

# **CITY COMMISSION AGENDA**

City Hall Commission Chambers

Monday, April 16, 2012

7:00 p.m.

MEETING #4883

## **CALL TO ORDER**

## **INSTALLATION OF NEW COMMISSIONERS**

## **ROLL CALL**

## **ELECTION OF MAYOR AND VICE MAYOR**

**INVOCATION** by Pastor Gerald Mendenhall of the Friends Church

## **PLEDGE OF ALLEGIANCE**

## **PUBLIC HEARING**

Vacate Sewer Easement for Car Quest Property

## **PETITIONS & PROCLAMATIONS**

Arbor Day Proclamation

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

## **CONSENT CALENDAR**

1. Approval of City Commission Meeting minutes, April 2, 2012;
2. Appropriation Ordinance No. 8, April 16, 2012;
3. Cereal Malt Beverage License
  - a. Lotus Garden, 1202 E. Wyatt Earp Blvd.
  - b. Kwik Shop #703, 1500 W. Wyatt Earp
  - c. Kwik Shop #762, 1811 Central
  - d. Quick Pick I, 2501 Central Avenue
4. Approval of Pos-T-Vac Agreement; and
5. Approval of Change Order No. 1 for Wright Park Parking Lot.

## **ORDINANCES & RESOLUTIONS**

**Resolution No. 2012-16:** A Resolution Revising Fees and Regulations for Hoover Pavilion. Report by Director of Parks & Recreation, Paul Lewis.

**Resolution No. 2012-17:** A Resolution Determining the Advisability of the Making of Certain Internal Improvements in the City of Dodge City, Kansas; Making Certain Findings with Respect Thereto; and Authorizing and Providing for the Making of the Improvements in Accordance with Such Findings (Various Internal Improvements/Candletree Addition, Unit Five). Report by Assistant City Manager, Cherise Tieben.

**Ordinance No. 3530:** An Ordinance Vacating a Portion of an 8 Foot Utility Easement Located at 50 N. Second Avenue (Carquest). Report by Director of Developmental Services, Dennis Veatch.

**Ordinance No. 3531:** An Ordinance Amending Provisions of the Uniform Public Offense Code for Kansas Cities, Edition 2011. Report by Assistant City Manager, Cherise Tieben.

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

1. Approval of Bid for Turf Aerator. Report by Director of Parks and Recreation, Paul Lewis.

## **OTHER BUSINESS**

## **ADJOURNMENT**

# PROCLAMATION

*WHEREAS:* In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

*WHEREAS:* this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

*WHEREAS:* Arbor Day is now observed throughout the nation and the world; and

*WHEREAS:* trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

*WHEREAS:* trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

*WHEREAS:* trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

*WHEREAS:* trees are a source of joy and spiritual renewal; and

*WHEREAS:* Dodge City has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways.

*NOW, THEREFORE,* by virtue of the authority vested in me as Mayor of the City of Dodge City, I do hereby proclaim April 27, 2012, as

## ARBOR DAY

in Dodge City and urge all citizens to support efforts to care for our trees and woodlands and to support our city' community forestry program, and

*FURTHER,* I urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.

*IN WITNESS WHEREOF,* I have hereunto set my hand and caused the Great Seal of the City of Dodge City to be affixed, this 16<sup>th</sup> day of April, 2012.

\_\_\_\_\_  
Mayor

SEAL

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

# **CITY COMMISSION MINUTES**

City Hall Commission Chambers

Monday, April 2, 2012

7:00 p.m.

MEETING #4882

## **CALL TO ORDER**

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

**INVOCATION** by Pastor Gerald Mendenhall of the Friends Church

## **PLEDGE OF ALLEGIANCE**

## **PETITIONS & PROCLAMATIONS**

Mayor Rick Sowers presented the Proclamation for Marc Woofter Day. Marc Woofter was present for presentation of Proclamation.

Mayor Rick Sowers presented the Proclamation for National Library Week. Cathy Reeves, Director of Dodge City Public Library was present.

**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).

Dodge City Public Library Quarterly Update was presented by Cathy Reeves, Director of Dodge City Public Library.

## **CONSENT CALENDAR**

1. Approval of City Commission Meeting minutes, March 19, 2012; and
2. Appropriation Ordinance No. 7, April 2, 2012
3. Cereal Malt Beverage License
  - a. Dodge City A's, Cavalier Field, San Jose Drive

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

Commissioner Monte Broeckelman joined the meeting.

**ORDINANCES & RESOLUTIONS**

**Resolution No. 2012-14:** A Resolution Establishing Fees and Regulations for Athletic Fields and Facilities was approved on a motion by Commissioner Michael Weece, seconded by Commissioner Jim Sherer. Motion carried 5-0.

**Resolution No. 2012-15:** A Resolution of the Governing Body of the City of Dodge City, Kansas Determining That the City is Considering Establishing a Rural Housing Incentive District Within the City and Adopting a Plan For the Development of Housing and Public Facilities in Such Proposed District; Establishing the Date and Time of a Public Hearing on Such Matter, and Providing for the Giving of Notice of Such Public Hearing. (Candletree 5 Project) was approved on a motion by Commissioner Jim Sherer, seconded by Commissioner Michael Weece. Motion carried 5-0.

**UNFINISHED BUSINESS****NEW BUSINESS**

1. Commissioner Monte Broeckelman moved to approve Special Assessment Proceedings for the Wagon Wheel Addition, Commissioner Michael Weece seconded the motion. The motion carried 5-0.
2. Commissioner Monte Broeckelman moved to approve Special Assessment Proceedings for the Beeson Court Subdivision, Commissioner Michael Weece seconded the motion. The motion carried 5-0.
3. Commissioner Monte Broeckelman moved to approve Special Assessment Proceedings for the Interfaith Housing Project, Commissioner Michael Weece seconded the motion. The motion carried 5-0.
4. Commissioner Rick Sowers moved to approve a Letter of Support for the Dodge City Senior Center in their application for Community Service Tax Credit. Commissioner Monte Broeckelman seconded the motion, the motion carried 5-0.

**OTHER BUSINESS**

City Manager, Ken Strobel:

- Thanked Monte for his service to the Commission.

Director of Public Information, Jane Longmeyer:

- Dodge City Raceway Season is set to start practice on April 14<sup>th</sup>, with the first race on April 21<sup>st</sup>;
- Great Lakes Aviation has announced a new schedule;
- April 4<sup>th</sup> is the Grand Opening for Hampton Inn; and
- Dining on the Go is scheduled for April 14<sup>th</sup>.

Mayor, Rick Sowers:

- Thanked Staff for trip to Washington D.C. where they met with Representatives and Senators. Tri-City Meeting went well and Cherise did an excellent job with the housing presentation; and
- Thanked Monte for his service.

Commissioner, Kent Smoll:

- Thanked Monte for his service to the Commission.

