

CITY COMMISSION AGENDA

City Hall Commission Chambers

Monday, November 7, 2011

7:00 p.m.

MEETING #4866

CALL TO ORDER

ROLL CALL

INVOCATION by Rev. Kirk Larson with Grace Community Church

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).

Character Trait - Contentment

CONSENT CALENDAR

1. Approval of City Commission Meeting minutes, October 17, 2011;
2. Appropriation Ordinance No. 20, November 7, 2011
3. Cereal Malt Beverage License
 - a. Presto #1624, 2615 E. Trail Street
 - b. Presto #1625, 609 S. 2nd Avenue
 - c. The End, 2305 W. Wyatt Earp
4. Approval of Change Order No. 1 2010 Asphalt Reconstruction
5. Approval of Change Order No. 1 2011 Asphalt Mill & Overlay

ORDINANCES & RESOLUTIONS

Resolution No. 2011-27: A Resolution Authorizing the Offering for Sale of General Obligation Temporary Notes, Series 2011-1 of the City of Dodge City, Kansas. Report by Director of Finance/City Clerk, Nannette Pogue.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Placement of the General Insurance and Worker's Compensation Insurance. Report by Special Projects Coordinator, Mary Trent.
2. Approval of City Appointment to Horse Thief Reservoir Benefit District. Report by City Manager, Ken Strobel.

OTHER BUSINESS

ADJOURNMENT

Contentment

Do I Have To Be Content With This?

November 2011



Sometimes a relationship ends, a project goes wrong, or an uncertain economy has you fearing for your job. Anxiety strains relationships, it's difficult to plan for the future, and the situation gets worse when we feel pressured to measure up to expectations.

Check Your Desires

Ask yourself why it's hard to be grateful. This question tends to reveal our real motives. If we're annoyed because we feel a task belongs to someone else, perhaps it's because we want to spend more time on our assignments.

But why is that? Maybe it's because we get more credit for finishing our work than for helping others. Maybe our desire for praise is keeping us from doing what needs to be done. Or maybe we are just pressed for time...or both.

Be Grateful

If we can see the task itself is worth doing, some measure of joy becomes possible...not because the situation becomes more bearable but because we can see it in a context of contentment.

Helping a coworker meet a deadline can help your entire organization keep its word.

Grading papers gives students valuable feedback they need in order to learn.

Keeping a clean restroom makes life more pleasant and helps motivate its users to take better care.

Live Within Your Means

A content person recognizes available resources and puts them to creative use. Because a content person has values bigger than possessions and convenience, he or she can see the good in life instead of falling for the slickest advertisement or being distracted by what others are doing.

Buy what you need in order to fulfill your responsibilities. But do not buy things just to impress someone or make yourself feel better. Do not compare yourself to others. Envy keeps you focused on what you don't have instead of making good use of your current resources.

*"Be happy with what
you have and are;
Be generous with both,
and you won't have
to hunt for happiness"*

ENJOYING WORK AS IT COMES

Contentment comes when we change our outlook and stop comparing ourselves and our circumstances to those around us. When we're discontent with our position in life, we are tempted to covet another person's path, family, talents, titles, and trophies.

To triumph over covetousness at work, practice the following:

- **Keep your eyes on *your* side of the fence (or cubicle).** Instead of comparing yourself to others, make a list of everything positive in your workplace. Find the fold nuggets that you might have forgotten or overlooked. Writing this list on paper and re-reading it will reinforce the good and be therapeutic for you.
- **Don't be discouraged by areas of weakness.** Recognize the lessons you can draw from your colleagues. Life is a team effort, so take opportunities as they come to learn from others, build a stronger team, and strengthen your professional and personal bond.
- **Streamline your work area.** If you have too much in your work space, it creates clutter, disorganization, and stress - which saps enjoyment from work and creates chaos instead of contentment.
- **Lay the groundwork** for the goals you currently have. Remember, short-term goals are very important, and every achievement brings a sense of accomplishment. Seek additional training. Recognize all successes - great and small - as stepping stones along your path.

CITY COMMISSION MINUTES

City Hall Commission Chambers

Monday, October 17, 2011

7:00 p.m.

MEETING #4865

CALL TO ORDER

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

INVOCATION by Dr. Jerry Ketner of the New Hope on the Plains

PLEDGE OF ALLEGIANCE

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).

Jim Johnson announced they will be starting the Youth Hockey Season, he spoke about the league and the participants.

