

# **CITY COMMISSION MEETING AGENDA**

City Hall Commission Chambers

Monday, July 7, 2014

7:00 p.m.

MEETING #4962

## **CALL TO ORDER**

## **ROLL CALL**

**INVOCATION** by Pastor Jeff Turner of First Missionary Church

## **PLEDGE OF ALLEGIANCE**

## **PUBLIC HEARING**

## **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).

Dodge City Public Library Quarterly Update: Cathy Reeves.

## **CONSENT CALENDAR**

1. Approval of City Commission Meeting Minutes, June 16, 2014;
2. Appropriation Ordinance No. 13, July 7, 2014;
3. Cereal Malt Beverage License;
  - (a) Walmart Market #372, 1905 N. 14<sup>th</sup>
  - (b) Love's Travel Stop #58, 1108 W Wyatt Earp Blvd

## **ORDINANCES & RESOLUTIONS**

**Resolution No. 2014-18:** A Resolution Establishing Rental Fees for Cavalier Field.  
Report by Director of Parks & Recreation, Paul Lewis.

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

1. Approval of plat of 14th and Soule Subdivision which will create additional lots for future commercial development. Report by Director of Planning and Zoning, Dennis Veatch.
2. Approval of bid for the Thurow Park Path Placement. Report by Director of Engineering Services, Ray Slattery.
3. Approval of bid for Sheridan Roof Replacement. Report from Parks & Recreation Director, Paul Lewis.

## **OTHER BUSINESS**

## **ADJOURNMENT**

# **CITY COMMISSION MEETING MINUTES**

City Hall Commission Chambers

Monday, June 16, 2014

7:00 p.m.

MEETING #4960

## **CALL TO ORDER**

**ROLL CALL:** Mayor Brian Delzeit, Commissioners, Kent Smoll, Jan Scoggins, Rick Sowers, Joyce Warshaw

**INVOCATION** by Father Wesley Schawe, of Cathedral of Our Lady of Guadalupe Church

## **PLEDGE OF ALLEGIANCE**

## **PUBLIC HEARING**

Mayor Brain Delzeit opened the Public Hearing - Issuance of Industrial Revenue Bonds for Dodge City Community College Activity Center. Duane Ross, Dodge City Community College Foundation presented the project, the construction of the DCCC Activity Center and FEMA project. The amount of IRB's to be issued is an amount not to exceed \$5,400,000. Rick Sowers asked about the additional funds to be raised to match the IRB's. John Haas, financial advisor, spoke to some financial questions. Joe Norton, Bond Counsel, spoke to as the structure of ownership.

Mayor Brian Delzeit closed the Public Hearing.

## **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).**

Ryan Deich spoke in behalf of the Boothill Casino and Resort. He spoke about the Longhorn Cattle Drive sponsored by Boothill Casino and Resort, which will be held on August 2, 2014 at 9:00 a.m.

Melissa McCoy talked about the Mobile Services for Immigration. Thanks to Park staff for helping get ready. Invited the Commission to check out those services being provided. The Mobile Services are being held at Hennessey Hall.

Jerry Shelly, a Fireworks Vendor in Dodge City, talked about the temporary suspension of shooting fireworks. Asked about extending this suspension for more than 1 day, possibly Friday and Saturday.

**CONSENT CALENDAR**

1. Approval of Joint City/County/USD #443/DCCC Minutes, May 29, 2014
2. Approval of City Commission Meeting Minutes, June 2, 2014;
3. Appropriation Ordinance No. 12, June 16, 2014;
4. Cereal Malt Beverage License;
  - (a) Pizza Hut #103, 1513 W. Wyatt Earp Blvd.
  - (b) Pizza Hut #104, 110 Frontview
  - (c) Raxx, 1216 E. Wyatt Earp Blvd.
  - (d) Love's Country Store #62, 400 E. Wyatt Earp Blvd.
  - (e) El Charro Restaurant, 1209 W. Wyatt Earp Blvd.
5. Approval of Change Order 1 of US 50, Mill & Overlay-KLINK, ST 1302

Commissioner Kent Smoll moved to approve the Consent Calendar as presented; Commissioner Rick Sowers seconded the motion. The motion carried unanimously.

