

# **CITY COMMISSION MEETING AGENDA**

City Hall Commission Chambers

Monday, June 15, 2015

7:00 p.m.

MEETING #5008

## **CALL TO ORDER**

## **ROLL CALL**

**INVOCATION** by Pastor Darrell Hendrickson, First Church of God

## **PLEDGE OF ALLEGIANCE**

## **PETITIONS & PROCLAMATIONS**

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

## **CONSENT CALENDAR**

1. Approval of City Commission Meeting Minutes, June 1, 2015;
2. Appropriation Ordinance No. 12, June 15, 2015;
3. Cereal Malt Beverage Applications:
  - (a) High Plains Pizza Hut #104
  - (b) Love's Travel Stops & Country Stores, Inc.
  - (c) Ninja Sushi Steak House, 1010 E. Wyatt Earp Blvd;
  - (d) El Charro Restaurant, 1209 W. Wyatt Earp Blvd.
4. Approval of Change Order #1 for 2014 Asphalt Street Project;
5. Approval of Well #9 Land Lease Agreement.

## **ORDINANCES & RESOLUTIONS**

**Ordinance No. 3607:** An Ordinance Vacating Vine Street Right-Of-Way between 5<sup>th</sup> Avenue and 7<sup>th</sup> Avenue. Report by Planning, Zoning, Storm Water Coordinator, Nathan Littrell.

**Resolution No. 2015-19:** A Resolution for the Temporary Suspension and Waiver of Certain Provisions of Ordinance No. 2838 and the 2009 International fire code Pertaining to the Discharge of Fireworks within the city Limits of the City of Dodge City.. Report by Fire Chief, Kevin Norton.

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

1. Approval of Bid for 96 Gallon Wheeled Trash Carts. Report by Director of Administration, Ryan Reid.
2. Approval of Bid for Hoover Pavilion Exterior Painting Project. Report by Director of Administration, Ryan Reid.
3. Approval of Bid for South Second Avenue Pressure Sewer. Report by Director of Engineering, Ray Slattery.
4. Approval of Change Orders for Primary Pump Station Improvements (Screening Building). Report by Director of Engineering, Ray Slattery.

## **OTHER BUSINESS**

## **EXECUTIVE SESSION**

Discussion of Land Acquisition

## **ADJOURNMENT**

# **CITY COMMISSION MEETING MINUTES**

City Hall Commission Chambers

Monday, June 1, 2015

7:00 p.m.

MEETING #5007

## **CALL TO ORDER**

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

**INVOCATION** by Pastor Darrell Hendrickson, First Church of God

## **PLEDGE OF ALLEGIANCE**

## **PETITIONS & PROCLAMATIONS**

Mayor Joyce Warshaw read the Joe Bogner Proclamation and proclaimed June 6, 2015 as Joe Bogner Day. Joe was a pillar in our community. John and Shirley Bogner were present.

Mayor Warshaw read the Business Appreciation Month Proclamation. Economic Development Director, Joann Knight spoke about the Business Resource Fair Event to be held on Wednesday, June 24<sup>th</sup> at the Hoover Pavilion. The Dodge City Ford County Development Corporation nominated 2 businesses for the Governor's Award of Excellence and announced that Victory Electric won the Service award for Southwest Kansas and ITC the Manufacturing Distribution Award for Southwest Kansas. They were in the top 5 finalist out of 76 businesses submitted to the state. The governor will select the top business of the year at a later date in Overland Park. Encouraged all citizens to understand and support your businesses.

**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).**

Superintendent of USD 443, Alan Cunningham made a presentation on the USD #443 School Bond Election. Spoke about the continued growth in Dodge City and the need for more capacity at our schools facilities. June School Facilities Election Ballots will go out Friday June 5<sup>th</sup>, and will need to be turned in by noon, June 25<sup>th</sup>.

Rileigh Heeke, of Comanche Middle School spoke on "Invest in Me" and the importance to vote for the School Bond Tax Project.

Vernon Bogart – Resident & Taxpayer in Dodge City commented on the School Bond Project costs.

Dan Schenkein of Chamber of Commerce, also commented, Chamber of Commerce Board of Directors are in favor of the Bond Issue.

**CONSENT CALENDAR**

1. Approval of City Commission Meeting Minutes, May 18, 2015;
2. Appropriation Ordinance No. 11, June1, 2015;
3. Cereal Malt Beverage Applications:
4. Approval of Termination of Mages Real Estate Listing.
5. Approval of Change Order for Downtown Curb and Gutter.

Commissioner Brian Delzeit moved to approve the Consent Calendar as presented; Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

**ORDINANCES & RESOLUTIONS****UNFINISHED BUSINESS****NEW BUSINESS**

1. Bid from Kansas Golf and Turf in the amount of \$18,383 for the Front Deck Rotary Mower for the Golf Course was approved on a motion by Commissioner Kent Smoll; motion was seconded by Commissioner Jan Scoggins. The motion carried unanimously.

**OTHER BUSINESS**

City Manager, Cherise Tieben:

Commissioner, Jan Scoggins:

- Congratulated Victory Electric and ITC on their awards and very best of luck when they go to Overland;
- Thanked Joann Knight for all her hard work.