CONSENT CALENDAR

1. Approval of Joint City/County Commission minutes, October 3, 2011
2. Approval of City Commission Meeting minutes, October 3, 2011
3. Appropriation Ordinance No. 20, October 17, 2011
4. Cereal Malt Beverage License
 - a. Taco Palenque, 307 Military

Commissioner Jim Sherer moved to approve the Consent Calendar as presented, seconded by Commissioner Michael Weece. The motion carried 5-0.

ORDINANCES & RESOLUTIONS

Resolution No. 2011-25: Resolution Delaying the Commencement of the Collection of a Community Improvement District Sales Tax from January 1, 2012 to January 1, 2013 was approved on a motion by Commissioner Jim Sherer, seconded by Commissioner Kent Smoll. Motion carried 5-0.

UNFINISHED BUSINESS

NEW BUSINESS

1. Final Replat for Gateway Townhouses was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Jim Sherer. Motion carried 5-0.
2. Bid from Utility Contractors, Inc. in the amount of \$813,776.00 for the construction of Phase II of the North Dodge Collection System Improvements was approved pending approval from KDHE, on a motion by Commissioner Kent Smoll, seconded by Commissioner Monte Broeckelman. Motion carried 5-0.
3. Approval of Bid For Six (6) 2012 Chevrolet Tahoes for a maximum amount of \$179,406.00 less trade of \$14,000 for a total bid of \$165,406.00 from Magourik Chevrolet was approved on a motion by Commissioner Jim Sherer, seconded by Commissioner Michael Weece. Motion carried 5-0.
4. The Project Cost Reimbursement Agreement and Consulting Services Agreement with SMH in the amount of \$30,325.00 for the design of infrastructure for the Avenue K & Comanche development was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Jim Sherer. Motion carried 5-0.

OTHER BUSINESS

Ken Strobel, City Manager:

- Congratulations to Jim Sherer for being elected President of Kansas League of Municipalities.

Cherise Tieben, Assistant City Manager:

- Legislation Redistricting Meeting will be held Wednesday; and
- Offered condolences to Pat George with the loss of his mother and to Kenny Zielke with the loss of his wife.

Jane Longmeyer, Director of Public Information:

- Attended Main Street Awards Banquet, in which the Dodge City Main Street Program received 5 Awards; and
- On November 5th the Water Reclamation Facility will hold their Open House.

Commissioner, Michael Weece:

- Congratulations to the Dodge City Main Street Program.

Commissioner, Jim Sherer:

- Wrap up on symposium – people couldn't say enough good things about Dodge City and their facilities.

Mayor, Rick Sowers:

- Commented on Dodge City Main Street Program Awards.

Commissioner, Kent Smoll:

- Commented on the Events Center events during the weekend – very well attended – appreciated officers attendance at events;
- Congratulations to Jim Sherer and to Dodge City Main Street Program; and
- Use caution during Halloween.

ADJOURNMENT: Commissioner Kent Smoll moved to adjourn the meeting; Commissioner Jim Sherer seconded the motion. The motion carried 5-0.

Rick Sowers, 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

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): 004-561574463F-01			
Name of Corporation The Pantry, Inc.		Principal Place of Business Cary, NC	
Corporation Street Address 305 Gregson Drive		Corporation City Cary	State NC
Date of Incorporation 07/13/1987		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name Todd W. Solomon		Phone No. 620-640-0050	
Residence Street Address 1704 Central Avenue		City Dodge City	State KS
		Zip Code 67801	

SECTION 3 – LICENSED PREMISE			
Licensed Premise (Business Location)		Mailing Address	
DBA Name Presto #1624		Name The Pantry, Inc.	
Business Location Address 2615 E. Trail Street		Address PO Box 8019	
City Dodge City	State KS	City Cary	State NC
Zip 67801		Zip 27512	
Business Phone No. 620-227-2625		<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 Mike K. Bierley		Position Officer	
Residence Street Address 49633 Pine Ridge Drive		City Plymouth	State MI
		Zip Code 48170	Date of Birth 08/17/66
Spouse Name Helen Bierley		Position	
Residence Street Address 49633 Pine Ridge Drive		City Plymouth	State MI
		Zip Code 48170	Date of Birth 05/28/65
Name Berry L. Epley		Position Officer	
Residence Street Address 3365 Seven Lakes West		City West End	State NC
		Zip Code 27376	Date of Birth 02/27/66
Spouse Name Kimothy Epley		Position	
Residence Street Address 3365 Seven Lakes West		City West End	State NC
		Zip Code 27376	Age 12/21/66
Name Lindsay S. Cunningham		Position Officer	
Residence Street Address 3208 Fox Terrace Drive		City Apex	State NC
		Zip Code 27502	Date of Birth 12/08/72
Spouse Name Sean Cunningham		Position	
Residence Street Address 3208 Fox Terrace Drive		City Apex	State NC
		Zip Code 27502	Age 06/11/64