Commissioner, Monte Broeckelman:

- Presentation of a Jayhawk flag...Go Jayhawks!

**ADJOURNMENT:** Commissioner Kent Smoll moved to adjourn the meeting; Commissioner Monte Broeckelman seconded the motion. The motion carried 5-0.

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Rick Sowers, Mayor

ATTEST:

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Nannette Pogue, City Clerk

**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 Ford County

SECTION 1 - LICENSE TYPE	
Check One: <input type="checkbox"/> New License <input checked="" type="checkbox"/> Renew License <input type="checkbox"/> Special Event Permit	
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>004-48121459 FOI</u>		
Name <u>Billy TAM VO.</u>	Phone No. <u>620-225-6342</u>	Date of Birth <u>Feb-21-55</u>
Residence Street Address <u>508 RUNYAN AVE</u>	City <u>DODGE CITY KS</u>	Zip Code <u>67801</u>
Applicant Spousal Information		
Spouse Name <u>BILLI TMI LAM</u>	Phone No. <u>620-225-6348</u>	Date of Birth <u>4-5-60</u>
Residence Street Address <u>508 Runyan Ave</u>	City <u>DODGE CITY KS</u>	Zip Code <u>67801</u>

SECTION 3 - LICENSED PREMISE	
Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)
DBA Name <u>LOTUS GARDEN</u>	Name <u>Same</u>
Business Location Address <u>1202 E WYATT BARR BLVD</u>	Address
City <u>DODGE CITY</u> State <u>KS</u> Zip <u>67801</u>	City State Zip
Business Phone No. <u>1620-227-7028</u>	<input type="checkbox"/> I own the proposed business or special event location. <input type="checkbox"/> I do not own the proposed business or event location.
Business Location Owner Name(s) <u>Billy TAM VO.</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>22</u> years.	
I am at least 21 years old.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of this county for at least 6 months.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse <sup>1</sup> 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has previously held a CMB license.	<input checked="" 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 checked="" type="checkbox"/> No

# 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

<b>SECTION 1 – LICENSE TYPE</b>	
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.	

<b>SECTION 2 – APPLICANT INFORMATION</b>			
Kansas Sales Tax Registration Number (required): 00486112339F01			
Name of Corporation <b>Kwik Shop, Inc</b>		Principal Place of Business	
Corporation Street Address <b>734 East 4th</b>		Corporation City <b>Hutchinson</b>	State <b>KS</b> Zip Code <b>67501</b>
Date of Incorporation <b>4/1/1960</b>		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

<b>SECTION 3 – LICENSED PREMISE</b>			
Licensed Premise (Business Location)		Mailing Address	
DBA Name <b>Kwik Shop #703</b>		Name <b>Kwik Shop Office-Attn. Sharon McGhee</b>	
Business Location Address <b>1500 W Wyatt Earp</b>		Address <b>P O Box 1927</b>	
City <b>Dodge City, Ks. 67801</b>	State	City <b>Hutchinson, Ks 67504-1927</b>	State      Zip
Business Phone No. <b>620-669-8504</b>		<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) <b>Dillon Real Estate - 2800 East 4th - Hutchinson, Ks. 67501</b>			

<b>SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK</b>			
List each person and their spouse, if applicable. Attach additional pages if necessary.			
Name <b>Jeff Parker</b>		Position <b>President</b>	Date of Birth <b>11/6/1970</b>
Residence Street Address <b>3107 Princeton Drive</b>		City <b>Hutchinson</b>	State <b>KS</b> Zip Code <b>67502</b>
Spouse Name <b>Kathy</b>		Position <b>Housewife</b>	Date of Birth
Residence Street Address <b>same</b>		City	State      Zip Code
Name <b>KROGER CORPORATION</b>		Position	Date of Birth
Residence Street Address <b>1014 VINE ST</b>		City <b>CINCINNATI</b>	State <b>OH</b> Zip Code <b>45207</b>
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

# CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

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

City or  County of Ford

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): 00486112339F01			
Name of Corporation Kwik Shop, Inc		Principal Place of Business	
Corporation Street Address 734 East 4th		Corporation City Hutchinson	State KS
Date of Incorporation 4/1/1960		Zip Code 67501	
Resident Agent Name		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Residence Street Address		Phone No.	
		City	State
		Zip Code	

SECTION 3 – LICENSED PREMISE			
Licensed Premise (Business Location)		Mailing Address	
DBA Name Kwik Shop #762		Name Kwik Shop Office-Attn. Sharon McGhee	
Business Location Address 1811 Central		Address P O Box 1927	
City Dodge City, Ks. 67801	State	City Hutchinson, Ks 67504-1927	State
Zip 67801	Zip	Zip 67504-1927	Zip
Business Phone No. 620-669-8504		<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) Testimonial Trust/Melba Swalm - 114 Carefree Lane - Dodge City, Ks			

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 Jeff Parker		Position President	
Residence Street Address 3107 Princeton Drive		City Hutchinson	State KS
Date of Birth		Zip Code 67502	
Spouse Name Kathy		Position Housewife	
Residence Street Address same		City	State
Date of Birth		Zip Code	
Name KROGER CORPORATION		Position	
Residence Street Address 1014 VINE STREET		City CINCINNATI	State OH
Date of Birth		Zip Code 45207	
Spouse Name		Position	
Residence Street Address		City	State
Age		Zip Code	
Name		Position	
Residence Street Address		City	State
Date of Birth		Zip Code	
Spouse Name		Position	
Residence Street Address		City	State
Age		Zip Code	

**INDIVIDUAL/SOLE PROPRIETOR  
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**

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City or  County of Dodge City

SECTION 1 - LICENSE TYPE	
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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 licenses premises.	

SECTION 2 - APPLICANT INFORMATION		
Kansas Sales Tax Registration Number (required): <u>27-1388268</u>		
Name <u>Quick Pick I</u>	Phone No.	Date of Birth
Residence Street Address <u>2501 Central Ave</u>	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 or Location of Special Event)	Mailing Address (If different from business address)
DBA Name <u>Quick Pick I</u>	Name
Business Location Address <u>2501 Central Ave</u>	Address
City <u>Dodge City</u> State <u>KS</u> Zip <u>67801</u>	City State Zip
Business Phone No. <u>620 371 7217</u>	<input checked="" type="checkbox"/> I own the proposed business or special event location. <input type="checkbox"/> I do not own the proposed business or event location.
Business Location Owner Name(s) <u>Nageeb Alhaj</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 _____ years.	
I am at least 21 years old.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of this county for at least 6 months.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse <sup>1</sup> 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 type="checkbox"/> Yes <input checked="" 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 checked="" type="checkbox"/> No

## Memorandum

*To: City Manager  
City Commissioners*

*From: Cherise Tieben*

*Date: 04-13-12*

*Subject: Wright Park-Parking Lot Lease*

*Agenda Item: Consent Calendar*

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**Recommendation:** Authorize the City Manager to enter into a Lease Agreement with the owners of the Pos-T-Vac building to allow them to utilize forty (40) spaces up to a possible sixty (60) spaces in the newly constructed Wright Park parking lot north of Hoover Pavilion.

