

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Monday, December 6, 2021

7:00 p.m.

MEETING #5199

Public is welcome although seats are limited for social distancing; or you can view as follows:

1. Watch live on our Facebook page at www.facebook.com/cityofdodgecity

2. Or watch it on our Vimeo page at www.vimeo.com/cityofdodgecity.

The meeting will be archived on both sites to be viewed after the live video has ended.

CALL TO ORDER

ROLL CALL

INVOCATION BY Marsha Couch of Market Place International Ministries

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Issuance of Revenue Bonds (Hilmar Cheese Project)

APPROVAL OF AGENDA

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, November 15, 2021.
2. Appropriation Ordinance No.23, December 6, 2021.
3. Cereal Malt Beverage License:
 - a. Casey's General Store #3783, 2201 N. 14th Avenue
 - b. Casey's General Store #3863, 700 W. Wyatt Earp Blvd.
 - c. Pizza Hut, 110 Frontview Street.

4. Approval of Change Order #3 for the Avenue K RCB Replacement Project, SD 1701.

ORDINANCES & RESOLUTIONS

UNFINISHED BUSINESS

1. Approval of 2022 Special Sales Tax Budget. Report by Finance Director, Nicole May.

NEW BUSINESS

1. Approval of Bid for the United Wireless Arena Concrete Repairs. Report by Director of Engineering, Ray Slattery.

OTHER BUSINESS

STAFF REPORTS

ADJOURNMENT

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Monday, November 15, 2021

7:00 p.m.

MEETING #5198

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CALL TO ORDER

ROLL CALL Mayor Rick Sowers, Brian Delzeit, Blanca Soto, Joseph Nuci present. Commissioner Kent Smoll reported absent.

INVOCATION by Pastor Kurt Larson of Grace Community

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Commissioner Brian Delzeit made a motion to approve the agenda as presented. Commissioner Blanca Soto seconded the motion. The motion carried 4 - 0.

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, November 1, 2021.
2. Approval of Special City Commission Meeting Minutes, November 5, 2021.
3. Approval of Special City Commission Meeting Minutes, November 10, 2021.
4. Appropriation Ordinance No.22, November 15, 2021.
5. Approval of Contract Fee Correction for the Design of Iron Flats Sub-Division.

Commissioner Joseph Nuci made a motion to approve the consent calendar as presented. Commissioner Brian Delzeit seconded the motion. The motion carried 4 -0.

ORDINANCES & RESOLUTIONS

Ordinance No. 3765: An Ordinance Annexing to the City of Dodge City the Described Property, in Accordance with K.S.A. 12-520c and all Amendments Thereto was approved on a motion by Commissioner Blanca Soto. Commissioner Joseph Nuci seconded the motion. The motion carried 4 - 0.

UNFINISHED BUSINESS

1. Commissioner Blanca Soto moved to table the 2022 Special Sales Tax Budget. Commissioner Brian Delzeit seconded the motion. The motion carried 4 - 0.

NEW BUSINESS

1. Commissioner Ric Sowers moved to approve to reject the bid in the amount of \$153170.50 for the Division 18, Roadway Improvements, Maple Grove Cemetery. Commissioner Joseph Nuci seconded the motion. The motion carried 4 - 0.
2. Commissioner Blanca Soto moved to approve the 2022 Southwest Kansas Coalition Legislative Policy Agenda. Commissioner Brian Delzeit seconded the motion. The motion carried 4 - 0.
3. Commissioner Brian Delzeit moved to approve of Public Transportation Local Match Grant Letter Applications. Commissioner Blanca Soto seconded the motion. The motion carried 4 - 0.
4. Commissioner Rick Sowers moved to approve the bid from Building Solutions, LLC in the amount of \$492,138.50 for the Comanche Street Reconstruction. Commissioner Brian Delzeit seconded the motion. The motion carried 3 - 1 with Commissioner Joseph Nuci voting nah.
5. Commissioner Joseph Nuci moved to approve of Facilities Reimbursement Agreement with Northern Natural Gas Company in the amount of \$754,635. Commissioner Blanca Soto seconded the motion. The motion carried 4 - 0.
6. Commissioner Rick Sowers moved to approve the Revised Rate Structure for the Long Branch Lagoon Water Park. Commissioner Blanca Soto seconded the motion. The motion carried 4 - 0.
7. Commissioner Rick Sowers moved to approve the proposal with McGrath Consulting in the amount of \$44,772 for a Police Department Operational and Management Assessment. Commissioner Brian Delzeit seconded the motion. The motion carried 4-0.