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 Todd W. Solomon	Phone No. 620-640-0050	Date of Birth 09/07/63
Residence Street Address 1704 Central Avenue	City Dodge City	Zip Code 67801
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	
<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 checked="" 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 checked="" 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 10-18-11

FOR CITY/COUNTY OFFICE USE ONLY:	
<input checked="" type="checkbox"/> License Fee Received Amount \$ <u>50⁰⁰</u> Date <u>10-25-11</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>10-25-11</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

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): 004-561574463F-01			
Name of Corporation The Pantry, Inc.		Principal Place of Business Cary, NC	
Corporation Street Address 305 Gregson Drive		Corporation City Cary	State NC
Date of Incorporation 07/13/1987		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name Todd W. Solomon		Phone No. 620-640-0050	
Residence Street Address 1704 Central Avenue		City Dodge City	State KS
			Zip Code 67801

SECTION 3 – LICENSED PREMISE			
Licensed Premise (Business Location)		Mailing Address	
DBA Name Presto #1625		Name The Pantry, Inc.	
Business Location Address 609 S. 2nd Avenue		Address PO Box 8019	
City Dodge City	State KS	City Cary	State NC
Zip 67801		Zip 27512	
Business Phone No. 620-227-2692		<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 Mike K. Bierley		Position Officer	
Residence Street Address 49633 Pine Ridge Drive		City Plymouth	State MI
			Zip Code 48170
Date of Birth 08/17/66			
Spouse Name Helen Bierley		Position	
Residence Street Address 49633 Pine Ridge Drive		City Plymouth	State MI
			Zip Code 48170
Date of Birth 05/28/65			
Name Berry L. Epley		Position Officer	
Residence Street Address 3365 Seven Lakes West		City West End	State NC
			Zip Code 27376
Date of Birth 02/27/66			
Spouse Name Kimothy Epley		Position	
Residence Street Address 3365 Seven Lakes West		City West End	State NC
			Zip Code 27376
Age 12/21/66			
Name Lindsay S. Cunningham		Position Officer	
Residence Street Address 3208 Fox Terrace Drive		City Apex	State NC
			Zip Code 27502
Date of Birth 12/08/72			
Spouse Name Sean Cunningham		Position	
Residence Street Address 3208 Fox Terrace Drive		City Apex	State NC
			Zip Code 27502
Age 06/11/64			

SECTION 5 – MANAGER OR AGENT INFORMATION

My place of business will be conducted by a manager or agent. Yes No

If yes, provide the following:

Manager/Agent Name Todd W. Solomon	Phone No. 620-640-0050	Date of Birth 09/07/63
Residence Street Address 1704 Central Avenue	City Dodge City	Zip Code 67801

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.

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 10-18-11

FOR CITY/COUNTY OFFICE USE ONLY:

License Fee Received Amount \$ 50⁰⁰ Date 10-25-11
(\$25 - \$50 for Off-Premise license or \$25-200 for On-Premise license)

\$25 CMB Stamp Fee Received Date 10-25-11

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)



**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 Ks.

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 licenses premises.	

SECTION 2 – APPLICANT INFORMATION		
Kansas Sales Tax Registration Number (required):		
Name <u>Row Weidner</u>	Phone No. <u>620-855-0785</u>	Date of Birth <u>5/16/54</u>
Residence Street Address <u>2419 Diane Dr DC Ks.</u>	City <u>Dodge City Ks</u>	Zip Code <u>67801</u>
Applicant Spousal Information		
Spouse Name <u>N/A</u>	Phone No.	Date of Birth
Residence Street Address	City	Zip Code

SECTION 3 – LICENSED PREMISE		
Licensed Premise (Business Location)		Mailing Address
DBA Name <u>The END</u>	Name	
Business Location Address <u>2305 W. WYATT EARP</u>	Address <u>Same</u>	
City <u>Dodge City</u> State <u>Ks</u> Zip <u>67801</u>	City	State Zip
Business Phone No. <u>620-338-8166</u>	<input type="checkbox"/> I own the proposed business location.	
Business Location Owner Name(s) <u>WYATTS OIL</u>	<input checked="" type="checkbox"/> I do not own the proposed business location.	