**Background:** The City constructed the parking lot recently in order to fulfill two needs for the community. The first of which, was to provide much needed event parking for Hoover Pavilion and the park itself. The second was to help retain a local homegrown business, Pos-T-Vac, by allowing their building owner to lease a number of spaces for employee parking when occupancy of the site by the public will be low.

**Justification:** The lease allows us to receive compensation for the benefit that will be received by Pos-T-Vac employees for the use of the parking lot.

**Financial Considerations:** The lease and the dollar terms are similar in nature to the amount that the Presbyterian Church leases spaces to both the City of Dodge City and Landmark Bank.

**Purpose/Mission:** Together, we strive to achieve high performance and service standards set by us and expected by the community.

**Legal Considerations:** None

**Attachments:** Lease Document

4/13/12

## **AGREEMENT FOR LEASE OF PARKING AREA**

**THIS LEASE** is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2012 by and between the City of Dodge City, Dodge City, Kansas, hereinafter called the "Lessor" and Ed Stewart and Tony Woydziak, hereinafter called "Lessee".

**WHEREAS**, Lessor is the owner of a parking lot located in Wright Park along Fourth Ave. immediately north of Hoover Pavillion, and

**WHEREAS**, Lessee is the owner of property located at 201 Fourth Ave. which is leased to a business known as Pos-T-Vac, hereinafter called the "facility", and

**WHEREAS**, Lessee wishes to obtain from the Lessor a lease for parking for employee purposes for the Facility and Lessor is willing to enter into such parking lease.

**NOW THEREFORE**, the parties hereto agree as follows:

1. Lessor shall have exclusive use of all parking spaces in the above described property, at all times except during regular business hours (8:00 a.m. to 5:00 p.m.) on Monday through Friday of each week. During regular business hours on Monday through Friday of each week, the employees of Pos-T-Vac shall have the initial use of forty (40) spaces for vehicle parking purposes and may utilize up to an additional twenty (20) spaces if necessary. In advance of utilizing the additional spaces, Lessee will be responsible to notify the City of their intent. The leased spaces are more fully defined as the blue area with crosshatched lines and the additional twenty (20) spaces are defined as red with with crosshatched lines on *Exhibit A* attached hereto.
2. For such use of the initial parking area, Lessee shall pay Lessor three hundred twenty dollars (\$320.00) per month. If the Lessee needs the use of any of the additional twenty (20) spaces, the lease amount will increase by eight dollars (\$8.00) per additional space. The lease amount shall begin accruing on the first day of the month following the date in which the site is occupied by Pos-T-Vac employees. An invoice will be sent to the Lessee at or near the first of each month, with the invoice payment due by the 30<sup>th</sup> of each month. It is agreed that the lease will be paid one month in arrears.
3. In the event of a temporary extraordinary need for the parking space by Lessor during business hours, Lessor shall be entitled to give notice of such need and shall thereupon be entitled to use the parking lot. Such notice shall be given to the Lessee. Lessor shall give Lessee a credit of \$11.00 per day for each day, or part of a day, when Lessor needs the use of the parking lot. Extraordinary need shall be those occasions when it is reasonably anticipated that the parking lot will be needed for an event in Wright Park.

4/13/12

4. Lessee shall be responsible for snow removal on those days it has the use of the parking area. If the Lessee desires that the City perform the snow removal on a per occurrence basis, arrangements may be made with the Director of Parks and Recreation for such services.
5. Lessor shall be responsible for the repair and maintenance of the parking area. Striping necessary for orderly use of the parking lot shall be provided by Lessor and shall be kept in good condition.
6. The agreement is for an indefinite term, and may be terminated upon thirty (30) days written notice by either party served upon the other. The parties stipulate that either may initiate a renegotiation of the lease amount at any time without thereby effecting a cancellation of the other terms of this lease.
7. If at any time after the execution of this Lease, it shall become necessary or convenient for one of the parties hereto to serve timely notice or communication upon the other party, such notice or communication shall be in writing and served to:
  - a. the Lessor at:

City of Dodge City  
c/o City Manager  
806 Second Ave.  
P.O. Box 80  
Dodge City, KS 67801
  - b. the Lessee at:

Ed Stewart  
Pos-T-Vac, Inc.  
1701 N. 14<sup>th</sup>  
P.O. Box 1436  
Dodge City, KS 67801
8. Lessee may not sublease or assign this Lease or its rights hereunder.
9. Lessee agrees to and does hereby save and hold harmless the Lessor of and from any and all claims, causes of action, losses, damages, costs and expenses (claims) which may be asserted against the Lessor by or on behalf of any of Lessee's employees, agents or servants or insurance carriers which in any manner arise out of Lessee's use or occupancy of the leased parking area, except only such claims which are the direct result of the Lessor's willful and intentional acts.
10. The terms, conditions and covenants of this Lease shall be binding and shall inure to the benefit of each of the parties hereto, their heirs, personal representatives, successors, or assigns.