Mayor Rick Sowers advised Commissioner Brian Delzeit would recuse himself from any discussion and voting.

8. Commissioner Blanca Soto moved to approve the Real Estate Contract for the purchase of 79.5 acres from Shelor Trust in the amount of \$198,750. Commissioner Joseph Nuci seconded the motion. The motion carried 3 – 0.

OTHER BUSINESS

STAFF REPORTS

ADJOURNMENT

Commissioner Joseph Nuci moved to adjourn the meeting. Commissioner Brian Delzeit seconded the motion. The motion carried 4 - 0

ATTEST:

Mayor

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): 004-201025921F-01

I have registered as an Alcohol Dealer with the TTB. Yes (required for new application)

Name of Corporation CASEY'S RETAIL COMPANY		Principal Place of Business ONE SE CONVENIENCE BLVD	
Corporation Street Address ONE SE CONVENIENCE BLVD		Corporation City ANKENY	State IA
		Zip Code 50021	
Date of Incorporation 04/14/04	Articles of Incorporation are on file with the Secretary of State.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Resident Agent Name C T CORPORATION SYSTEM		Phone No. 866-331-2303	
Residence Street Address 112 SW 7TH ST, SUITE 3C		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 CASEY'S #3783	Name CASEY'S RETAIL COMPANY, ATTN: GAYLE BEGALSKE
Business Location Address 2201 N 14TH AVE	Address PO BOX 3001
City DODGE CITY, KS 67801	City ANKENY, IA 50021
State	State
Zip	Zip
Business Phone No. (620) 225-8879	<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) CASEY'S RETAIL COMPANY	

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 NO PERSONS INDIVIDUALLY OR IN AGGREGATE OWN 25% OR MORE OF CORPORATE STOCK	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 DODGE CITY

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): 004-201025921F-01				
I have registered as an Alcohol Dealer with the TTB. <input checked="" type="checkbox"/> Yes (required for new application)				
Name of Corporation CASEY'S RETAIL COMPANY		Principal Place of Business ONE SE CONVENIENCE BLVD		
Corporation Street Address ONE SE CONVENIENCE BLVD		Corporation City ANKENY	State IA Zip Code 50021	
Date of Incorporation 04/14/04		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Resident Agent Name C T CORPORATION SYSTEM		Phone No. 866-331-2303		
Residence Street Address 112 SW 7TH ST, SUITE 3C		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 CASEY'S #3863		Name CASEY'S RETAIL COMPANY, ATTN: GAYLE BEGALSKE		
Business Location Address 700 W WYATT EARP BLVD		Address PO BOX 3001		
City DODGE CITY, KS 67801	State	City ANKENY, IA 50021	State Zip	
Business Phone No. (620) 225-8914		<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) CASEY'S RETAIL COMPANY				
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 NO PERSONS INDIVIDUALLY OR IN AGGREGATE OWN 25% OR MORE OF CORPORATE STOCK		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

35923

CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

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

\$225

City or County of Dodge City, Kansas

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): 004-822381178F-01

I have registered as an Alcohol Dealer with the TTB. Yes (required for new application)

Name of Corporation GMRG ACQ 1, LLC		Principal Place of Business	
Corporation Street Address 10880 Benson, Suite 2320		Corporation City Overland Park	State KS
Date of Incorporation 8/3/17	Articles of Incorporation are on file with the Secretary of State.		Zip Code 66210
Resident Agent Name Jen Seward		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Residence Street Address 1695 N. Mayfield Rd		Phone No. 620-243-2955	City Hutchinson
		State KS	Zip Code 67501

SECTION 3 - LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)				Mailing Address (If different from business address)			
DBA Name Pizza Hut #035923				Name Pizza Hut #035923			
Business Location Address 110 Frontview				Address 10880 Benson, Suite 2320			
City Dodge City	State KS	Zip 67801		City Overland Park	State KS	Zip 66210	
Business Phone No. 620-225-2286				<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) Michael Cherney							