Commissioner, Kent Smoll:

- Joann, I and others attended a RECon Convention to try to recruit businesses to come to Dodge City, we worked hard and I feel we were very successful;
- Keep your shopping here in Dodge City, when you shop local this affects the Sales Tax. Sales tax have increased. Shop local and shop often.

Commissioner, Brian Delzeit:

- Encourage everyone to vote;
- Turn in your donations for fireworks.

Mayor, Joyce Warshaw:

- Cudos to the Cemetery Crew for making the cemetery look so beautiful for the Memorial weekend, the Kiosk is now at the cemetery;
- Last game for the DC Law on June 6th and they will recognize our educators at the game;
- School is out for summer, watch out for the summer High School Bike Riders;
- Ballots going out, fill out, vote, and mail back.

Director of Information, Jane Longmeyer:

- The Main Street Festival downtown to be held Sunday, June 7<sup>th</sup> there will be a variety of entertainment and activities for the kids, also the Great Quack Attack will be held. Invite the public to come out and enjoy the evening.

Kent Smoll commented on the United Wireless Arena they had a wrestling tournament this weekend with around 1500 kids from all over the surrounding states and attendees spoke nothing but good things about the Arena. They will continue to have these events here for the next 3 years. Cudos to the Event Center Staff.

Joyce Warshaw commented, the motels are filling up for the Dodge City Days.

#### **ADJOURNMENT**

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

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Mayor

ATTEST:

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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): 004-480728482F-001

|                                                |  |                                                                                                                                        |                               |
|------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| Name of Corporation<br>HIGH PLAINS PIZZA, INC. |  | Principal Place of Business<br>HIGH PLAINS PIZZA, INC                                                                                  |                               |
| Corporation Street Address<br>7 W PARKWAY BLVD |  | Corporation City<br>LIBERAL                                                                                                            | State<br>KS Zip Code<br>67901 |
| Date of Incorporation<br>09/01/1966            |  | 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.<br>620-624-5638                                                                                                              |                               |
| Residence Street Address                       |  | City                                                                                                                                   | State Zip Code                |

## SECTION 3 – LICENSED PREMISE

| Licensed Premise<br>(Business Location or Location of Special Event) |                          | Mailing Address<br>(If different from business address)                                                                                                    |                          |
|----------------------------------------------------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| DBA Name<br>PIZZA HUT #104                                           |                          | Name<br>HIGH PLAINS PIZZA, INC                                                                                                                             |                          |
| Business Location Address<br>110 FRONTVIEW ST                        |                          | Address<br>PO BOX 2438                                                                                                                                     |                          |
| City<br>DODGE CITY                                                   | State<br>KS Zip<br>67801 | City<br>LIBERAL                                                                                                                                            | State<br>KS Zip<br>67901 |
| Business Phone No.                                                   |                          | <input type="checkbox"/> Applicant owns the proposed business location.<br><input type="checkbox"/> Applicant does not own the proposed business 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<br>SEE ATTACHED     | 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

## 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<br><b>Love's Travel Stops &amp; Country Stores, Inc.</b> |                                                                    | Principal Place of Business |                                                          |
| Corporation Street Address<br><b>10601 N. Pennsylvania</b>                   | Corporation City<br><b>Oklahoma City</b>                           | State<br><b>OK</b>          | Zip Code<br><b>73120</b>                                 |
| Date of Incorporation<br><b>12/29/1986</b>                                   | Articles of Incorporation are on file with the Secretary of State. |                             | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Resident Agent Name                                                          | Phone No.                                                          |                             |                                                          |
| Residence Street Address                                                     | City                                                               | State                       | Zip Code                                                 |

## SECTION 3 - LICENSED PREMISE

| Licensed Premise<br>(Business Location or Location of Special Event)                     |                    |                     | Mailing Address<br>(If different from business address)                                                                                                                                         |       |     |
|------------------------------------------------------------------------------------------|--------------------|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-----|
| DBA Name<br><b>Love's Travel Stoop #62</b>                                               |                    |                     | Name                                                                                                                                                                                            |       |     |
| Business Location Address<br><b>400 E. Wyatt Earp</b>                                    |                    |                     | Address                                                                                                                                                                                         |       |     |
| City<br><b>Dodge City</b>                                                                | State<br><b>KS</b> | Zip<br><b>67801</b> | City                                                                                                                                                                                            | State | Zip |
| Business Phone No.<br><b>(620) 225-0641</b>                                              |                    |                     | <input checked="" type="checkbox"/> Applicant owns the proposed business or special event location.<br><input type="checkbox"/> Applicant does not own the proposed business or event location. |       |     |
| Business Location Owner Name(s)<br><b>Love's Travel Stops &amp; Country Stores, Inc.</b> |                    |                     |                                                                                                                                                                                                 |       |     |

## 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<br><b>See Attached List</b> | 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 |

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

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

☒ City or ☐ County of Dodge city

**SECTION 1 - LICENSE TYPE**

Check One: ☒ 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 licensee's premises.