4/13/12

**IN WITNESS WHEREOF**, the parties have hereunto set their hands and seals.

**LESSOR:**

**CITY OF DODGE CITY, KANSAS**

**BY** \_\_\_\_\_  
Ken Strobel, City Manager

**DATE** \_\_\_\_\_

**LESSEE:**

**ED STEWART**

**BY** \_\_\_\_\_  
Ed Stewart

**DATE** \_\_\_\_\_

**TONY WOYDZIAK**

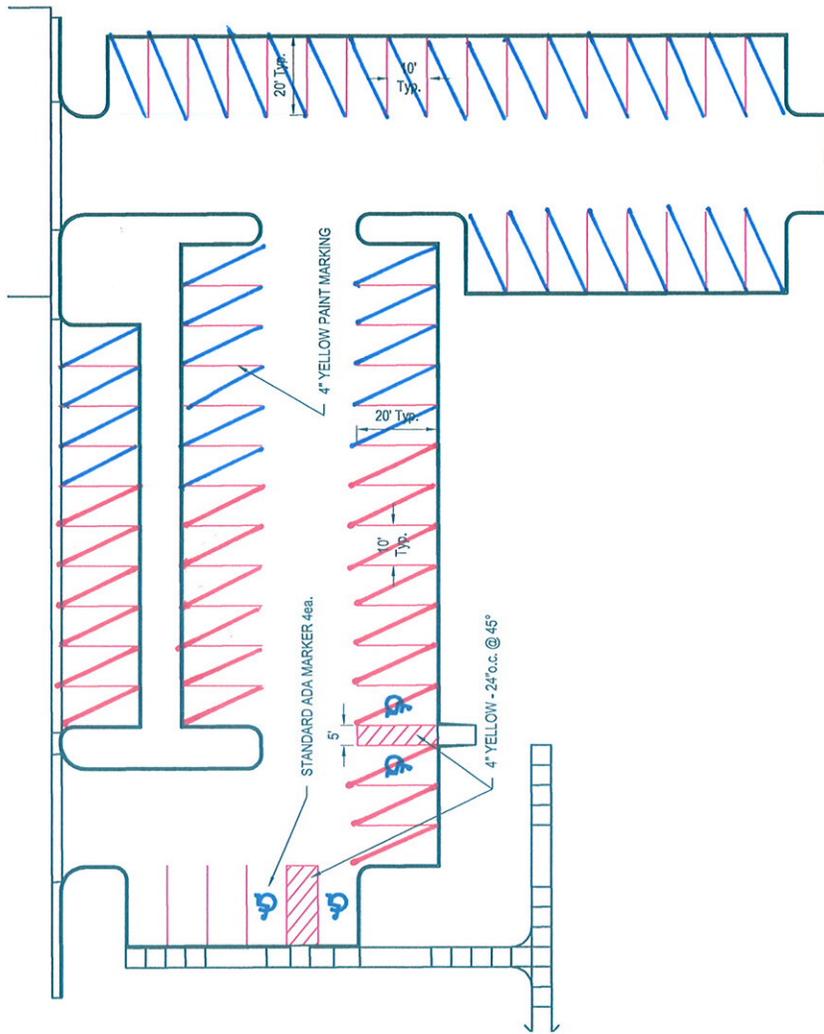
**BY** \_\_\_\_\_  
Tony Woydziak

**DATE** \_\_\_\_\_

**ATTEST:**

**BY** \_\_\_\_\_  
Nannette Pogue, City Clerk

**DATE** \_\_\_\_\_



DRAWN BY	DDR	CITY OF DODGE CITY, KANSAS	PROJECT NO	PK1101
CHECKED BY	RS	CITY HALL ENGINEERING DEPARTMENT (80) 225-3108	SHEET OF	4 6
DATE	NOV. 2011	PAVEMENT MARKING	REVISIONS	
		WRIGHT PARK PARKING LOT		
		DODGE CITY, KS.		

# Memorandum

*To:* City Manager  
Assistant City Manager  
City Commissioners

*From:* Ray Slattery,  
Director of Engineering  
Services

*Date:* April 2, 2012

*Subject:* Wright Park Parking  
Lot PK 1101

*Agenda Item:* Consent Calendar

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**Recommendation:** Approve change order No. 1 of the Wright Park Parking Lot

**Background:** Wright Park Parking Lot was approved by the Commission on December 5, 2011.

**Justification:** Fly Ash Sub-Grade Preparation — This item was deleted from the contract because the Sunflower Electrical Plant in Holcomb, Ks. was shut down for maintenance. The Contractor submitted a substitution to the City to rip and compact 6” of the sub-grade. Staff reviewed the proposal and agreed to proceed with compaction as a sub-grade treatment.

6” Sub-Grade Compaction — This item was added as a result of the deletion of the Fly Ash bid item as stated above.

Blue Top Sub-Grade Work — This item was added as a result of the deletion of the Fly Ash bid item as stated above.

Standard 30” Curb and Gutter — The addition of 30 LF of curb and gutter represents the extra curb and gutter used to construct a drainage flume from 4th Ave. to the drainage ditch adjacent to the Hoover Pavilion. Some additional curb and gutter was placed adjacent to the project.

**Financial Considerations:** Change Order No. 1 is for a decrease of \$ 4,480.35

**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



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## Memorandum

To: City Manager  
Assistant City Manager  
City Commissioners

From: Paul Lewis, Park & Recreation Director 

Date: April 12, 2012

Subject: Hoover Rental Rates

Agenda Item: Ordinances and Resolutions

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**Recommendation:** Staff recommends approval of Resolution 2012-16 revising rental rates and policies for Hoover Pavilion. This proposed rate structure was presented to the Park and Recreation Advisory Board and they concur with this recommendation.

**Background:** Current rates for Hoover Pavilion have been in place since 2007. Remodeling of the facility was completed around that time and since then Hoover has become a favorite location for wedding receptions, parties and other big events.

The proposed rates differ from the existing resolution in the following areas:

- A Full Rental category was created that offers the facility to renters from Thursday evening to Monday morning for a set price. The package rate is comparable to existing charges but it puts everything together in a complete package that addresses the needs of larger events.
- Daily rates for Saturday and Sunday were raised from \$300/day to \$500/day to encourage the use of the Full Rental package.
- Full rentals were given priority scheduling over daily rentals once again to make the Full Rental package more attractive.
- The Commercial category was eliminated because the facility has generally not been used for those types of events.
- The deposit amount was raised from \$300 to \$500 to compel renters to follow through on their cleaning responsibilities and to cover potential costs for more repairs that has occurred on occasion.

**Justification:** The proposed rates are compatible with other facilities in the community taking into consideration size, amenities and other requirements. Daily rates at the Civic Center are \$400 per day plus ½ day charges for move-in/move-out days. Magouirk Conference Center is \$750 per day, and the Knights of Columbus Hall is \$450 for the day not including food and beverage.

Costs to maintain and operate the facility have increased since the initial improvements were completed. Annual utility charges for Hoover are a little over \$8,000 or about \$120 per event day. Manpower costs for post event clean ups are approximately \$200 not including any additional repairs that may be required.

**Financial Considerations:** Currently Hoover generates around \$13,000 annually from rental fees. Anticipating that most weekend events will take advantage of the Full Rental package and with increased Daily rates for Saturday and Sunday this policy should generate an additional 20% in revenue or about \$2,500 annually.

**Purpose/Mission:** This resolution is consistent with the City's core value of Working Towards Excellence. Hoover Pavilion is an outstanding facility the City has gone to significant lengths and expense to renovate and maintain. This policy allows the City to continue meeting the expectations of the users of that facility and maintain an icon in the community.

**Legal Considerations:** None

**Attachments:** Resolution 2012-16

**RESOLUTION NO. 2012-16**

**A RESOLUTION REVISING FEES AND REGULATIONS FOR  
HOOVER PAVILION**

**WHEREAS**, The City owns and maintains historic Hoover Pavilion in Wright Park and desires to make the facility available to the citizens of Dodge City for recreational purposes, public and private events and activities; and

**WHEREAS**, The creation of policies and regulations are necessary in order to provide for the effective use of the facility and to efficiently govern the operation; and

**WHEREAS**, The City desires to establish a reasonable schedule of fees and charges to recover a portion of the cost associated with the operation and maintenance of the facility.

**NOW, THEREFORE** be it resolved by the governing body of the City of Dodge City that the schedule of fees and regulations for Hoover Pavilion be revised as established.