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	Position	State	Date of Birth
Michael Cherney	CEO		1/23/1983
Residence Street Address 2223 W Lyndale St	City Chicago	IL	Zip Code 60647
Spouse Name Sara Cherney	Position N/A		Date of Birth 6/23/1981
Residence Street Address 2223 W Lyndale St	City Chicago	IL	Zip Code 60647
Name Tim Quinlan	Position Passive Investor		Date of Birth 10/4/1976
Residence Street Address 14 East 93rd Street	City New York	NY	Zip Code 10028
Spouse Name Courtney Quinlan	Position		Age 5/14/76
Residence Street Address 14 East 93rd Street	City New York	NY	Zip Code 10028
Name	Position		Date of Birth
Residence Street Address	City	State	Zip Code
Spouse Name	Position		Age
Residence Street Address	City	State	Zip Code



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Ray Slattery, PE, Director of Engineering Services
Date: November 24, 2021
Subject: Change Order #3, Ave. K RCB Replacement, SD 1701
Agenda Item: Consent Calendar

Recommendation: Approve Change Order #3 for the Ave. K RCB Replacement Project for a total increase in the amount of \$590.00.

Background: The Ave. K RCB Project was approved in August of 2019 the Commission approved the construction of this project. The start date was set for January 2020. When demolition started in January 2020, a major AT& T phone duct was found that was not located during the design phase. AT&T scheduled to move the duct, but due to their scheduling it was going to be a few weeks. Then the COVID shut down took place and AT&T did not do any work per their company policy. Once AT&T went back to work there was a backlog on all their projects. Once the duct was moved and out of the way, Building Solutions had moved on to other projects to keep their crews busy. Building Solutions was able to start back on the project earlier this year. This Chang Order finalizes the project. An additional Flume was constructed on the south side of Ave. K west of the RCB to provide an overflow for water to get to the channel during heavy rain events. It was discovered the inlet could not handle all the flow and the water backed over the curb and eroded along the side of the RCB. So, this additional flume was constructed. The other items of the Change Order zero out the items that were deleted from the project.

Justification: This change order finalizes the project.

Financial Considerations: Change Order #3 is for an increase of \$590.00. Funding will be from the 2019 Series-A GOB.

Purpose/Mission: The completion of this project aligns with the City's Core Value of Ongoing Improvement and Safety.

Legal Considerations: By approving the Change Order from Building Solutions, LLC, the contract dollar amount will be amended.

Attachments: Change Order #3

CITY OF DODGE CITY

Change Order

CONTRACT FOR: Avenue K & Military Avenue RCB Repl.

PROJECT NUMBER: SD 1701

CONTRACTOR: Building Solutions

REQUEST NUMBER: 3

ITEM DESCRIPTION	UNIT	CONTRACT OR PREVIOUS QUANTITY	ADJUSTED QUANTITY	AMOUNT OF OVERRUN OR UNDERRUN	CONTRACT UNIT PRICE	NEW UNIT PRICE	DOLLAR AMOUNT OF CHANGE
Additional Flume on the south side of Ave. K	LS	0	1	1		\$ 4,255.00	\$ 4,255.00
Silt Fence	LF	483	0	-483	\$ 5.00		\$ (2,415.00)
Inlet Protection	Each	2	0	-2	\$ 250.00		\$ (500.00)
Sandbag Dike	Each	3	2	-1	\$ 750.00		\$ (750.00)
NET INCREASE						\$	590.00

RECOMMENDED FOR APPROVAL:

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.

Ray Slattery, P.E.
Director of Engineering Services

Contractor: Building Solutions

Connie Marquez, City Clerk

Mayor or City Manager

By: _____



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
JD Gilbert, County Administrator and County Commissioners
From: Nicole May, Finance Director City of Dodge City
Date: October 26, 2021
Subject: 2022 Sales Tax Fund Budget
Agenda Item: New Business

Recommendation: I recommend approving the 2022 Sales Tax Fund Budget as presented.

Background: The City and County Commissions must both approve the budget for the Sales Tax Fund each year. The 2022 budget has been previously discussed in a joint meeting due to concerns in prior years regarding the inadequate funding of the Depreciation and Replacement Fund. The final budget has been prepared based on the feedback from each commission.