**SECTION 2 - APPLICANT INFORMATION**

Kansas Sales Tax Registration Number (required): 004-473752740F-01

|                                                 |                                  |                                    |
|-------------------------------------------------|----------------------------------|------------------------------------|
| Name<br><u>Jun Xu</u>                           | Phone No.<br><u>620-801-5188</u> | Date of Birth<br><u>03/29/1987</u> |
| Residence Street Address<br><u>1409 Park St</u> | City<br><u>Dodge city</u>        | Zip Code<br><u>67801</u>           |

**Applicant Spousal Information**

|                                                   |                                  |                                    |
|---------------------------------------------------|----------------------------------|------------------------------------|
| Spouse Name<br><u>Elisbeth Gongomlez</u>          | Phone No.<br><u>702-883-8977</u> | Date of Birth<br><u>05/12/1984</u> |
| Residence Street Address<br><u>3356 Senece Dr</u> | City<br><u>Las Vegas</u>         | Zip Code<br><u>NV 89169</u>        |

**SECTION 3 - LICENSED PREMISE**

| Licensed Premise<br>(Business Location or Location of Special Event) | Mailing Address<br>(If different from business address)                                                                                                           |
|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DBA Name<br><u>Manta Sushi Steak House LLC</u>                       | Name<br><u>same</u>                                                                                                                                               |
| Business Location Address<br><u>1010 E Wyate exp Blvd</u>            | Address                                                                                                                                                           |
| City<br><u>Dodge city</u> State<br><u>KS</u> Zip<br><u>67801</u>     | City State Zip                                                                                                                                                    |
| Business Phone No.<br><u>620-801-5188</u>                            | <input type="checkbox"/> I own the proposed business or special event location.<br><input type="checkbox"/> I do not own the proposed business or event location. |
| Business Location Owner Name(s)<br><u>Jun Xu</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>1</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:<br>(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 Have <input checked="" type="checkbox"/> No Have Not |
| My spouse has previously held a CMB license.                                                                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No               |
| My spouse has never been convicted of one of the crimes mentioned above while licensed.                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No               |



**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 \_\_\_\_\_

**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 licensee's premises.

**SECTION 2 – APPLICANT INFORMATION**

Kansas Sales Tax Registration Number (required):

|                                                   |                                  |                                 |
|---------------------------------------------------|----------------------------------|---------------------------------|
| Name<br><u>Catherine Rincon</u>                   | Phone No.<br><u>620-255-3499</u> | Date of Birth<br><u>6-22-78</u> |
| Residence Street Address<br><u>1815 Burr Pkwy</u> | City<br><u>DC</u>                | Zip Code<br><u>67801</u>        |

**Applicant Spousal Information**

|                                                   |                                  |                                  |
|---------------------------------------------------|----------------------------------|----------------------------------|
| Spouse Name<br><u>Byron Rincon</u>                | Phone No.<br><u>620-255-1108</u> | Date of Birth<br><u>10-20-78</u> |
| Residence Street Address<br><u>1815 Burr Pkwy</u> | City<br><u>DC</u>                | Zip Code<br><u>67801</u>         |

**SECTION 3 – LICENSED PREMISE**

| Licensed Premise<br>(Business Location or Location of Special Event) | Mailing Address<br>(If different from business address)                                                                                                           |
|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DBA Name<br><u>El Chorro Restaurant</u>                              | Name                                                                                                                                                              |
| Business Location Address<br><u>1209 WWE</u>                         | Address                                                                                                                                                           |
| City<br><u>DC</u> State<br><u>KS</u> Zip<br><u>67801</u>             | City State Zip                                                                                                                                                    |
| Business Phone No.<br><u>620-225-0371</u>                            | <input type="checkbox"/> I own the proposed business or special event location.<br><input type="checkbox"/> I do not own the proposed business or event location. |
| Business Location Owner Name(s)<br><u>Catherine Rincon</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>36</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:<br>(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 Have <input checked="" type="checkbox"/> No Have Not |
| My spouse has previously held a CMB license.                                                                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No               |
| My spouse has never been convicted of one of the crimes mentioned above while licensed.                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No               |

## Memorandum

*To: City Manager  
City Commissioners*  
*From: Tanner Rutschman, Civil Engineer TR*  
*Date: June 3, 2015*  
*Subject: 2014 Asphalt Street Project (ST 1401)*  
*Agenda Item: Consent Calendar*

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**Recommendation:** Approve Change Order No. 1 for 2014 Asphalt Street Project.

**Background:** 2014 Asphalt Street Project was approved on June 2, 2014

**Justification:** Sub-Grade Repair— The underrun of Sub-Grade Repair. The reason for the underrun was due to the Contractor not having to repair the sub-grade on Marsha Ln. This was a pay as needed item.

4" HMA Base Course— The overrun of 4 Ton of 4" HMA Base Course. The reason for the overrun is due to a difference between theoretical volumes and actual volumes measured and placed in the field.

2" HMA Surface Course— The overrun of 121 Ton of 2" HMA Surface Course. The reason for the overrun is due to a difference between theoretical volumes and actual volumes measured and placed in the field.

Remove/Replace Curb and Gutter — The underrun of 45 L.F. of Rem./Repl. Curb & Gutter. The reason for the underrun is due to decisions made in the field during construction to reduce the amount of Curb and Gutter being replaced.