**Section 1. Fee Schedule**

<b>Rental Type</b>		<b>Fee</b>
Full Rental	Includes Thursday from 4 pm until Monday at 8 am	\$750
Daily Rental	Monday – Friday	\$300/day
	Half Day (less than four hours)	\$200
	Saturday or Sunday	\$500/day

**Section 2. Other Charges**

- A) **Damage Deposit:** A deposit of \$500 shall be required to hold a reservation and may be retained as determined by Parks and Recreation staff in the event extra cleaning or repairs are required as a result of a rental.
- B) **Move In/Move Out:** A rental charge of \$150 dollars per day will be assessed to an event for any additional days necessary for pre/post event set up and tear down.
- C) **Security Charges:** All functions where alcohol is served or available requires on site supervision by Parks & Recreation staff or their designated agents. Renter shall be responsible for all charges to provide supervision and shall reimburse those costs to the City.

**Section 3. Rules and Regulations**

- A) **Reservations –** Full rental reservations can be scheduled one (1) year prior to an event. Daily rentals will be accepted six (6) months prior to an event.
- B) **Cancelations –** Cancelations made less than one month prior to an event will be charged one half of the deposit fee.
- C) **The Director of Parks and Recreation with the approval of the City Manager shall be responsible for creating and establishing other policies and regulations which may from**

time to time be required to insure the orderly and effective use of Hoover Pavilion facilities. Such rules and regulations shall be reduced to writing and retained on file in the Parks and Recreation Administrative Office.

**Section 4. Effective Date**

A) This Resolution shall take effect following its adoption by the Governing Body.

**ADOPTED AND APPROVED** by the Governing Body of the City of Dodge City this 16<sup>th</sup> day of April, 2012.

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MAYOR

ATTEST:

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NANNETTE POGUE, CITY CLERK

## *Memorandum*

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

*From: Nannette Pogue*

*Date: April 10, 2012*

*Subject: Resolution No. 2012-17*

*Agenda Item Ordinances and Resolutions*

---

**Recommendation:** I recommend the approval of Resolution No. 2012-17 .

**Background:** A 6(a) petition has been submitted by Tim Volz for the City of Dodge City to make improvements in Candletree Addition Unit 5. The improvements are streets, water and sewer not to exceed \$690,000. Mr. Volz will be building single family units in the development and adding residential units to the housing stock in Dodge City. This area is also a part of a RHID. The proposed resolution authorizes the City to make the improvements in the benefit district and specially assess the costs of those improvements back to the property owner over a 15 year period. The City's current development policy allows special assessments as a financing tool for development projects.

There will be action items in the future relating to this project.

**Justification:** To assist the developer in residential development.

**Financial Considerations:** The City will issue bonds to cover the costs of the improvements and the bond payments will be made through special assessments to the benefit district.

**Purpose/Mission:** To increase residential development in Dodge City.

**Attachments:** Resolution No. 2012-17

(PUBLISHED IN THE *DODGE CITY DAILY GLOBE* ON April \_\_, 2012)

**RESOLUTION NO. 2012-17**

**A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF DODGE CITY, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (VARIOUS INTERNAL IMPROVEMENTS/CANDLETREE ADDITION, UNIT FIVE).**

**WHEREAS**, a petition (the "Petition") was filed with the City Clerk of the City of Dodge City, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

**WHEREAS**, the governing body of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

**THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE DODGE CITY, KANSAS:**

**Section 1. Findings of Advisability.** The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements (collectively the "Improvements"):

Construct road and curb and gutters, water improvements, sewer improvements and associated engineering and design costs serving Lots 1 through 14, inclusive, Block 1, Lots 1 through 19, inclusive, Block 2, and Lots 1-6, Block 3 all in Candletree Addition, Unit Five, an addition to the City of Dodge City, Ford County, Kansas.

(b) The estimated or probable cost of the Improvements is: \$690,000, to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this Resolution.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 14, inclusive, Block 1, Lots 1 through 19, inclusive, Block 2, and Lots 1 through 6, inclusive Block 3, all in Candletree Addition, Unit Five, an addition to the City of Dodge City, Ford County, Kansas.

(d) The method of assessment is: equally per lot (39 lots).

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 93% to be assessed against the Improvement District and 7% to be paid by the City-at-large.

**Section 2. Authorization of Improvements.** The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in **Section 1** of this Resolution.

**Section 3. Bond Authority; Reimbursement.** The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the “Bonds”). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

**Section 4. Effective Date.** This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Ford County, Kansas.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

**ADOPTED** by the governing body of the City on April 16, 2012.

(SEAL)

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Mayor

ATTEST:

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Clerk

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on April 16, 2012, as the same appears of record in my office.

DATED:

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Clerk

## *Memorandum*

*To: City Manager  
Assistant City Manager  
City Commissioners*

*From:*

*Date: April 12, 2012*

*Subject: CARQUEST Sewer Easement  
Vacation*

*Agenda Item:  
Ordinances and Resolutions*

---

**Recommendation:** City staff recommends approval of this vacation ordinance.

**Background:** National Retail Properties, LP, as owner, and General Parts Distribution, LLC, as lessee has requested that a portion of an existing sewer easement be vacated from underneath the existing building known as CARQUEST.

**Justification:** This vacation is necessary to ensure that there are no easements running underneath the existing building that could create complication in the event that maintenance is required in the future.

**Financial Considerations:** None, lessee will pay for installing a new sewer manhole on the north edge of the parking lot.

**Purpose/Mission:**

**Legal Considerations:** None

**Attachments:** Petition, Vacation Ordinance and Plan

**ORDINANCE NO. 3530**

**AN ORDINANCE VACATING A PORTION OF AN 8 FOOT UTILITY EASEMENT  
LOCATED AT 50 N. SECOND AVE. (CARQUEST)**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY:**

**SECTION 1:** The following described property in Dodge City, Ford County, Kansas is hereby vacated: The South 152.85 feet, measured along the centerline, of a Sanitary Sewer Easement recorded in Misc. Book 0 on page 131, Dodge City, Ford County, Kansas, more particularly described as follows:

Commencing at the intersection of the South Right-of-Way line of First Avenue, Dodge City, Ford County, Kansas; thence South 4 degrees 43 minutes 37 seconds West along the West Right-of-Way line of said First Avenue for a distance of 459.15 feet; thence North 85 degrees 16 minutes 23 seconds West, parallel with the South Right-of-Way line of said Water Street or a distance of 125.00 feet to the point of beginning of that portion of said recorded sanitary sewer easement being vacated; thence South 4 degrees 43 minutes 37 seconds West along the East line of said recorded sanitary sewer easement for a distance of 151.74 feet; thence South 79 degrees 07 minutes 45 seconds West along the South line of said recorded sanitary sewer easement for a distance of 8.31 feet; thence North 4 degrees 43 minutes 37 seconds East along the West line of said recorded sanitary easement for a distance of 153.96 feet; thence South 85 degrees 16 minutes 23 seconds East parallel with the South line of said Water Street to the Point of Beginning.

