

COMMISSION AGENDA

December 18, 2006 - 7:00 p.m.

Commission Chambers

MEETING NO. 4665

CALL TO ORDER

ROLL CALL

INVOCATION

Presentation of Colors – Boy Scout Troop 162

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

VISITORS (Limit of 5 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 Minutes of Study Session of November 6, 2006.
Approval of Minutes of Regular Meeting of December 4, 2006
2. Approval of payment of bills.
3. Approval of cereal malt beverage license for:
A. Casa Alvarez, 1701 W. Wyatt Earp
4. Approval of acceptance of deed for park land adjacent to Colleen Park.

ORDINANCES & RESOLUTIONS

Ordinance No.3427: An Ordinance amending Section 8.8 of Ordinance No. 3193, the Cable TV System Franchise, dated September 13, 1997, thereby extending the term of such Ordinance and Franchise Agreement until March 19, 2007.
Report by Director of Special Projects, Ryan Carpenter.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of bids for field groomer and utility vehicle for Athletic Field Maintenance.
Report by Park & Recreation Director, Paul Lewis.

If a reasonable accommodation is necessary to participate in a City of Dodge City event or service please contact us at 225-8100, 225-8155 TDD or by contacting the Kansas Relay Center at 1-800-766-3777.

2. Approval of bids for insulation of Hoover Pavilion. Report by Park & Recreation Director, Paul Lewis.

OTHER BUSINESS

Commissioners
City Manager

EXECUTIVE SESSION – to discuss:

1. Land Acquisition matters
2. Personnel Matters

ADJOURNMENT

MINUTES
November 6, 2006 - 6:00 p.m.
Study Session

MAYOR Jim Sherer called the Study Session to order at 6:00 p.m.

RESPONDING TO ROLL CALL were Mayor Sherer, Commissioners Jim Lembright, Rick Sowers, Kent Smoll and Terry Lee.

JoAnn Knight reviewed the Cost Benefit Analysis submitted with updated financial information for the scenario the City commission approved previously (100% abatement years 1-5, 50% abatement for years 6-10). She informed the City Commission of the process that was followed in 2005 when the Letter of Intent was approved.

Bill Hammond represented the Review committee comprised of representatives of the taxing entities; USD 443, DCCC, City of Dodge City, and Ford County. He presented and reviewed the recommendation the Committee originally made in 2005.

Grace & Wilson Parmar spoke

Bill Cunningham spoke

Scott Howard spoke.

Jim Sherer, Mayor

ATTEST:

Nannette Pogue, City Clerk

MINUTES
December 4, 2006 - 7:00 p.m.
MEETING NO. 4664

MAYOR Jim Sherer called the regular meeting to order at 7:00 p.m.

RESPONDING TO ROLL CALL were Mayor Jim Sherer, Commissioners Terry Lee, Rick Sowers and Jim Lembright. Reported absent was Commissioner Kent Smoll

INVOCATION was led by Rev. Dennis Zimmerman of St. Cornelius Episcopal Church

The PLEDGE OF ALLEGIANCE was recited.

PETITIONS & PROCLAMATIONS

VISITORS (Limit of 5 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)

The City of Character trait for December – Sensitivity was presented

The CONSENT CALENDAR was approved on a motion by Commissioner Lembright, seconded by Commissioner Sowers, by a vote of 4-0.

1. Approval of Minutes of Regular Meeting of November 20, 2006
Approval of Minutes of Study Session of November 6, 2006.
2. Approval of payment of bills.
3. Approval of cereal malt beverage license for:
 - A. Mariscos Nayarit Restaurant, 509 N. Second Avenue
 - B. Knights of Columbus Hall, 800 Frontview

ORDINANCES & RESOLUTIONS

Ordinance No.3426: Ordinance vacating the 15 foot utility easement in the east part of Shuman Tracts was adopted on a motion by Commissioner Sowers, seconded by Commissioner Lembright, by a vote of 4-0.

Resolution 2006-15: A Resolution authorizing payment of 2006 Year End bonuses to qualified employees was adopted on a motion by Commissioner Lee, seconded by Commissioner Sowers, by a vote of 4-0.