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>30+</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 checked="" 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  DATE 10/27/11

75"

FOR CITY/COUNTY OFFICE USE ONLY:	
<input type="checkbox"/> License Fee Received Amount \$ _____ Date _____ (\$25 - \$50 for Off-Premise license or \$25-200 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.

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: Ray Slattery, 
Director of Engineering
Services

Date: October 19, 2011

Subject: 2010 Asphalt
Reconstruction ST 1001

Agenda Item: Consent Calendar

Recommendation: Approve change order No.1 2010 Asphalt Reconstruction

Background: 2010 Asphalt Reconstruction was approved by the Commission on June 6, 2011.

Justification: Sub Grade Repair – The deletion of 982 C.Y. was because less unsuitable sub-grade was encountered than anticipated during the design. The weather conditions we experienced over the past year could have contributed to the sub-grade not being wet/un-workable.

BM-4 (4”) Base Course – The addition of 54 tons of asphalt represent actual field measurements/weigh tickets. This is a 2% over-run which equates to 1/16” of extra thickness of the Base Course mat.

BM-2 (2) Surface Course – The deletion of 40 tons of asphalt represent actual field measurements/weigh tickets. The reason for the under run was an over estimation/rounding of quantities in the design stage of this project. The average placed thickness calculates to be 2 1/16”.

Water Valve Adjustment – The deletion of 2 adjustments was because staff and the contractor decided to leave these two valves in place because half of the valve was in the concrete intersection pavement and half in the asphalt pavement. The Contractor worked around the valves

Financial Considerations: Change Order No.1 is for an decrease of \$10,130.00

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 No.1

Memorandum

To: City Manager
Assistant City Manager
City Commissioners

From: Ray Slattery, 
Director of Engineering
Services

Date: October 19, 2011

Subject: 2011 Asphalt Mill &
Overlay ST 1102

Agenda Item: Consent Calendar

Recommendation: Approve change order No.1 2011 Asphalt Mill & Overlay

Background: 2011 Asphalt Mill & Overlay was approved by the Commission on June 6, 2011.

Justification: 6th Avenue

Asphalt Overlay – BM-2 (2”) – The deletion of 72 tons of asphalt represent actual field measurements/weigh tickets. The reason for the under run was an over estimation/rounding of quantities in the design stage of this project. The average placed thickness calculates to be 2 1/16”.

Central Avenue

Asphalt Overlay – BM-2 (2”) – The deletion of 15 tons of asphalt represent actual field measurements/weigh tickets. The reason for the under run was an over estimation/rounding of quantities in the design stage of this project. The average placed thickness calculates to be 2 1/16”.

San Jose Drive

Asphalt Overlay – BM-2 (2”) – The addition of 4 tons of asphalt represent actual field measurements/weigh tickets. The reason for the over run was do to the slightly thicker asphalt overlay. The average placed thickness calculates to be 2 3/16”.

Beeson Road

Asphalt Overlay – BM-2 (2”) – The addition of 86 tons of asphalt represent actual field measurements/weigh tickets. The reason for the over run was because it was decided to

place a slight “crown” in the street and thicken the asphalt overlay slightly. The average placed thickness calculates to be 2 5/8”.

Financial Considerations: Change Order No.1 is for an increase of \$180.80

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 No.1

Memorandum

*To: Ken Strobel, City Manager
Cherise Tieben, Assistant City Manager*

From: Nannette Pogue

Date: November 3, 2011

Subject: Resolution No. 2011-27

Agenda Item: Ordinances and Resolutions

Recommendation: I recommend the approval of Resolution No. 2011-27.

Background: Prior to year end, the City will need funding for the following projects: previously authorized street projects including 6th Avenue Street Improvements, Division Street Improvements and Trail Street Engineering and Design; and the Wagon Wheel Addition improvements which is a special assessment project in the amount of \$503,000. Because the Wagon Wheel Project cannot be financed with bonds until the project is complete, we are going to issue Temporary Notes in 2011. Several Temporary Notes are coming due in 2012 and we will issue General Obligation Bonds for all of the projects at that time.