**SECTION 2:** This vacation is granted pursuant to Section 12-504 K.S.A. and is made subject to the existing rights of all present public or private utilities or uses located under, on, upon or over said property.

**SECTION 3:** No protest to the vacation has been filed, as provided by law.

**SECTION 4:** This ordinance shall take effect, from and following its publication in the official paper, as provided by law.

**SECTION 5:** The City Clerk shall file a certified copy of this ordinance in the offices of the County Register of Deeds and County Clerk for Ford County, Kansas.

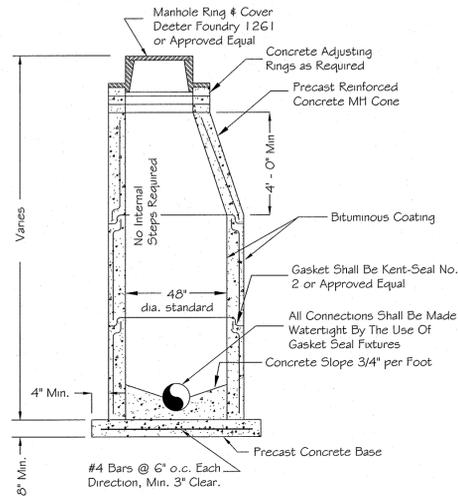
**PASSED BY THE CITY OF DODGE CITY GOVERNING BODY, IN REGULAR  
SESSION, AND APPROVED BY THE MAYOR, THIS SIXTEENTH DAY OF APRIL,  
2012.**

\_\_\_\_\_  
, MAYOR

ATTEST:

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

Standard Manhole  
(Height greater than 6')

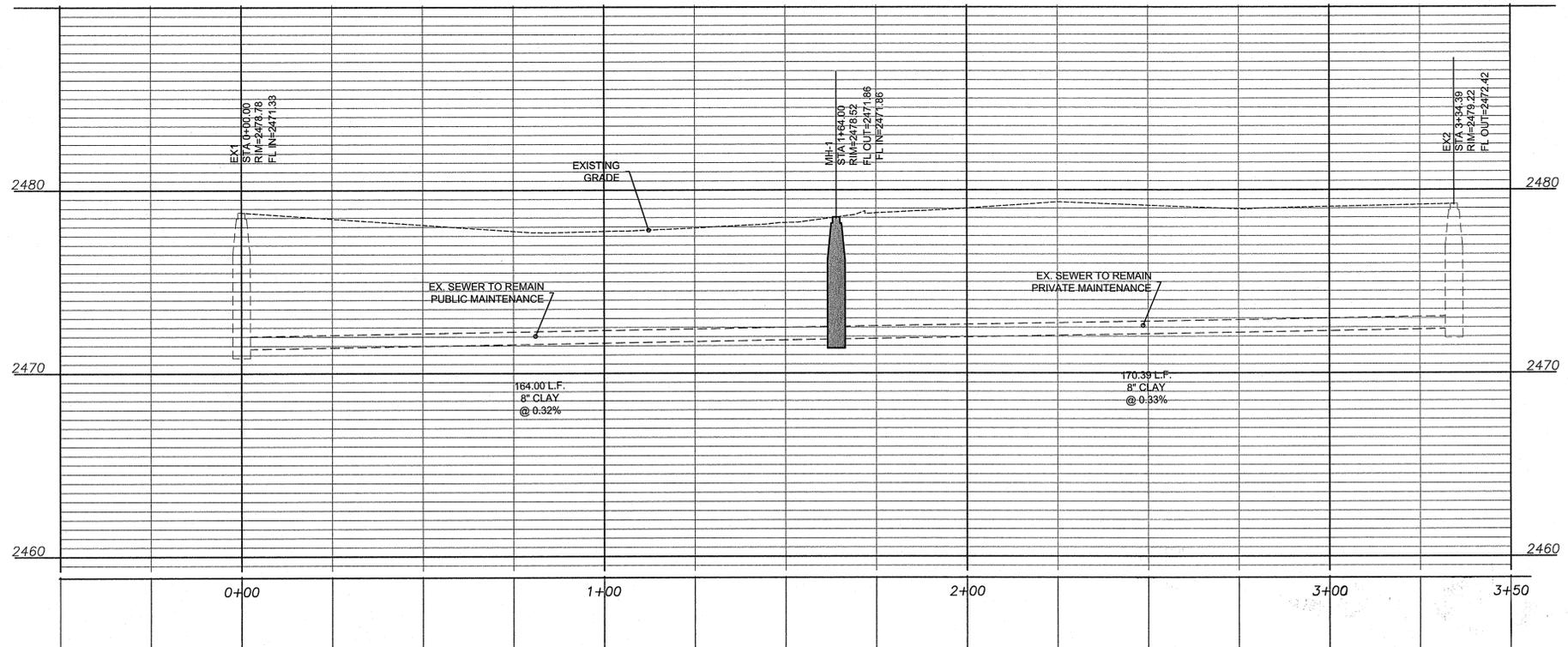
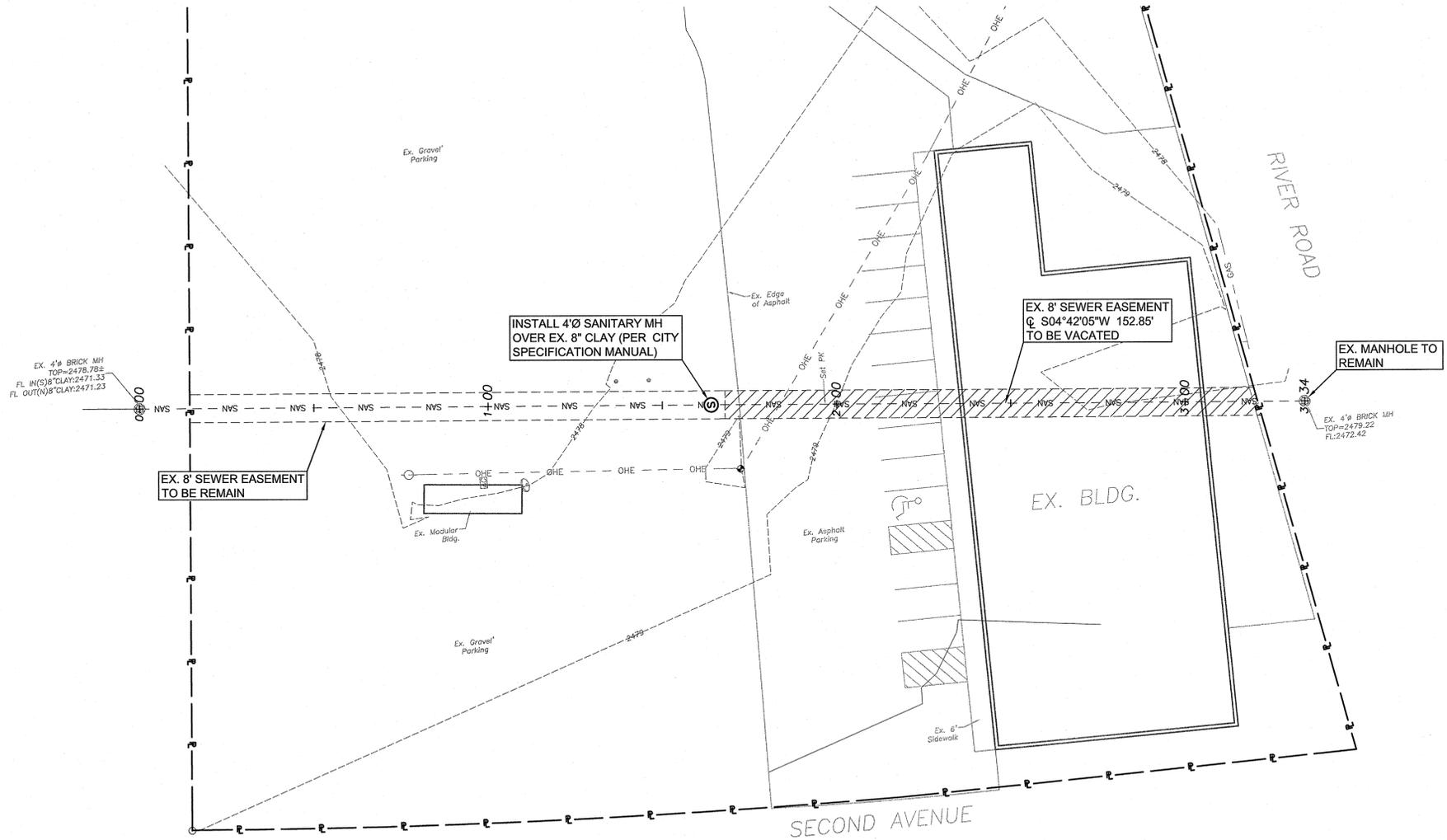
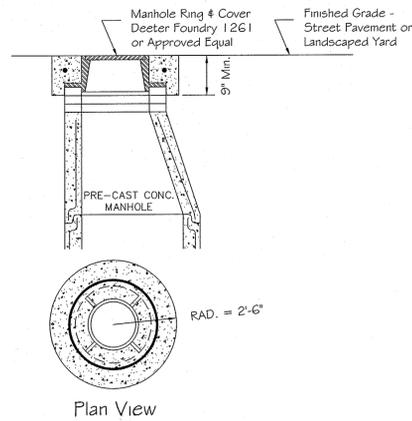