UNFINISHED BUSINESS

NEW BUSINESS

1. A replat for elementary addition was approved on a motion by Commissioner Sowers, seconded by Commissioner Lembright, by a vote of 4-0.

2. The following business had alcohol license suspensions beginning December 11 issued as listed on a motion by Commissioner Sowers, seconded by Commissioner Lee, by a vote of 4-0.

Gene's Heartland Foods, 1800 Central	1 week
Dillons, 303 S. Second Ave.	1 week
Love's Country Store, 1100 W. Wyatt Earp	1 week

Tianguis Grocery, 512 S. 2 nd Ave,	15 days
Presto, 2615 E. Trail	15 days
King Kwik mart, 510 E. Wyatt Earp	15 days
WalMart, 1905 14 th Ave.	15 days

OTHER BUSINESS

Commissioner Sherer expressed his thanks to City Staff, local businesses, high school band, 4-H groups and everyone who participated in Parade of Lights & Chili Cook off.

Commissioner Sowers reported on the City/County Solid Waste Committee.

City Manager, Jeff Pederson reported

- A CFAB meeting is set for Thursday, December 7, at 7:00 p.m. at City Hall for a Community Input Session regarding the Raceway Park
- A possible joint City/County Commission meeting on December 14.
- Commissioners Lee, Smoll and Lembright as well as Jeff will be attending the National League of Cities annual conference in Reno, NV.
- Smoking limitation update.

On a motion by Commissioner Lee, seconded by Commissioner Sowers, the meeting adjourned to EXECUTIVE SESSION to discuss a land acquisition matter at 7:40 p.m. not to exceed 60 minutes by a vote of 4-0. Those included in the Executive Session were the Commission, City Manager, City Attorney, Public Works Director and City Clerk.

The meeting returned to Regular Session. Commissioner Lembright moved to adjourn to EXECUTIVE SESSION to discuss personnel matters for a time not to exceed 15 minutes. Commissioner Sowers seconded. Motion carried 4-0. Included in the Executive Session were the Commission and City Manager.

On a motion by Commissioner Lembright, seconded by Commissioner Sowers, the meeting adjourned by a vote of 4-0.

V. James Sherer, Mayor

ATTEST:

Nannette Pogue, City Clerk

(Individual)

APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES

Dodge City, Ford COUNTY, KANSAS, December 5, 2006

TO THE GOVERNING BODY OF THE CITY OF Dodge City, KANSAS,

or

THE BOARD OF COUNTY COMMISSIONERS OF Ford COUNTY, KANSAS.

I hereby apply for a license to retail cereal malt beverages in conformity with the laws of the State of Kansas and the rules and regulations prescribed and hereafter to be prescribed by you relating to the sale or distribution of cereal malt beverages; for the purpose of securing such license, I make the following statements under oath:

1. (a) Name of proposed licensee Rocio Alvarez

(b) Age 46

(c) Place and date of birth Mexico 5-10-1960

(d) Residence address 1204 Shiba St. Dodge City, KS

(e) I have been a resident of the State of Kansas 23 years.

I have been a resident of the City of Dodge City Ford County 23 years.

2. The premises for which the license is desired are located at

1701 W. Wyatt Earp Dodge City, KS 67801

(a) The legal description of said property is Sec 27 Twp 26-Range 25, Begin at Inter. of 14th Ave & Wyatt Earp then W 986°(s) alg R/W of

(b) The street number is 1701 Wyatt Earp

(c) The building to be used is Restaurant

3. The name and address of the owner or owners of the premises upon which the proposed business will be located is

Javier Alvarez

4. I am a citizen of the United States. Yes (X), No ().

(a) My citizenship arises by birth (), Naturalization (X).

(b) My place of naturalization and the date thereof is as follows: Wichita, KS 2-22-1998

5. I have (), have not (X), been convicted of a felony within two years immediately preceding the date of this application.

6. I have (), have not (X), been convicted of a crime involving moral turpitude within two years immediately preceding the date of this application.

7. I have (), have not (X), been adjudged guilty of drunkenness within two years immediately preceding the date of this application.

8. I have (), have not (X), been adjudged guilty or entered a plea, or forfeited bond on a charge of driving a motor vehicle while under the influence of intoxicating liquors within two years immediately preceding the date of this application.

