

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Monday, July 6, 2015

7:00 p.m.

MEETING #5009

CALL TO ORDER

ROLL CALL

INVOCATION by Pastor Steve Olmond, First Baptist Church

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

Ada Awareness Month Proclamation

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

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, June 15, 2015;
2. Appropriation Ordinance No. 13, July 6, 2015;
3. Cereal Malt Beverage Applications:
 - a. Ban Lao Restaurant, 102 W. Wyatt Earp Blvd.
 - b. Love's Travel Stops, 1108 W. Wyatt Earp Blvd.
 - c. Wal-Mart Stores, Inc. 1905 N. 14th Avenue;
4. Approval of Change Order No. 1 for Application of Mastic One Patching;
5. Approval of Change Order No. 2 for 2014 Asphalt Street Project.

ORDINANCES & RESOLUTIONS

Ordinance No. 3608: An Ordinance Declaring Dodge City Days as a Special Event. Report by Finance Director/City Clerk, Nannette Pogue.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Change Order No. 5 for Trail Street Reconstruction -2nd Avenue to 14th Avenue. Report by Director of Engineering Services, Ray Slattery.
2. Approval to Reject Bids for of 14th Avenue Erosion Improvements. Report by Civil Engineer, Tanner Rutschman.

OTHER BUSINESS

ADJOURNMENT

**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: <input type="checkbox"/> New License <input checked="" type="checkbox"/> Renew License <input type="checkbox"/> Special Event Permit	
Check One: <input checked="" type="checkbox"/> License to sell cereal malt beverages for consumption on the premises. <input type="checkbox"/> License to sell cereal malt beverages in original and unopened containers and not for consumption on the licenses premises.	

SECTION 2 - APPLICANT INFORMATION		
Kansas Sales Tax Registration Number (required): <u>004.062153135F-02</u>		
Name <u>Molly Phaengsy</u>	Phone No. <u>620-339-2296</u>	Date of Birth <u>3/10/72</u>
Residence Street Address <u>1205 Avenue K</u>	City <u>Dodge City</u>	Zip Code <u>67801</u>
Applicant Spousal Information		
Spouse Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code

SECTION 3 - LICENSED PREMISE		
Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)	
DBA Name <u>Ban Lao Restaurant</u>	Name	
Business Location Address <u>102 W. Wyatt Earp</u>	Address	
City <u>Dodge City</u> State <u>KS</u> Zip <u>67801</u>	City	State Zip
Business Phone No. <u>620 338-8881</u>	<input type="checkbox"/> I own the proposed business or special event location. <input type="checkbox"/> I do not own the proposed business or event location.	
Business Location Owner Name(s) <u>Business owner FRANCIS O ALCALOA Business owner Molly</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>28</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 ¹ has been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Have Have Not
My spouse has previously held a CMB license.	<input type="checkbox"/> Yes <input type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	<input type="checkbox"/> Yes <input type="checkbox"/> No

CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

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

City or County of City of Dodge City, KS

SECTION 1 - LICENSE TYPE	
Check One: <input type="checkbox"/> New License <input checked="" type="checkbox"/> Renew License <input type="checkbox"/> Special Event Permit	
Check One:	
<input type="checkbox"/> License to sell cereal malt beverages for consumption on the premises.	
<input checked="" type="checkbox"/> License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.	

SECTION 2 - APPLICANT INFORMATION			
Kansas Sales Tax Registration Number (required):			
Name of Corporation Love's Travel Stops & Country Stores, Inc.		Principal Place of Business	
Corporation Street Address 10601 N. Pennsylvania		Corporation City Oklahoma City	State OK
		Zip Code 73126	
Date of Incorporation 12/29/1986		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name CT Corporation		Phone No. <u>405-463-8130</u>	
Residence Street Address 515 S. Kansas		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 Love's Travel Stop #58		Name	
Business Location Address 1108 W. Wyatt Earp		Address	
City Dodge City	State KS	Zip 67801	
Business Phone No. <u>620-225-0654</u>		<input type="checkbox"/> Applicant owns the proposed business or special event location. <input type="checkbox"/> Applicant does not own the proposed business or event location.	
Business Location Owner Name(s)			