The Resolution offers for sale temporary notes for projects totaling \$1,859,783.60. The amount of notes we plan to issue is \$1,680,000. The reason for the significant difference is that we authorized 6th Avenue for \$377,380, but this amount was actually all of the street projects for 2011 and 6th Avenue was estimated at \$175,000. Because of the difference in authorization and actual costs, the amount needed has been lowered.

The resolution also approves the Preliminary Official Statement dated November 7, 2011. It also authorizes the Mayor and City Clerk to execute the "Certificate Deeming Preliminary Official Statement Final" and authorizes them to take any other actions that may be necessary to carry out the sale of the Notes.

Justification: To finance construction and special assessment projects.

Financial Considerations: The notes will need to be redeemed by General Obligation Bonds and paid back over a period of 10 years.

Purpose/Mission: To maintain and improve the infrastructure in Dodge City.

Legal Considerations: None

Attachments: Resolution No. 2011-27

RESOLUTION NO. 2011-27

RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2011-1, OF THE CITY OF DODGE CITY, KANSAS.

WHEREAS, the City of Dodge City, Kansas (the “Issuer”), has heretofore authorized certain internal improvements described as follows (collectively, the “Improvements”):

<u>Project Description</u>	<u>Res No.</u>	<u>Authority</u>	<u>Estimated Cost</u>
Wagon Wheel Addition-Unit One – Street, Sewer and Water Improvements	2011-06	K.S.A. 12-6a01 <i>et seq.</i>	\$ 503,000.00
Street Improvements – 6 th Avenue	2011-18	K.S.A. 13-1038 <i>et seq.</i>	377,379.94
Street Improvements – Division Street	2011-18	K.S.A. 13-1038 <i>et seq.</i>	579,403.66
Street Improvements – Trail Street	2011-18	K.S.A. 13-1038 <i>et seq.</i>	400,000.00
Total:			<u>\$1,859,783.60</u>

; and

WHEREAS, the governing body of the Issuer is authorized by law to issue general obligation bonds to pay the costs of the Improvements; and

WHEREAS, it is necessary for the Issuer to provide cash funds (from time to time) to meet its obligations incurred in constructing the Improvements prior to the completion thereof and the issuance of the Issuer's general obligation bonds, and it is desirable and in the interest of the Issuer that such funds be raised by the issuance of temporary notes of the Issue; and

WHEREAS, none of such general obligation bonds or temporary notes heretofore authorized have been issued and the Issuer proposes to issue its temporary notes to pay the costs of the Improvements; and

WHEREAS, the Issuer, hereby selects the firm of Stifel, Nicolaus & Company, Inc., Wichita, Kansas (the “Purchaser”), as underwriter for one or more series of temporary notes of the Issuer in order to provide funds to temporarily finance the Improvements; and

WHEREAS, the Issuer desires to authorize the Purchaser to proceed with the offering for sale of said temporary and related activities; and

WHEREAS, one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to said temporary notes; and

WHEREAS, the Issuer desires to authorize the Purchaser, in conjunction with the Director of Finance, to proceed with the preparation and distribution of a preliminary official statement and all other preliminary action necessary to sell said temporary notes; and

WHEREAS, due to the volatile nature of the municipal bond market and the desire of the Issuer to achieve maximum benefit of timing of the sale of said temporary, the governing body desires to authorize the Mayor to confirm the sale of such temporary notes, if necessary, prior to the next meeting of the governing body to adopt the necessary resolution providing for the issuance thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS, AS FOLLOWS:

Section 1. The Purchaser is hereby authorized to proceed with the offering for sale of the Issuer's General Obligation Temporary Notes, Series 2011-1 (the "Notes") in accordance with the presentation made to the governing body this date. The offering for sale of the Notes shall be accomplished in consultation with the Director of Finance, Gilmore & Bell, P.C. ("Bond Counsel") and the Purchaser. The confirmation of the sale of the Notes shall be subject to the execution of a note purchase agreement (the "Note Purchase Agreement") between the Purchaser and the Issuer in a form approved by Bond Counsel and the adoption of a resolution by the governing body of the Issuer authorizing the issuance of the Notes and the execution of various documents necessary to deliver the Notes. The Mayor is hereby authorized to execute the Note Purchase Agreement subject to the following parameters: (a) principal amount not to exceed \$1,700,000; and (b) a net interest cost ("NIC") of not to exceed 2.50%.