Manhole Adjustment — This is a new addition to bid items on the project. It will be paid as Each. The reason for this addition to the bid items was due to an existing manhole located in Robin Rd. that required an adjustment.

**Financial Considerations:** Change Order No. 1 is for an increase of \$1,917.00

**Purpose/Mission:** One of the City's core values in Ongoing Improvements. With the construction of these improvements the City is preparing for the community's future and providing new possibilities for current and future citizens of our community.

**Legal Considerations:** N/A

**Attachments:** Change Order No. 1

## Change Order

PROJECT NUMBER: ST 1401

REQUEST NUMBER: 1

|              |             |
|--------------|-------------|
| NET INCREASE | \$ 1,917.00 |
|--------------|-------------|

This is to affirm that I have inspected this change in plans and construction and hereby agree to the quantities, unit prices, and amounts shown above.

## Director of Engineering Services

By: \_\_\_\_\_

Mayor or City Manager

**Mayor or City Manager**

## **LAND LEASE AGREEMENT**

This LEASE made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between the CITY OF DODGE CITY, KANSAS, hereinafter referred to as OWNER; and \_\_\_\_\_, hereinafter referred to as TENANT.

As consideration for this agreement, Landlord agrees to lease to TENANT and TENANT agrees to lease from OWNER for use solely as Lawn Space, the north portion of the lot containing Well #9 located at 2204 W. Spruce St. in the city of Dodge City, Kansas (the "Premises"). The Premises is more specifically described by the shaded area as shown in Exhibit A.

1. **TERMS:** TENANT agrees to pay Twenty-five Dollars (\$25.00) for the remaining calendar year of 2015 due and payable at the execution of this Lease, and Fifty Dollars (\$50.00) per year hereafter. The lease payment for all subsequent years is due and payable on or before January 2<sup>nd</sup> of each year. This Lease shall continue until December 31, 2020, or until either party terminates this Lease by giving a written notice of intention to terminate at least thirty (30) days prior to the date of termination, see Section 6 below.
2. **ANIMALS:** No animal, fowl, fish, reptile, and/or animal of any kind shall be kept on or about the Premises, for any amount of time.
3. **PARKING:** The TENANT will not be allowed to park any vehicles or trailers on the Premises.
4. **ALTERATIONS:** The TENANT shall not make and/or construct any permanent improvements on or in any portion of the Premises without the written consent of the OWNER.
5. **PROPERTY MAINTENANCE:** The TENANT shall keep all garbage and waste cleaned and disposed of from the Premises. The TENANT shall also be responsible in maintaining the vegetation of the premise, including but not limited to mowing, erosion control, and not allowing any tree growth to take place other than those already present. All maintenance is subject to City Codes.
6. **TERMINATION:** This Lease may be terminated by either party giving to the other party a written notice of intention to terminate at least thirty (30) days in advance of the termination date. The Premises shall be considered vacated at such time as the Premises is clear of all TENANT'S belongings. Should the TENANT hold over beyond the termination date or fail to vacate all possessions on or before the termination date,

TENANT will be liable for additional rent and damages.

7. **INSURANCE:** The TENANT acknowledges that the OWNER'S insurance does not cover personal property damage caused by fire, theft, rain, war, acts of God, acts of others, and/or any other causes, nor shall OWNER be liable for such losses. TENANT acknowledges that he has been advised to obtain his own insurance to cover any personal losses.
8. **RIGHT OF ENTRY AND INSPECTION:** The OWNER may enter, inspect, and/or repair the Premises at any time in case of emergency or suspected abandonment. The OWNER will give the TENANT twenty-four (24) hours advance notice and may enter the premises for the purpose of maintenance of the Well, and/or utilities associated with the Well, and for normal inspections and repairs. The OWNER is permitted to make all alterations, repairs and maintenance that in OWNER'S judgment are necessary to perform.

**ASSIGNMENT:** The TENANT shall not transfer, assign or sublet the Premises or any part thereof.

This Lease is binding upon the heirs, devisees, executors, administrators, agents and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have signed this Lease the day and year first written above.

**OWNER**

City of Dodge City, Kansas

by \_\_\_\_\_

City Manager

**TENANT**

\_\_\_\_\_



**EXHIBIT A -  
Leased Area of Well #9  
Property**



# *Memorandum*

*To: City Manager  
City Commissioners  
From: Nathan Littrell  
Date: June 15, 2015  
Subject: Vacation of Right-of-Way*

*Agenda Item: Ordinances and Resolutions*

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**Recommendation:** City staff recommends approval of this vacation ordinance, contingent upon easement acquisition and site plan approval.

**Background:** The applicant, The First Christian Church, requested the vacation of Vine Street Right-Of-Way between 5<sup>th</sup> Ave. and 7<sup>th</sup> Ave to allow for expansion of their facilities and parking lot. The applicant owns the properties on both sides of the existing Right-Of-Way.

**Justification:** All of the utility companies have been notified and they have no objection to this Right-Of-Way being vacated. There is a water line located in the Right-Of-Way and the City has requested to maintain a utility easement for it. There is also currently a sewer line located in the existing Right-Of-Way that the city will abandon due to a lack of usage.