**ORDINANCES & RESOLUTIONS**

**Resolution No. 2014-16:** A Resolution of the Governing Body of the City of Dodge City, Kansas Determining the Advisability of Issuing Industrial Revenue Bonds for the purpose of Financing the Acquisition, Construction and Equipping of a Recreational Facility, Community Events Center and Community Tornado Shelter to be Located in said City; (Amended version dated 6-16-14 including additional language) and authorizing Execution of Related Documents was approved on a motion by Commissioner Rick Sowers, seconded by Commissioner Brian Delzeit. Motion carried 4-1, with Commissioner Kent Smoll voting no.

**Ordinance No. 3584:** Ordinance Annexing to the City of Dodge City the Described Property (Whispering Hills Subdivision and the adjacent right-of-way to the centerline of 14<sup>th</sup> Avenue), in Accordance with K.S.A. 12-520 ET; and providing for the Zoning Thereof, was approved on a motion by Commissioner Joyce Warshaw. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

**Resolution No. 2014-17:** A Resolution for the Temporary Suspension and Waiver of Certain Provisions of Ordinance No. 2838 and the International Fire Code Pertaining to the Discharge of Fireworks within the City Limits of the City of Dodge City, Kansas (July 4, 10:00 a.m. to 11:00 p.m. and July 5, 10:00 a.m. to 11:00 p.m.) was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Joyce Warshaw. Motion carried 4-1, Commissioner Jan Scoggins voting no.

**UNFINISHED BUSINESS**

**NEW BUSINESS**

1. An Option for Land Acquisition between John V. and Twyla R. Harding and the City of Dodge City in the amount of \$25,000 upon execution of legal work and an additional \$25,000 for approximately each quarter for one year with an option to extend for an additional year was discussed. The option was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Jan Scoggins. The motion carried unanimously.

**OTHER BUSINESS**

Commissioner, Kent Smoll:

- Encourage to donate for 4<sup>th</sup> of July celebration.

Commissioner, Jan Scoggins:

- Thanks for everyone who attended the Wendy’s fireworks fundraiser.

**ADJOURNMENT**

Commissioner Jan Scoggins moved to adjourn the meeting; Commissioner Kent Smoll seconded the motion. The motion carried unanimously.

\_\_\_\_\_  
Mayor

ATTEST:

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

**CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**

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

 City or  County of \_\_\_\_\_ Dodge City**SECTION 1 – LICENSE TYPE**Check One:  New License  Renew License  Special Event Permit

Check One:

 License to sell cereal malt beverages for consumption on the premises. License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.**SECTION 2 – APPLICANT INFORMATION**

Kansas Sales Tax Registration Number (required):

Name of Corporation Wal-Mart Stores, Inc.		Principal Place of Business Bentonville, AR 72716-0500	
Corporation Street Address 702 SW 8th Street		Corporation City Bentonville	State AR
Date of Incorporation 10/31/1969		Zip Code 72716-0500	
Resident Agent Name The Corporation Company, Inc.		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Residence Street Address 515 South Kansas Avenue		Phone No. 417-569-8528	City Topeka
		State KS	Zip Code 66603

**SECTION 3 – LICENSED PREMISE**

Licensed Premise (Business Location or Location of Special Event)			Mailing Address (If different from business address)		
DBA Name Walmart #372			Name Wal-Mart Stores, Inc, Licensing Department		
Business Location Address 1905 N 14th Ave			Address 702 SW 8th Street		
City Dodge City	State KS	Zip 66611	City Bentonville	State AR	Zip 72716-0500
Business Phone No. 620-225-3917			<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) Wal-Mart Stores, 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 Please see attached Stock Affidavit	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Age
Residence Street Address	City	State Zip Code
Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Age
Residence Street Address	City	State Zip Code

# CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

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

City or  County of City of Dodge City, Kansas

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 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):			
Name of Corporation <u>Love's Travel Stops &amp; Country Stores, Inc.</u>		Principal Place of Business	
Corporation Street Address <u>10601 N. Pennsylvania Avenue</u>		Corporation City <u>Oklahoma City</u>	State <u>OK</u>
Date of Incorporation <u>12/29/1986</u>		Zip Code <u>73120</u>	
Resident Agent Name <u>CT Corporation</u>		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Residence Street Address <u>515 S. Kansas</u>		City <u>Topeka</u>	State <u>KS</u>
		Zip Code <u>66603</u>	