[**Section 2.** The Preliminary Official Statement, dated November 7, 2011, is hereby approved in substantially the form presented to the governing body this date, with such changes or additions as the Mayor and Director of Finance shall deem necessary and appropriate. The Issuer hereby consents to the use and public distribution by the Purchaser of the Preliminary Official Statement in connection with the sale of the Notes.]

[**Section 2.** The Purchaser, in conjunction with the Director of Finance and Bond Counsel, is hereby authorized to cause to be prepared a Preliminary Official Statement relating to the Notes. The Issuer hereby consents to the use and distribution of the Preliminary Official Statement in connection with the offering for sale of the Notes.]

Section 3. For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12 of the Securities Exchange Commission (the "Rule"), the Mayor and Director of Finance or other appropriate officers of the Issuer are hereby authorized: (a) to approve the form of said Preliminary Official Statement, and to execute the "Certificate Deeming Preliminary Official Statement Final", in substantially the form attached hereto as *Exhibit A*, as approval of the Preliminary Official Statement, such official's signature thereon being conclusive evidence of such official's and the Issuer's approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to certain national repositories and the Municipal Securities Rulemaking Board, as applicable; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary; to enable the Purchaser to comply with the requirement of the Rule.

Section 4. The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Notes or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(3) and (4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 5. The Mayor, Director of Finance and the other officers and representatives of the Issuer, Bond Counsel are hereby authorized and directed to take such other action as may be necessary to carry out the sale of the Notes.

Section 6. This Resolution shall be in full force and effect from and after its adoption.

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ADOPTED by the governing body on November 7, 2011.

(SEAL)

Mayor

ATTEST:

Clerk

Memorandum

To: *City Commissioners*
From: *Ken Strobel*
Date: *November 4, 2011*
Subject: *General Insurance and
Workers Compensation*

Agenda Item: *New Business*

RECOMMENDATION: Pending the receipt of follow up information from KMIT staff will be in a position to make a recommendation on Monday.

BACKGROUND: The insurance was put out to bid again this year. Six bid packets were provided and three proposals were received. The Keller Leopold proposal was the only complete proposal received, totaling \$744,063. KFSA/Public Risk Management and KMIT provided proposals for individual lines of coverage.

JUSTIFICATION:

FINANCIAL CONSIDERATIONS: We have adequate funds available. Funds required do not exceed budgetary amounts. The renewal proposals provide coverage for the WRF and the new fire truck.

PURPOSE/MISSION: Protects City assets, there by better protecting our community

LEGAL CONSIDERATIONS: None

ATTACHMENTS: None

COVERAGE	2011	Keller	KMIT	Keller w/o WC	
Property	81,040,454	\$136,126	136,757,414	188299	
Boiler					
Inland Marine			1060	1060	
General Liability	\$41,493		45500	52325	
Liquor Liability	\$864		904	904	
Employee Benefit	\$434		343	343	
Law Enforcement	\$30,955		37005	37005	
Public Officials	\$5,157		5771	5771	
EPLi	\$20,252		21823	21823	
Auto Liability	\$24,856		27244	31331	
Auto Phys Dmg	\$19,522		21032	24190	
Crime			1582	1582	
Work Comp	1.1	\$330,004	1.27	\$363,500	\$355,159
Fee		\$15,000		\$30,000	\$30,000
		\$624,663		\$744,063	\$355,159
					\$749,792
					\$394,633

Memorandum

To: City Commissioners
From: Ken Strobel
Date: Friday, November 04, 2011
Subject: City Appointment to Horse Thief
Reservoir Benefit District
Agenda Item: New Business

Recommendation: Staff is recommending the reappointment of Terry Janson to the Horse Thief Reservoir Benefit Board for a two (2) year term with Cherise Tieben as an alternate.

Background: The Horse Thief Reservoir is governed by an eight (8) member Board of Directors consisting of appointees from the counties and cities included within the benefit district.

Terry has served as the city appointee to the Board since its inception and has provided a valuable contribution to the development of the reservoir.

Due to many demands on Terry's time, staff is recommending that Cherise be appointed as an alternate to represent the City when Terry is unavailable.

Justification: The City is entitled to representation on the Board in the future development of this important asset to Dodge City and the surrounding area.

Financial Considerations: None

Purpose/Mission: To provide a quality of life venue for the residents of Dodge City as we serve to make Dodge City the best place to be.

Legal Considerations: None

Attachments: None