**Financial Considerations:** None

**Purpose/Mission:**

**Legal Considerations:** None

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



Before the Commission of The City of Dodge City, Kansas

In the Matter of the  
Application for the  
Vacation of a Platted street

Requested for Vacation of a Platted street  
Come now City of Dodge City, owner of a tract more fully  
West Vine Street

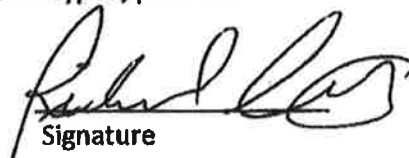
Addition(numeric address), Dodge City, Kansas, and pursuant to the provisions of K.S.A. 12-504  
requests that the City proceed, pursuant to the provisions of said statute, to cause a vacation of  
the (described property to be vacated) west end of West Vine Street (west end from alley  
to 7th Street

The vacation of such portion of the platted street is  
necessary for the petitioner to expand parking lot while maintaining safety for  
pedestrians (including children in preschool) walking in parking lot to facility

Respectfully Submitted,

Richard Crockett, Associate Minister  
On behalf of First Christian Church of Dodge City, Inc.  
Name typed, petitioner

2-6-2015  
Date

  
Signature



ORDINANCE NO. 3607

AN ORDINANCE VACATING VINE STREET RIGHT-OF-WAY BETWEEN 5<sup>TH</sup> AVENUE  
AND 7<sup>TH</sup> AVENUE.

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: Vine Street Right-Of-Way, between the East Right-Of-Way Line of 7<sup>th</sup> Ave. to the West edge of the alley located on Block 23 of Original Town, Dodge City, Ford County, Kansas. Vacation of this Right-Of-Way is subject to the retention of a 15' wide easement as necessary to serve the existing waterline in this area.

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.

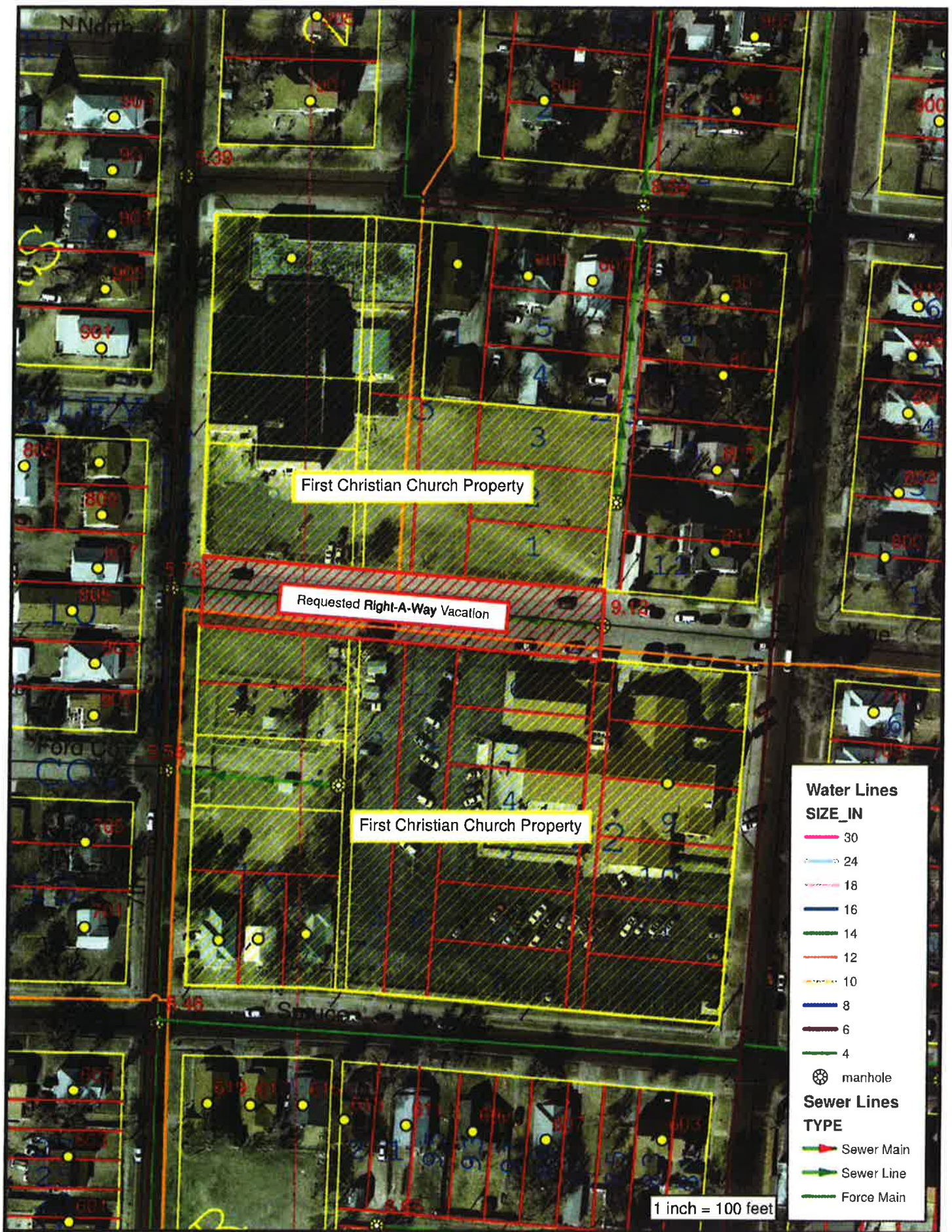
SECTION 5: The City Clerk shall file a certified copy of this ordinance in the offices of the County Register of Deeds and County Clerk for Ford County, Kansas.