SECTION 3 - LICENSED PREMISE			
Licensed Premise (Business Location or Location of Special Event)		Mailing Address (If different from business address)	
DBA Name <u>Love's Travel Stop #58</u>		Name <u>Love's Travel Stops &amp; Country Stores, Inc.</u>	
Business Location Address <u>1108 West Wyatt Earp</u>		Address <u>Attn: Store Licensing, P.O. Box 26210</u>	
City <u>Dodge City</u>	State <u>KS</u>	City <u>Oklahoma City</u>	State <u>OK</u>
Zip <u>6180</u>		Zip <u>73126</u>	
Business Phone No.		<input type="checkbox"/> Applicant owns the proposed business or special event location. <input type="checkbox"/> Applicant does not own the proposed business or event location.	
Business Location Owner Name(s)			

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 (SEE ATTACHED LIST)		Position	
Residence Street Address		City	State
		Zip Code	Date of Birth
Spouse Name		Position	
Residence Street Address		City	State
		Zip Code	Date of Birth
Name		Position	
Residence Street Address		City	State
		Zip Code	Date of Birth
Spouse Name		Position	
Residence Street Address		City	State
		Zip Code	Age
Name		Position	
Residence Street Address		City	State
		Zip Code	Date of Birth
Spouse Name		Position	
Residence Street Address		City	State
		Zip Code	Age



# Parks and Recreation

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PO Box 880 • Dodge City KS 67801 • Phone: 620/225-8160 • Fax: 620/225-8144

## Memorandum

To: Cherise Tieben, City Manager  
City Commissioners

From: Paul Lewis, Park and Recreation Director 

Date: July 2, 2014

Subject: Resolution 2014-18 – Cavalier Fees

Agenda Item: Ordinances and Resolutions

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**RECOMMENDATION:** Staff recommends approval of Resolution 2014-18 revising fees and charges for Cavalier Field.

**BACKGROUND:** At their last regular meetings, the Community Facilities Advisory Board considered rental rates for Cavalier Field. With the upcoming improvements to the infield, the discussion was initiated to consider the cost of the improvements and future capital maintenance.

Attached with this memo is a copy of a worksheet used by CFAB when considering potential fee increases. The worksheet lays out three options presented to the Board, the financial implications for the primary users, and comparable charges from similar facilities.

The action from CFAB was to recommend Option 3 from the worksheet.

**JUSTIFICATION:** There are multiple users for Cavalier Field that will benefit from the turf project and it is a standard practice for high use users to participate in minimizing operational costs. The new turf infield is estimated to cost \$350,000. Additionally, the turf will have an 8 to 10 year life cycle at the end of which time the carpet will have to be replaced at a cost anticipated to be \$140,000.

**FINANCIAL CONSIDERATIONS:** Based on current usage, the proposed fees and charges will generate approximately \$14,000 to \$15,000 dollars annually. Using the minimum 8 year life expectancy for the carpet, this policy will generate \$120,000 over that period. Those funds will reduce the amount of sales tax funding required for ongoing maintenance and help insure that adequate funds are available for the future capital expense.

**PURPOSE/MISSION:** Adoption of Resolution 2014-18 meets the City's core value of Ongoing Improvement by providing a reasonable income stream which will offset the cost of future capital maintenance. It allows the facility to be maintained at a high level while limiting the impact on future budgets.

**LEGAL CONSIDERATIONS:** None

**ATTACHMENTS:** Resolution 2014-18  
Field Rates Worksheet

**RESOLUTION NO. 2014-18**

**A RESOLUTION AMENDING APPENDIX A of the DODGE CITY MUNICIPAL CODE AND REVISING FEES AND CHARGES FOR CAVALIER FIELD**

**WHEREAS**, The City maintains and manages Cavalier Field to provide recreational opportunities for the citizens of Dodge City; and

**WHEREAS**, The City desires to establish a reasonable and equitable schedule of fees and charges necessary to offset the cost of providing services at Cavalier Field; and

**WHEREAS**, the Community Facilities Advisory Board has reviewed the proposed fees and has voted to recommend their approval to the City Commission; and

**WHEREAS**, the governing body of the City of Dodge City, Kansas, deems it necessary to revise the fees and charges associated with the usage of Cavalier Field as previously established in Resolution 2012-14

**NOW, THEREFORE**, be it resolved by the governing body of the City of Dodge City, Kansas that the following fees be established for Cavalier Field:

**1) Fees and Charges**

**Standard Rentals**

Field Rental	\$180	day
	\$100	1/2 day
Lights	\$75	day
Field Supervisor*	\$9	per hour
Daily Practice	\$40	day