9. I have (), have not (X), been convicted of a violation of any state or federal intoxicating liquor law within two years immediately preceding the date of this application.

10. My place of business will be conducted by a manager or agent— Yes (), No (X)

(a) If the answer above is yes, the name, age, and residence of manager or agent is

Said manager or agent does (), does not (), have the qualifications to have a license issued in his own name. The same to be determined by reference to K.S.A. 41-2703, K.S.A. 41-2702. Specifies concerning his residence, citizenship, and the answers to questions 5 through 9 are as follows:



City of Dodge City

PO Box 880 • Dodge City KS 67801 • Phone: 620/225-8160 • Fax: 620/225-8184

Memorandum

To: City Commissioners
Jeff Pederson, City Manger

From: Paul Lewis, Parks & Recreation Director

cc: Dr. Howell and Carmen Johnson
Park and Recreation Advisory Board

Date: December 14, 2006

Subject: Park Land Donation

A handwritten signature in black ink, appearing to be "P. Lewis", is located to the right of the "From:" line.

Colleen Park is a small neighborhood park located at the north end of Mellencamp between that street and Colleen Ave. Over the last 18 months, staff has been in negotiation with a former resident of Dodge City in regards to acquiring undeveloped property adjacent to the park to provide additional open space.

Tonight, staff requests acceptance of a donation to the City by Dr. Howell and Carmen Johnson of four lots for the purposes of expanding Colleen Park. Specifically, the property to be donated is lots 1, 2, and 3 of block 6 of the Harvest Hills addition and lot 9 of block 2 of the Cedar Ridge II addition.

Presently Colleen Park contains a tennis court, a basketball goal, and a small playground. In 2005, park staff made significant improvements to this park through updated play equipment and renovation of the tennis courts. However, limited space is available for open space play activities.

With the addition of the donated property, the size of the park more than doubles. The immediate plans for the additional space are to create the larger open play areas that are presently not available. Future development might include a shelter, a practice backstop, plus additional trees and landscaping.

Dr. Johnson and his wife have demonstrated their interest and commitment to both the community and to the environment and open space and their willingness to donate this property for the park are commendable and greatly appreciated. Staff recommends accepting the donation from the Johnson's and authorizing staff to record the deed.

If there are any questions, I'll be happy to answer them or provide additional information if needed.



Memorandum

To: Jeff Pederson, City Manager
cc: City Commission
*From: Ryan Carpenter, Director of Special Project/
Assistant to the City Manager*
Date: December 12, 2006
Subject: Cox Communications Franchise Extension

At this time Cox Communications has asked for an additional extension of three months to the cable franchise agreement as the newly created state-wide franchise agreement process is not quit up to speed yet which will take a little bit longer to complete.

Concerning federal clarification regarding local franchise authority there has not been any action or information available to this topic.

As information becomes available I will keep you posted. If you have any questions do not hesitate to ask.

ORDINANCE NO. 3427

AN ORDINANCE AMENDING SECTION 8.8 OF ORDINANCE NO. 3193, THE CABLE T.V. SYSTEM FRANCHISE, DATED January 1, 1997, THEREBY EXTENDING THE TERM OF SUCH ORDINANCE AND FRANCHISE AGREEMENT UNTIL March, 19, 2007.

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

Section 1: Section 8.8 of the cable TV System Franchise Agreement dated January 1, 1997, being Ordinance No. 3193, is hereby amended by striking the present language of said section and substituting the following in lieu thereof:

Section 8.8 Effective Date: The effective date of this Franchise is January 1, 1997, pursuant to the provisions of applicable law. This franchise shall expire on March, 19, 2007, unless extended or shortened by the mutual agreement of the parties.

Section 2: This ordinance shall take full force and effect up on receipt of written approval of such amendment by the Grantee of said franchise, and following publication of this ordinance in the official City newspaper.

Passed by the governing body of the City of Dodge City, Kansas, and approved by the Mayor on December 18, 2006.