PASSED BY THE CITY OF DODGE CITY GOVERNING BODY, IN REGULAR SESSION,  
AND APPROVED BY THE MAYOR, THIS FIFTEENTH DAY OF JUNE, 2015.

\_\_\_\_\_  
JOYCE WARSHAW, MAYOR

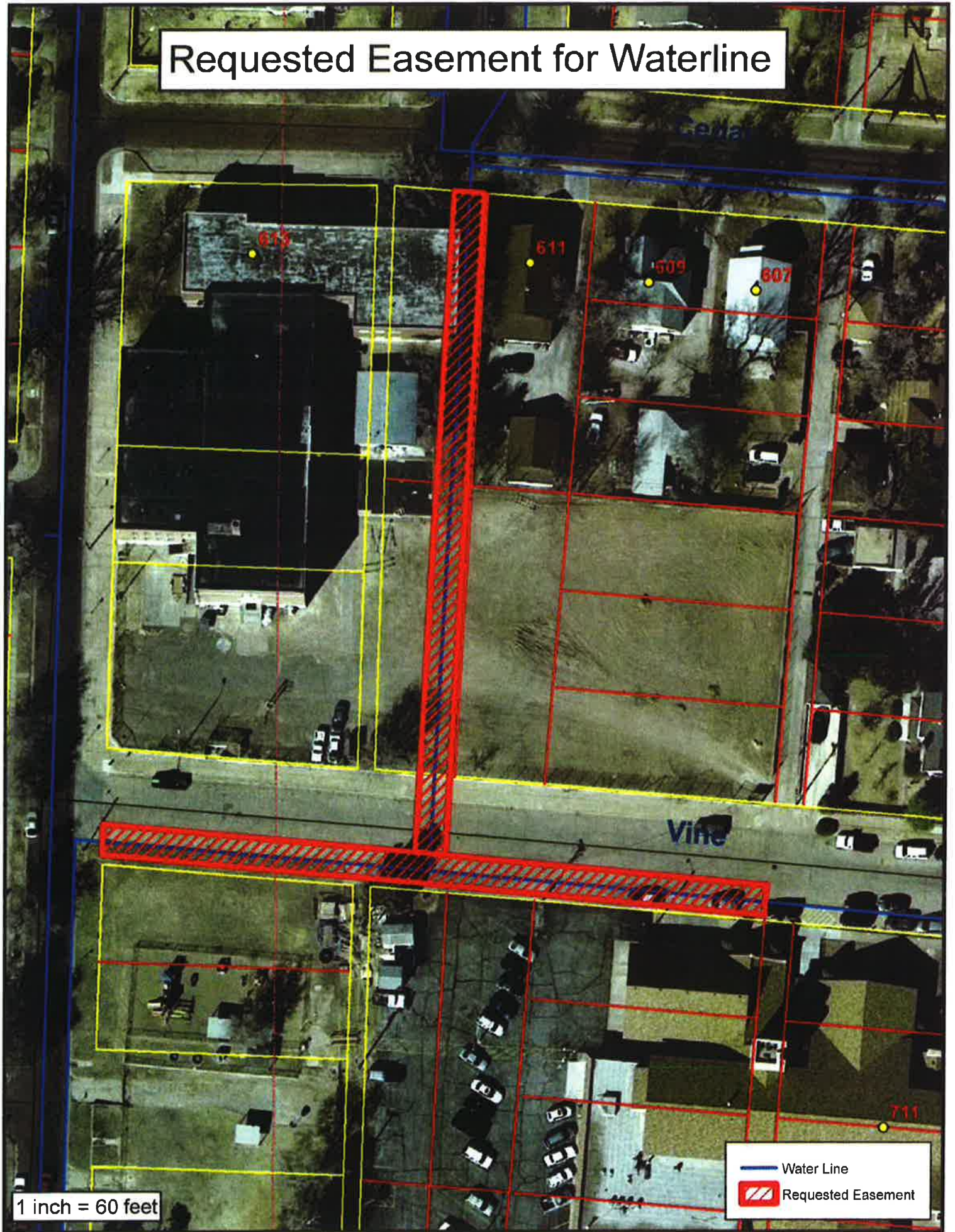
ATTEST:

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





# Requested Easement for Waterline



1 inch = 60 feet

— Water Line  
▨ Requested Easement

## Memorandum

*To: City Manager  
Assistant City Manager  
City Commissioners*  
*From: Fire Chief, Kevin Norton*  
*Date: 6/15/2015*  
*Subject: Temporary Suspension of Ord.  
No.2838 (Fireworks Ban)*

*Agenda Item:  
Ordinances and Resolutions*

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**Recommendation:** Approve resolution.