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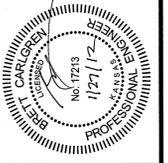
MANHOLE FRAME AND COVER NOTES:

1. CAST IRON MANHOLE FRAME AND COVER SHALL CONFORM TO ASTM A-48, CLASS 30, OR BETTER.
2. THE FRAMES AND COVERS SHALL BE OF A NONROCKING TYPE OR WITH MACHINED BEARING SURFACES SO FITTING PARTS WILL NOT RATTLE OR ROCK UNDER TRAFFIC.
3. MANHOLE CASTING SHALL BE DEETER FOUNDRY INC. NO. 1261 WITH "CITY OF DODGE CITY, SEWER DEPT." LETTERING. THE MINIMUM WEIGHT SHALL BE 430 LBS. ALL MANHOLE CASTINGS, REGARDLESS OF TYPE, SHALL BE CONSIDERED SUBSIDIARY TO THE UNIT PRICES BID FOR THE VARIOUS MANHOLE TYPES.
4. GRIND ALL BURRS SMOOTH, CLEAN THOROUGHLY, THEN APPLY SHOP COAT OF ASPHALT BASE PAINT.
5. THE MANUFACTURER SHALL SUBMIT SHOP DRAWINGS TO THE ENGINEER FOR APPROVAL PRIOR TO MANUFACTURE. THE ENGINEER SHALL RETAIN THE RIGHT TO REJECT CASTINGS NOT CONFORMING TO THE SPECIFICATIONS OR APPROVED SHOP DRAWINGS.
6. WHERE SELF-SEALING MANHOLE FRAMES ARE SPECIFIED ON THE PLANS, THE MANHOLE FRAME SHALL BE FURNISHED WITH AN APPROVED "O" RING GASKET GROOVED INTO THE BEARING SURFACE OF THE MANHOLE FRAME.

Manhole Ring & Cover Details



Rev.	Date	Description	By	App.



**B+C RHODES**  
CIVIL ENGINEERS & SURVEYORS  
6363 College Blvd., Suite 500  
Overland Park, Kansas 66211  
Phone (913) 663-1900  
Fax (913) 663-1633

Prepared For:  
CARQUEST AUTO  
50 N. SECOND AVENUE  
DODGE CITY, KANSAS 67801

**CARQUEST AUTO**  
**50 N. SECOND AVENUE**  
**DODGE CITY, KANSAS 67801**

**EX. SANITARY SEWER MAIN**  
**PLAN & PROFILE**

Design: BEC Drawn: DDL  
Checked: BEC  
Issue Date: 01/27/12  
Project Number: 015970

of  
**C01**

**Before the Commission of The City of Dodge City, Kansas**

**In the Matter of the  
Application for the Partial  
Vacation of a Platted  
Right of Way**

Requested for Partial Vacation of a Platted Right of Way

Come now National Retail Properties, LP, as owner, and General Parts Distribution, LLC, as lessee, of a tract more full described as:

COMMENCING at the intersection of the East line of Second Avenue and the South line of Water Street; THENCE along the East line of Second Avenue, South 00°02'46" West a distance of 305.70 feet to a point in the East line of Second Avenue and the TRUE POINT OF BEGINNING; THENCE along a curve deflecting to the left, concave on the East, with a radius of 2,506.48 feet, a delta of 4°39'20", a tangent length of 101.89 feet, a chord which bears South 2°20'48" East a distance of 203.61 feet and an arc length of 203.67 feet along the East line of said Second Avenue to a point of tangency; THENCE continuing along the East line of said Second Avenue South 05°34'15" East a distance of 131.31 feet to a point in the North line of River Road; THENCE North 74°23'46" East along the North line of said River Road a distance of 237.45 feet to a point in the West line of First Avenue; THENCE North 00°02'46" East along the West line of said First Avenue 270.29 feet; THENCE South 89°59'38" West a distance of 250.00 feet to the POINT OF BEGINNING, containing 1.6919 acres (73,700 square feet) of land, more or less.