**Why Not Dodge Programs**

Field Rental	\$120	day
	\$80	1/2 day
Lights	\$50	day
Daily Practice	\$25	

\* As Required

**2) 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 17<sup>th</sup> day of February, 2014.

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BRIAN DELZEIT, MAYOR

ATTEST:

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NANNETTE POGUE, CITY CLERK

## Cavalier Field Rental Rates

Standard Rentals	Proposals			
	Current	Option 1	Option 2	Option 3
Field Rental	\$120 day	\$500 day	\$300 day	\$180 day
	\$80 1/2 day	\$300 1/2 day	\$180 1/2 day	\$100 1/2 day
Lights	\$20 per hour	\$75 day	\$75 day	\$75 day
Field Prep	\$20 day	n/a	n/a	n/a
Field Supervisor*	\$9 per hour	\$9 per hour	\$9 per hour	\$9 per hour
Gate Admission	15% of gross	NC	NC	NC
Novelty Sales	10% of gross	NC	NC	NC
Daily Practice	per agreement	\$100 day	\$60 day	\$40 day

### Why Not Dodge

Field Rental	\$120 day	\$300 day	\$180 day	\$120 day
	\$80 1/2 day	\$180 1/2 day	\$110 1/2 day	\$80 1/2 day
Lights	\$20 per hour	\$50 day	\$50 day	\$50 day
Field Prep	\$20 day	NC	NC	NC
Field Supervisor*	\$9 per hour	NC	NC	NC
Gate Admission	15% of gross	NC	NC	NC
Novelty Sales	10% of gross	NC	NC	NC
Daily Practice	per agreement	\$60 day	\$40	\$25

### Estimated Charges

DCCC Fall/Spring	Number	Total	Total	Total
game days	23	\$11,500	\$6,900	\$4,140
Light Charges	23	\$1,725	\$1,725	\$1,725
Practice Days (fall)	40	\$4,000	\$2,400	\$1,600
(spring)	50	\$5,000	\$3,000	\$2,000
		<u>\$22,225</u>	<u>\$14,025</u>	<u>\$9,465</u>
<b>Dodge City A's</b>				
game days	21	\$3,780	\$2,310	\$1,680
Light Charges	21	\$1,050	\$1,050	\$1,050
Practice Days	30	\$1,800	\$1,200	\$750
		<u>\$6,630</u>	<u>\$4,560</u>	<u>\$3,480</u>
<b>SW Sports Tournaments</b>				
game days	14	\$2,520	\$1,540	\$1,120
Light Charges	8	\$400	\$400	\$400
Practice Days	0	n/a	n/a	n/a
		<u>\$2,920</u>	<u>\$1,940</u>	<u>\$1,520</u>

### Comparison Sites

	USD 443	Garden City Rec
field	\$500 day	\$225 day
		\$100 1/2 day
lights	\$250 day	\$30 hour
practice	\$100 per day	
	\$10 443 coaches	

\* If Required

# *Memorandum*

*To: City Manager  
City Commissioners  
From: Dennis Veatch  
Date: June 27, 2014  
Subject: 14<sup>th</sup> & Soule  
Subdivision  
Agenda Item New business*

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**Recommendation:** The Dodge City Planning Commission met June 10, 2014 to review the preliminary and final plat of 14<sup>th</sup> & Soule Subdivision. The Planning Commission voted to recommend approval of this plat.

**Background:** John Anderson, President of Farm Credit of Southwest Kansas, FLCA submitted an application for this plat which will create additional lots for future commercial development.

**Justification:** This plat conforms to the Dodge City Subdivision Regulations, Dodge City Zoning Regulations and the City Comprehensive Plan.

**Financial Considerations:** None

**Purpose/Mission:** This plat was created to provide additional lots for future commercial development.

**Legal Considerations:** None

**Attachments:** 14<sup>th</sup> & Soule Subdivision





## Memorandum

*To: City Manager  
City Commissioners*

*From: Ray Slattery, P.E.  
Director of Engineering Services*

*Date: July 2, 2014*

*Subject: Thurow Park Path Placement,  
PK 1303  
Agenda Item: New Business*

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**Recommendation:** Approve proposal from APAC-Kansas Sheers Division. APAC-Kansas Sheers Division proposed a unit price \$70.86 per ton. The City would haul the asphalt from the plant to Thurow Park for placement. With this unit price the entire trail could be constructed. This would eliminate the need to come back at a later date to complete the trail. The original total bid was \$70,681.25, using the proposed unit price the total price would be \$54,916.50. This is a savings of \$15,764.75.