**Background:** This resolution is the same as those that have been approved over the last several years. The practice of temporarily suspending the ban on the discharge of fireworks in the city was originally started at the request of Ford County in an effort to reduce the amount of fireworks being discharged in their jurisdiction.

**Justification:** The approval of resolution # 2015-19 would provide a limited time for the public to discharge their fireworks in celebration of independence day. Also, because of high law enforcement calls in past years I am again requesting the ban be lifted for two days only - July 4<sup>th</sup> and 5<sup>th</sup> 2015 (10:00 am to 11:00 pm).

**Financial Considerations:** None

**Purpose/Mission:** Mission Statement: "Together, we promote open communications with our community members to improve quality of life and preserve our heritage to foster a better future."

**Legal Considerations:** None

**Attachments:** A copy of resolution 2015-19 is attached.

**RESOLUTION NO. 2015-19**

**A RESOLUTION FOR THE TEMPORARY SUSPENSION AND WAIVER OF CERTAIN PROVISIONS OF ORDINANCE NO. 2838 AND THE 2009 INTERNATIONAL FIRE CODE PERTAINING TO THE DISCHARGE OF FIREWORKS WITHIN THE CITY LIMITS OF THE CITY OF DODGE CITY, KANSAS:**

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**SECTION 1:** For the time period and under the conditions set forth herein, the provisions of Ordinance No. 2838 and the International Fire Code prohibiting the discharge of legal fireworks, as defined by state statutes and regulations of the State Fire Marshal, shall be temporarily suspended and waived so as to allow the lawful discharge of such legal fireworks within the corporate limits of the City of Dodge City, Kansas, subject to the exceptions and under the conditions as provided herein, on Saturday; July 4<sup>th</sup> and Sunday July 5<sup>th</sup>, 2015 between the hours of 10:00 a.m. to 11:00 p.m. of each day;

**SECTION 2:** This waiver and suspension shall not apply to, and the discharge of fireworks shall be prohibited at any time, including July 4<sup>th</sup> and July 5<sup>th</sup>, 2015 on any public property, including but not limited to all public parks, public recreation areas such as ball fields and soccer fields, any school grounds including, school playgrounds and athletic facilities, any public rights of way, or public parking areas (Civic Center / Memorial Stadium).

**SECTION 3:** This waiver and suspension shall not apply to, and the discharge of fireworks shall be prohibited at any time, including July 4<sup>th</sup> and July 5<sup>th</sup>, 2015 on any real property within the corporate limits of the City of Dodge City without the permission of the owner or person or entity in control of said real property.

**SECTION 4:** Notwithstanding this suspension and waiver, officers of the Dodge City Fire Department and the Dodge City Police Department shall have the authority to confiscate any fireworks from any individual possessing the same, if in the opinion of said officer, the use or discharge of such fireworks is being conducted in such a manner as to create a health or safety hazard for the user or other persons, or in such a manner as to create a safety hazard to public or private property.

**SECTION 5:** This waiver will automatically expire at 11:01 p.m. on July 5<sup>th</sup>, 2015 and may be rescinded prior thereto by action of the governing body.

**SECTION 6:** This Resolution shall take effect and be in force from and after its adoption.

Adopted by the governing body this 15<sup>th</sup> day of June, 2015.

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Joyce Warshaw, Mayor

ATTEST:

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Nannette Pogue, City Clerk

# *Memorandum*

*To: City Manager  
City Commissioners  
From: Ryan Reid  
Date: June 3rd, 2015  
Subject: trash carts  
Agenda Item: New Business*

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**Recommendation:** On May 26th, 2015 two bids were received and opened for one (1) truck load of 96 Gallon Wheeled Trash Carts. Based on the bids received, staff would recommend purchasing the carts from the lowest bidder (Toter). Their low bid was for \$46.88 per cart (624 carts for \$29,253.12).

Bid tabulation is attached for your review.

**Background:** These carts will be used by Sanitation to provide services to Dodge City residents.

**Justification:** Toter had the lowest bids and they meet the specs. Additionally, Sanitation has tested this make and model (the units hold up to our temperatures and high wind).

**Financial Considerations:**  
This will be paid for from Sanitation.

**Attachments:** Bid Tabulation/photo



**96 Gallon Wheeled Trash Carts**

| <u>Vendor</u>             | <u>Total</u>    | <u>Notes</u>                     |                |
|---------------------------|-----------------|----------------------------------|----------------|
| <b>Toter</b>              | <b>\$29,253</b> | <b>624 carts at \$46.88 each</b> | <b>Low bid</b> |
| Downing Sales and Service | \$27,260        | 580 carts at \$47 each           |                |



Toter EVR ii Carts

# *Memorandum*

*To: City Manager  
City Commissioners  
From: Ryan Reid  
Date: June 1st, 2015  
Subject: Hoover Pavilion Exterior Painting  
Agenda Item: New Business*

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**Recommendation:** On May 5th, 2015 one bid was received and opened for the Hoover Pavilion Exterior Painting Project. Staff recommends taking the bid from T. Baird Painting and Drywall for \$29,218.

Bid tabulation is attached for your review.

**Background:** This project is budgeted. It will be paid for from the Parks Department General Budget. The project had \$24,000 budgeted.