SECTION 4 - OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK			
List each person and their spouse, if applicable. Attach additional pages if necessary.			
Name See Attached List		Position	
Residence Street Address		City	State
		Zip Code	Date of Birth
Spouse Name		Position	
Residence Street Address		City	State
		Zip Code	Date of Birth
Name		Position	
Residence Street Address		City	State
		Zip Code	Date of Birth
Spouse Name		Position	
Residence Street Address		City	State
		Zip Code	Age
Name		Position	
Residence Street Address		City	State
		Zip Code	Date of Birth
Spouse Name		Position	
Residence Street Address		City	State
		Zip Code	Age

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

SECTION 3 – LICENSED PREMISE			
Licensed Premise (Business Location or Location of Special Event)		Mailing Address (If different from business address)	
DBA Name Walmart #372		Name Wal-Mart Stores, Inc.	
Business Location Address 1905 N 14th Ave		Address 702 SW 8th St	
City Dodge City	State KS	City Bentonville	State AR
Zip 67801		Zip 72716-0500	
Business Phone No. 620-225-3917		<input checked="" type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location.	
Business Location Owner Name(s) Wal-Mart Store, Inc			

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK			
List each person and their spouse, if applicable. Attach additional pages if necessary.			
Name See attached list		Position	
Residence Street Address		City	State
		Zip Code	
Spouse Name		Position	
Residence Street Address		City	State
		Zip Code	
Name		Position	
Residence Street Address		City	State
		Zip Code	
Spouse Name		Position	
Residence Street Address		City	State
		Zip Code	
Name		Position	
Residence Street Address		City	State
		Zip Code	
Spouse Name		Position	
Residence Street Address		City	State
		Zip Code	

Memorandum

*To: City Manager
City Commissioners*
From: Tanner Rutschman, Civil Engineer
Date: June 23, 2015
*Subject: Application of Mastic One Patching
(ST 1503)*
Agenda Item: Consent Calendar

Recommendation: Approve Change Order No. 1 for Application of Mastic One Patching.

Background: Application of Mastic One Patching was approved on April 6, 2015.

Justification: Mastic One Patching— The overrun of 3 gallons of patching material was due to the supplier rounding up to a full shipment of 13 pallets.

Financial Considerations: Change Order No. 1 is for an increase of \$46.35.

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

Legal Considerations: N/A

Attachments: Change Order No. 1

CITY OF DODGE CITY
Change Order

CONTRACT FOR: Application of Mastic One Patching

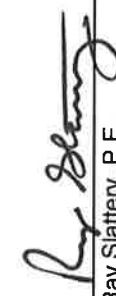
PROJECT NUMBER: ST 1503

CONTRACTOR: Stripe and Seal

REQUEST NUMBER: 1

ITEM DESCRIPTION	UNIT	CONTRACT OR PREVIOUS QUANTITY	ADJUSTED QUANTITY	AMOUNT OF OVERRUN OR UNDERRUN	CONTRACT UNIT PRICE	NEW UNIT PRICE	DOLLAR AMOUNT OF CHANGE	
Mastic One Patching	GAL	1675	1678	3	\$ 15.45		\$ 46.35	
NET INCREASE							\$	46.35

RECOMMENDED FOR APPROVAL:


 Ray Slattery, P.E.
 Director of Engineering Services

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.


 Nannette Pogue, City Clerk

 Mayor or City Manager

Contractor: Stripe and Seal

By: _____

Memorandum

*To: City Manager
City Commissioners* 
From: Tanner Rutschman, Civil Engineer
Date: June 23, 2015
Subject: 2014 Asphalt Street Project (ST 1401)
Agenda Item: Consent Calendar

Recommendation: Approve Change Order No. 2 for 2014 Asphalt Street Project.

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

Justification: Unclassified Excavation— The overrun of 815 S.Y. of Unclassified Excavation. The reason for the overrun is due to the addition of some street excavation on Benton Blvd. so that the water department could install a new waterline.