Justification: Each year the Sales Tax Fund Budget must be approved by the City and County Commissions after being approved by CFAB. The budget was approved by CFAB at the September 28, 2021 meeting.

Financial Considerations: The budget would be used as guidance for expenses for the 2022 year.

Purpose/Mission: On-going improvements to provide for community growth.

Legal Considerations: None

Attachments: Budget narrative and spreadsheet



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Ray Slattery, PE, Director of Engineering Services
Date: November 29, 2021
Subject: Approval of contract for Event Center Concrete Repairs, CA 1402
Agenda Item: New Business

Recommendation: Approve contract for the concrete repairs at the United Wireless Arena in the amount of \$60,000 with Precision Construction & Contracting LLC. Precision Construction & Contracting LLC submitted a bid in the amount of \$75,854.80 for the project. This bid is 9.6% above the Engineer's Estimate of \$69,223.00 but is considered to be a reasonable bid. However, there was \$60,000 budgeted for the project. Staff has been in discussions with Precision Construction & Contracting, LLC since the bid opening. Precision Construction & Contracting, LLC., agreed to a reduction of quantities, therefore we will reduce the amount of work to be done to meet the budget amount.

Background: The repairs to the concrete parking lot of the arena have been needed for some time. The 2021 Safety Inspection of the parking lot found many areas that would be considered tripping or fall hazards. The hazards ranged from broken curbs to heaved/settled sidewalks and ADA Ramps. There are also some cracked concrete panels that will be repaired. A list of repairs was started in 2014, but due to circumstances and the sheer number of repairs needed the project was advertised for bid this year.

Justification: These repairs will improve the sidewalk, ADA Ramps, parking lot, and the safety of those attending events at the Event Center.

Financial Considerations: The cost of these repairs is \$60,000.00. Funding of this project will be from the 2021 & 2022 Why Not Dodge (WND) Sales Tax Budget. \$20,000 was budgeted for 2021 and \$40,000 in 2022 budget. The contractor is also willing to work with the City to value engineer the project to only make repairs that total the budgeted amount.

Purpose/Mission: The completion of this project aligns with the City's Core Values of Safety and Ongoing Improvement.

Legal Considerations: By approving the bid from Precision Construction & Contracting LLC., the City will enter a contract with Precision Construction & Contracting LLC. and be responsible to make payments for the completed work.

Attachments: Bid Tab

CITY OF DODGE CITY, KANSAS
 BID TABULATION

PROJECT: Event Center Concrete Repairs

PROJECT #: CA 1402

BID DATE: 11/23/21

CONTRACTOR:
 Precision Constrction & Contracting, LLC

ADDRESS:
 600 SW Jefferson St., Suite 101

CITY: Lee's Summit

STATE: Mo

ZIP: 64081

LOW BIDDER

ENGINEER'S ESTIMATE

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
1	Mobilization	LS	1	\$7,500.00	\$ 7,500.00
2	Traffic Control	LS	1	\$7,500.00	\$ 7,500.00
3	Unclassified Excavation	SY	1	\$55.00	\$ 55.00
4	6" Concrete Sidewalk	SY	358	\$70.00	\$ 25,060.00
5	Remove and Replace Curb and Gutter	LF	346	\$65.00	\$ 22,490.00
6	Remove and Replace Pavers	SY	12	\$100.00	\$ 1,200.00
7	Pavement Marking/Symbols	LS	1	\$2,618.00	\$ 2,618.00
8	2' x 5' Access Tile Cast in Place Tiles	Each	7	\$200.00	\$ 1,400.00
9	Curved Access Tile Cast in Place Tiles	Each	7	\$200.00	\$ 1,400.00

UNIT PRICE	CONTRACT AMOUNT
\$2,600.00	\$ 2,600.00
\$1,000.00	\$ 1,000.00
\$38.00	\$ 38.00
\$120.60	\$ 43,174.80
\$62.00	\$ 21,452.00
\$220.00	\$ 2,640.00
\$2,500.00	\$ 2,500.00
\$200.00	\$ 1,400.00
\$150.00	\$ 1,050.00

TOTAL \$ 69,223.00

TOTAL \$ 75,854.80

BID SECURITY 5%

START DATE 1/30/2022