**Justification:** This is the second time we bid this project this year. The first time we had no responses. Staff has had good experience with T. Baird Painting and Drywall and expect a quality outcome.

The job entails repainting the exterior and repairing the stucco, applying sealant, etc. Though the project exceeds the budget by \$5,218, Staff recommends we proceed with the maintenance and repairs.

**Financial Considerations:**  
This purchase was budgeted for this year.

**Attachments:** Bid Tabulation, photos



**Hoover Pavilion Exterior Painting**

| <u>Vendor</u>               | <u>Total</u> | <u>Notes</u> |         |
|-----------------------------|--------------|--------------|---------|
| T. Baird Painting & Drywall | \$29,218     | Only bidder  | Low bid |
|                             |              |              |         |



## Memorandum

*To: City Manager  
City Commissioners*  
*From: Ray Slattery, P.E.*  
*Director of Engineering Services*  
*Date: June 10, 2015*  
*Subject: Bids for South 2<sup>nd</sup> Ave. Pressure Sewer*  
*Agenda Item: New Business*

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**Recommendation:** Approve bid from Dreiling Construction, LLC, for the construction of the South 2<sup>nd</sup> Ave. Pressure Sewer, in the amount of \$137,184.04.

**Background:** On and off for the past 8 years, a few of the businesses along S. 2<sup>nd</sup> Ave. have inquired about extending public sewer. Every time an estimate was presented it was too cost prohibitive to proceed. In 2014, staff looked into installing a pressure sewer along 2<sup>nd</sup> Ave. to provide sewer the businesses. This concept and construction estimate seemed to be more cost effective. Several Businesses joined together and petitioned the city to design and construct the pressure sewer. Not all businesses along 2<sup>nd</sup> Ave. will be connecting to the pressure sewer. It will be available to them when the time comes and their septic system fails. These businesses will have a hook up fee to connect.

**Justification:** This project will provide sewer to several businesses and make sewer available to several more. It will also protect the public health and environment.

**Financial Considerations:** The construction of the South 2<sup>nd</sup> Ave. Pressure Sewer will cost \$137,184.04. Funding of this project will be by Special Assessments. The Benefit District will be responsible for 90% of the cost and the City at large will be responsible for the remaining 10%.

**Purpose/Mission:** The completion of this project will continue the ongoing improvement and stewardship for the citizens and businesses of and around Dodge City.

**Legal Considerations:** By approving the bid with Dreiling Construction, LLC. the City will enter into a contract with Dreiling Construction, LLC. and be responsible to make payments for the completed work.

**Attachments:** The bid tabulation for Dreiling Construction LLC., Middlecreek Corporation, Dick Construction, and Smoky Hills, LLC. Included in the bid tab is the Engineer's Opinion of Cost of \$179,534.00.

|            |                               |
|------------|-------------------------------|
| PROJECT:   | South 2nd Ave. Pressure Sewer |
| PROJECT #: | SS 1303                       |

## ENGINEER'S ESTIMATE

## ENGINEER'S ESTIMATE

## ENGINEER'S ESTIMATE

## ENGINEER'S ESTIMATE

## ENGINEER'S ESTIMATE

## Memorandum

*To:* City Manager  
City Commissioners  
*From:* Ray Slattery, P.E.   
Director of Engineering Services  
*Date:* June 5, 2015  
*Subject:* Primary Pump Station Improvements  
(Screening Building) SS 1102  
*Agenda Item:* New Business

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**Recommendation:** Approve Change Orders No. 2 & 3 for Primary Pump Station Improvements (Screening Building) in the amount of \$14,116.00.

**Background:** The construction of the Screening Building was approved by the Commission on April 7, 2014. Construction started in September of 2014. The Project was substantially completed with the exception of some minor issues in January of 2015.

**Justification:** Change Orders #2 & #3 represents the final "as-built" quantities of the project.

Items included in Change Order #2 include;

The existing influent line's alignment was somewhat different than shown on the plans. This resulted in an additional 20 feet of 30" pipe being needed. Also as a result of the alignment adjustment an existing manhole was removed to provide a cleaner finished product. The cost of this work was \$11,501.00 and 3 additional days.

When the contractor was installing the 24" by-pass line they encountered a large concrete structure. They needed a hydraulic hammer to break up and remove the structure. The cost to remove the structure was \$1,975.00 and added one additional day to the project.

Change Order #3 Items include;

Staff decided to use asphalt millings instead the specified aggregate for the drive to the new building. A deduct of \$2,510.00 was a result of this change. The reason we went with millings is because it is a material we have access to and will not have to special order the aggregate material when needed in the future.

A "Man-Down" System was added to the project. Due to the nature of this operation this safety switch was needed. The added cost to install this safety switch was \$1,300 and 5 additional days.

Also dealing with safety is the addition of Gas Detection Programming into SCADA. This will alert the operators when sewer gas is present inside the building. The added cost for this upgrade was \$1,850 and an additional 5 days.

To keep the project moving each of these items were approved in the field.

**Financial Considerations:** Change Orders No. 2 & 3 is for an increase of \$14,116.00. The new contract price including these change orders is \$802,097.50. The new contract price represents a 4% increase in the cost of the overall project.

**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:** None