of Dodge City CDBG/RLF –
Byron & Catherine Rincon, dba El Charro Restaurant

From: Patty Richardson

Public hearing is scheduled for Monday, June 20, 2011.

Our records show a balance of \$131,733.84 available in your CDBG/RLF funds as of today.

The Rincons plan to lease the El Charro facility located at 1209 W. Wyatt Earp from Mike Weber who recently purchase it at a Sheriff's Auction. The Rincons will open a Mexican restaurant in the facility.

The CDBG/RLF review committee has met and is recommending approval of this loan by the City, contingent upon approval of additional financing.

Total Loan Request:	\$65,000
Use of Funds:	Machinery & Equipment, Inventory and Working Capital
Jobs Created:	18 Full Time Equivalent
Source of Funds:	
City of Dodge City CDBG/RLF	\$21,200
Dodge City Ford County E-Community RLF	\$31,800
Personal Injection	\$12,000

The requested term is seven years with a 6% interest rate.

Collateral will be a shared first position lien on machinery, equipment, furniture, inventory and etc., personal guaranties from Bryon and Catherine Rincon and life insurance in the amount of \$53,000 (to cover both loans) on each of the owners.

The City's CDBG/RLF Review Committee has been selected to also review and make recommendations to the new Dodge City Ford County Development Corporation's E-Community revolving loan fund. The committee's recommendation to approve has been submitted to the E-Community Management Team.

Memorandum

To: City Commissioners
Ken Strobel, City Manager
From: Cherise Tieben and Ray Slattery
Date: June 15, 2011
Subject: Railroad Crossings
Agenda Item: New Business

Recommendation: Staff recommends allowing the use of non-allocated street repair funds to make repairs to three railroad crossings in coordination and cooperation with BNS&F Railroad and Right Cooperative. In addition, we request authorization for staff to enter into negotiations with both entities regarding level of repairs and amount of financial participation.

Background: City Staff has been working with BNS&F Railroad and Right Coop in an effort to encourage them to make repairs to their crossings on First and Fourth Street and South Second Street respectively. Both are willing, but seem primarily interested in making repairs that we consider to be temporary in nature. BNS&F and Right Coop are willing to make more extensive repairs if financial participation is agreed to by the City.

Justification: The City has participated in the past if the repairs met the standards requested. An example would be the Fourteenth St crossing just south of Wyatt Earp.

Financial Considerations: We have two alternatives to consider for funding. We could utilize the funds which are available in the Development and Growth Fund or we could perform the work utilizing the 2011 Street Program funds. In the 2011 Street Program one project came in under the engineering estimates, which would allow us the room to complete these railroad crossing using this bonding mechanism.

Purpose/Mission: Together we serve to make Dodge City the best place to be.

Legal Considerations: Agreements will need to be reached with BNS&F Railroad and Right Cooperative prior to work being performed.

Attachments: NA