**Background:** The City has been working with the Community on a Master Plan to update Thurow Park and provide more amenities. The wider and extended trail is one amenity of the Master Plan. A new playground has already been installed.

**Justification:** The wider and extended path will provide a better quality of life for citizens of the community. The existing walking paths have been extremely successful.

**Financial Considerations:** Funding for this project is from a grant from the Sunflower Foundation in the amount of \$22,000, a donation from ITC for \$15,000, the remaining \$17,916.50 would be funded from the City's CIP.

**Purpose/Mission:** The ongoing improvements to Thurow Park represent progress in preparing for the community's future.

**Legal Considerations:** By approving the proposal with APAC-Kansas Sheers Division the City will enter into a contract APAC-Kansas Sheers Division and will be responsible for payments.

**Attachments:** None

## Memorandum

*To: City Manager  
City Commissioners*

*From: Ray Slattery, P.E.  
Director of Engineering Services*

*Date: July 2, 2014*

*Subject: Thurow Park Path Placement,  
PK 1303  
Agenda Item: New Business*

---

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**Attachments:** None



# Parks and Recreation

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PO Box 880 • Dodge City KS 67801 • Phone: 620/225-8160 • Fax: 620/225-8144

## *Memorandum*

To: Cherise Tieben, City Manager  
City Commissioners

From: Paul Lewis, Parks & Recreation Director 

Date: July 2, 2014

Subject: Sheridan Roof Bids

Agenda Item: New Business

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**RECOMMENDATION:** Staff recommends approval of the bid from Building Solutions in the amount of \$223,625 for the repair and replacement of the roof for Sheridan Activity Center.

**BACKGROUND:** On Tuesday, July 1<sup>st</sup>, bids were opened for the repair and replacement of the metal roof at Sheridan/YMCA. Five contractors submitted bids for the project which will install new metal roofing over the existing roof material and replace and reconstruct the skylights above the fitness center. A tabulation of the bids received is included with this memo.

**JUSTIFICATION:** Except for the portion of the roof over the pool area, the remaining metal roof material is all original to the building which is now some 60 years old. The roof was coated with a rubberized material on a couple of occasions but that process has bubbled and cracked and the underlying system has rusted and deteriorated creating multiple leaks. Re-coating is not an option and the most cost effective alternative is to install new roof panels over the existing system.

**FINANCIAL CONSIDERATIONS:** Under the City's management agreement with the YMCA, the City is responsible for capital repairs to the Sheridan facility. This project is budgeted in the Capital Improvement Program for \$150,000 this year and a like amount in 2015. Bids were taken on the entire project with the intent that if bids were favorable it might be possible to complete the work in a single phase. The results of the bidding are quite favorable and staff is recommending to contract for all of the work now. There is sufficient cash in the fund to complete the project and the 2015 budget will be adjusted to eliminate the second phase of the work.

**Purpose/Mission:** This purchase is consistent with the City's Core Value of Ongoing Improvement.

**Legal Considerations:** N/A

**Attachments:** Bid Tabulation

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Roof Replacement at the Sheridan Activity Center. Dodge City, Kansas July 1, 2014

THE ARCHITECT								
Garden City								
Rank	BIDDER	BASE BID	R-1. South Roof	R-2. Skylight Replacement	R-3. East Roof	DAYS	% Extra	Total
4	Bloyer & Sons Winfield, Ko.	\$137,806.00	\$109,020	\$31,860	\$44,966	120	20%	\$323,640
1	Building Solutions LLC Dodge City	\$90,400.00	\$69,225	\$30,600	\$33,400	90	12.50%	\$223,625
2	Diamond Roofing Dodge City	\$129,630.00	\$97,660	\$38,750	\$36,870	60	15%	\$302,810
5	DV Dougless Roofing, Garden City	\$144,100.00	\$116,850	\$36,100	\$40,800	180	20%	\$337,850
3	RoofMesters Hays, Ko.	\$136,000.00	\$107,500	\$33,500	\$45,000	180	25%	\$322,000
	Weathercraft Roofing, Garden City	No Bid						

Bid Tabulation