MAYOR

ATTEST:

CITY CLERK



City of Dodge City

PO Box 880 • Dodge City KS 67801 • Phone: 620/225-8160 • Fax: 620/225-8184

Memorandum

To: City Commissioners
Jeff Pederson, City Manager
From: Paul Lewis, Parks & Recreation Director
cc: Mike Klein, Purchasing Agent
Date: December 13, 2006
Subject: Athletic Field Maintenance Equipment

A handwritten signature in black ink, appearing to be "P. Lewis", located to the right of the "From:" line.

Bids were opened Tuesday, December 12th for equipment to be used by Athletic Field Maintenance. Attached is a tabulation of bids received.

Bid 1 was for the purchase of an infield groomer used for dragging and preparing baseball/softball infields. This three wheel machine features multiple attachments used in prepping and maintaining skinned infields and warning tracks. Bid 2 is for the purchase of a multi-purpose utility vehicle including a cargo box.

Specifications for the field groomer called for a three wheel drive configuration with hydrostatic drive. The low bid does not meet that specification and should be rejected. The low bid which meets all specifications was provided by Kansas Golf and Turf for A Smith Co Super Star in the amount of \$13,700.

The low bid for the utility vehicle with cargo box was provided by Kan Equip Inc. for a Land Pride Trekker in the amount of \$7,310. The Kan Equip bid meets all specifications and requirements.

The infield groomer is replacing a 1999 unit with 1597 hours. The new machine will become the primary unit and the old machine will be kept as a backup and for use during peak use times.

The utility vehicle will replace an older John Deere Gator. That machine will be sold at the next City surplus auction.

Funds for these purchases will come from the Athletic Field Maintenance budget in the sales tax fund. These purchases were included in the 2006 budget and funds are available for the purchase.

Staff recommends accepting the bid of Kansas Golf and Turf in the amount of \$13,700 for the infield groomer and from Kan Equip in the amount of \$7,310 for the utility vehicle. If there are any questions, I'll be happy to answer them or provide more information if needed.

Dodge City Parks & Recreation
Bid Tabulation

Athletic Field Maintenance Equipment

December 12, 2006

Bid 1 - 3WD Infield Groomer

Bid 2 - Utility Vehicle w/ Cargo Box

Bidder	Manufacturer/Model	Bid Amount	Manufacturer/Model	Bid Amount
Kan Equip Inc			Land Pride 4210 ST	\$7,310.00
Kansas Golf & Turf	SmithCo SuperStar	\$13,700.00	EZ-Go ST 480	\$7,787.00
K&M Rental			Husqvarna 4421 GXP	\$10,999.95
Unruh Foster Inc.	John Deere 1200A	\$8,980.00	John Deere Gator HPX	\$8,036.00



City of Dodge City

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Memorandum

To: City Commissioners
Jeff Pederson, City Manager
From: Paul Lewis, Parks & Recreation Director
cc: Mike Klein, Purchasing Agent
Bruce Glass
Date: December 14, 2006
Subject: Hoover Insulation

A handwritten signature in blue ink, appearing to be "P. Lewis", located to the right of the "From:" line.

Bids were opened on Thursday, December 14, 2006 for the installation of insulation at the Hoover Pavilion. Attached is a summary of the bids received.

New insulation in the roof and attic of Hoover is part of the overall renovation of that structure. R-30 insulation is to be installed between the rafters and along the side walls in the attic area to minimize heat loss and improve the efficiency of the HVAC system. Currently the attic area has no insulation.

Two bids were received for this work. The low bid was provided by D.V. Douglass Roofing in the amount of \$16,985.00

Funds for the project are provided in the 2006 and 2007 CIP. Our estimated budget for this component of the project was \$14,000. The bid amount is somewhat higher due to additional work that was required in this installation. However, the proposed amount will work within our project budget.

Staff recommends accepting the bid of D.V. Douglass in the amount of \$16,985.00 and authorizing staff to enter into contract for the work. I'll be happy to address any questions or provide more information in necessary.

Dodge City Parks & Recreation
Bid Tabulation

Hoover Insulation

December 14, 2006

Bidder	Bid Bond	Addendum	Bid Price
Garden City Roofing and Insulation	Yes	1,2	41,303.00
D.V. Douglass Roofing	Yes	1,2	16,985.00