50 N. Second Avenue, Dodge City, Kansas (the "National Retail Property"), and pursuant to the provisions of K.S.A. 12-504 requests that the City proceed, pursuant to the provisions of said statute, to cause a vacation of the following portion of the right of way:

The South 152.85 feet, measured along the centerline, of a Sanitary Sewer Easement, originally acquired from G.C. Maxwell and Recorded in Miscellaneous Book 0 on Page 131, Dodge City, Ford County, Kansas, more particularly described as follows:

Commencing at the intersection of the South Right of Way line of Water Street and the West Right of Way line of First Avenue, Dodge City, Ford County, Kansas; thence South 4° 43' 37" West (bearing basis assumed) along the West Right of Way line of said First Avenue for a distance of 459.15 feet; thence North 85° 16' 23" West, parallel with the South Right of Way line of said Water Street for a distance of 125.00 feet to the **Point of Beginning** of that portion of said recorded sanitary sewer easement being vacated; thence South 4° 43' 37" West along the East line of said recorded sanitary sewer easement for a distance of 151.74 feet; thence South 79° 07' 45" West along the South line of said recorded sanitary sewer easement for a distance of 8.31 feet; thence North 4° 43' 37"

East along the West line of said recorded sanitary sewer easement for a distance of 153.96 feet; thence South 85° 16' 23" East parallel with the South line of said Water Street to the **Point of Beginning**, containing 1,222.8 square feet, more or less.

The vacation of such portion of the platted right of way is necessary to ensure that there are no rights of way running underneath existing improvements, constructed in approximately 1948, that could create practical complications in the event that maintenance is required in the future. The existing lines installed do not serve any properties south of the National Retail Property, and all adjacent and nearby properties are serviced by other lines.

Lessee is in the process, at its expense, of installing a new sewer manhole on the north edge of the parking lot on the National Retail Property, pursuant to engineered drawings approved by the City engineer. The lines south of the new manhole will be private sewer service solely serving the National Retail Property.

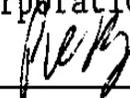
This petition is submitted with the understanding that (i) the approval for vacation, and (ii) the recordation of documents evidencing such vacation, are conditioned on the completion of the new sewer manhole as shown on the engineering drawings submitted and approved by the City engineer.

[Signature Page to Follow]

Respectfully submitted,

**National Retail Properties, LP** <sup>W</sup> <sub>W</sub>

By: NNN GP Corp., a Delaware  
corporation, as general partner

By: 

Name: Paul E. Bayer

~~Date:~~ Executive Vice President

Date: March 13, 2012

**General Parts Distribution LLC**

By: 

Name: Dennis M. Sheehan

Title: Senior Vice President – Real Estate

Date: March 12, 2012

## *Memorandum*

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

*From: Nannette Pogue*

*Date: April 12*

*Subject: Ordinance No. 3531*

*Agenda Item: Ordinances & Resolutions*

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**Recommendation:** I recommend the City Commission approve Ordinance No. 3531.

**Background:** The 2011 edition of the Uniform Public Offense Code for Kansas Cities had an error in Section 3.2 – Battery of a law Enforcement Officer. This ordinance corrects that error and will allow enforcement of this section of the code in municipal court.

**Justification:** Necessary to correct error in 2011 edition of the Uniform Public Offense Code for Kansas Cities.

**Financial Considerations:** Publication costs.

**Purpose/Mission:** Working towards excellence

**Legal Considerations:** None

**Attachments:** Ordinance No. 3531.

**ORDINANCE NO. 3531**

**AN ORDINANCE AMENDING PROVISIONS OF THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, EDITION 2011**

Section 1. The Uniform Public Offense Code for Kansas Cities, Edition 2011 was adopted by the City Commission on September 6, 2011.

Section 2. Section 3.2 of the Uniform Public Offense Code is hereby amended to read as follows:

**BATTERY AGAINST A LAW ENFORCEMENT OFFICER.** Battery against a law enforcement officer is a battery, as defined in Section 3.1 (a) and 3.1 (b) of this article, committed against: (A) A uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty; or (B) a uniformed or properly identified state, county, or city law enforcement officer, other than a state correctional officer or employee, a city or county correctional officer or employee, a juvenile correctional facility officer or employee or a juvenile detention facility officer or employee, while such officer is engaged in the performance of such officer's duty. (K.S.A. Supp. 21-5413)

Battery against a law enforcement officer is a Class A violation.

Section 3: **EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the governing body of the City of Dodge City, Kansas, and approved by the Mayor this 16th day of April, 2012.

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Mayor

ATTEST:

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Nannette Pogue, City Clerk

## Memorandum

To: City Manager  
Assistant City Manager  
City Commissioners

From: Paul Lewis 

Date: April 12, 2012

Subject: Turf Aerator Bids

Agenda Item: *New Business*

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**Recommendation:** Staff recommends accepting the bid of VanWall Equipment for a used turf aerator and sweeper in the amount of \$27,000 for use by the Athletic Field Maintenance division.

**Background:** Bids were solicited for the purchase of a used, large turf aerator to be used on athletic fields and large turf areas. A notice was published in the paper and distributed to turf equipment vendors. Bids were opened on April 10<sup>th</sup> with three vendors responding. A tabulation of those bids is attached.

**Justification:** This specific piece of equipment is necessary to maintain athletic fields and other large turf areas that receive a lot of use and traffic. This type of aerator pokes frequent holes in the turf to reduce compaction, allow water and nutrients to penetrate the soil and improve turf health. Following aerating, the sweeper comes behind and picks up cores and leaves the site in an appropriate condition. Primarily the equipment will be used on soccer fields and baseball softball fields but will also be adaptable for use at other facilities such as Dodge City Raceway Park and Mariah Hills Golf Course.

**Financial Considerations:** This purchase is budgeted in the 2012 MERF fund for Athletic Field Maintenance. Funds are available to complete the purchase.

**Purpose/Mission:** This purchase is necessary to meet the City's core value of Ongoing Improvement. This equipment assists the division in maintaining soccer fields and other athletic facilities to a standard appreciated by the citizens.

**Legal Considerations:** N/A

**Attachments:** Bid Tabulation

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**Dodge City Parks & Recreation  
Bid Tabulation**

**Large Area Turf Aerator**

**April 10<sup>th</sup>, 2012**

<b>Bidder</b>	<b>Make/Model</b>	<b>Addendum</b>	<b>Base Bid</b>	<b>Alternate 1 Turf Aerator w/ Sweeper</b>	<b>Notes</b>
Kansas Golf & Turf	SmithCo Sweep Star P48		No bid	3,500.00	No Aerator
“ “	SmithCo V-62		No Bid	10,800.00	No Aerator
Professional Turf Products	Toro 864 w/ used Pro-Sweep	Yes	25,110.10	6,500.00	Aerator doesn't meet spec.
“ “	Toro 1298 w/ used Pro-sweep	Yes	29,187.56	6,500.00	Sweeper 2005 model
“ “	Toro 1298 w/ new Pro-sweep	Yes	29,187.56	12,058.00	
VanWall Equipment	John Deere Aercore 2000		19,500.00	7,500.00	