Financial Considerations: Change Order No. 2 is for an increase of \$2,852.50

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. 2

CITY OF DODGE CITY

Change Order

CONTRACT FOR: 2014 Asphalt Street Projects PROJECT NUMBER: ST 1401

CONTRACTOR: Klotz Sand, Co REQUEST NUMBER: 2

ITEM DESCRIPTION	UNIT	CONTRACT OR PREVIOUS QUANTITY	ADJUSTED QUANTITY	AMOUNT OF OVERRUN OR UNDERRUN	CONTRACT UNIT PRICE	NEW UNIT PRICE	DOLLAR AMOUNT OF CHANGE
Unclassified Excavation	S.Y.	2675	3490	815	\$ 3.50		\$ 2,852.50
NET INCREASE							\$ 2,852.50

RECOMMENDED FOR APPROVAL:


 Ray Slattery, P.E.
 Director of Engineering Services

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.

Contractor: Klotz Sand, Co

By: _____

 Nannette Pogue, City Clerk

 Mayor or City Manager

Memorandum

To: Cherise Tieben, City Manager
From: Nannette Pogue, Finance Director/City Clerk
Date: June 30, 2015
Subject: Ordinance designating Dodge City Days as a Special Event
Agenda Item: Ordinance

Recommendation: I recommend approval of Ordinance No. 3608

Background: Jessie Garcia from the Doctor's Office is requesting a temporary alcohol permit for the area in front of the Doctor's Office which includes the street. K.S.A. 41-719 allows for a city to designate a festival or other similar community gathering, such as Dodge City Days, as a "special event" as a condition precedent to allowing the State of Kansas the discretion to issue temporary permits for the consumption of alcohol. The first step in allowing the State to issue a temporary permit is to pass an ordinance designating Dodge City Days as a Special Event.

The City will have to also make some decisions as to whether we want to issue him a street closing permit and allow him to serve alcohol in front of his building and what the conditions will be. City staff will be meeting on this in the very near future.

After approving the ordinance and other conditions, Mr. Garcia will be able to apply to the State of Kansas for a temporary alcohol permit.

Justification: Designate Dodge City Days as a special event so that events that are being planned in Dodge City can obtain the proper permits to hold their events.

Financial Considerations: None

Purpose/Mission: Together we promote open communications with our community members.

Legal Considerations: No additional

Attachments: Ordinance No. 3608

ORDINANCE NO. 3608

AN ORDINANCE DESIGNATING DODGE CITY DAYS AS A SPECIAL EVENT IN THE CITY OF DODGE CITY, KANSAS.

WHEREAS, Dodge City Days is a ten (10) day special event held annually during the last week in July and first week in August; and,

WHEREAS, the City of Dodge City celebrates its historical roots during this city-wide special event; and,

WHEREAS, a variety of activities are held throughout the City during this special event; and,

WHEREAS, K.S.A. 41-719 allows for a city to designate a festival or other similar community gathering, such as Dodge City Days, as a “special event” as a condition precedent to allowing the State of Kansas the discretion to issue temporary permits for the consumption of alcohol; and,

WHEREAS, the City of Dodge City has been asked to make such designation as a prelude for business and individuals to request temporary permits from the State of Kansas for the sale and consumption of alcoholic liquor on public streets, alleys, sidewalks, roads or highways at special events as defined by K.S.A. 41-719(a)(2).

NOW THEREFORE, the City of Dodge City hereby designates the community gathering and festival, commonly known as Dodge City Days as a “special event” in Dodge City, Kansas. This special event will extend for a period of ten (10) days beginning on July 24, 2015 and ending on August 2, 2015.

The Ordinance will take effect upon approval by the City Commission and upon publication of a summary Ordinance in the Dodge City Daily Globe.

Approved this 6th day of July, 2015.

Mayor

ATTEST:

City Clerk

Memorandum

*To: City Manager
City Commissioners*
*From: Tanner Rutschman, E.I. TJR
Civil Engineer*
Date: August 3, 2015
*Subject: 14th Ave. Erosion Improvements,
SD 1501*
Agenda Item: New Business

Recommendation: Reject the bid for the construction of the 14th Ave. Erosion Improvements. The Engineer's Estimate for the project was \$38,915.00. The low bid from JAG Construction Co. was \$49,671.00 or 128% over the Engineer's Estimate. The staggering price tag is due to the only bidder having several jobs that will not work with the time frame that we were requiring for this project. Staff will work to determine the best way to proceed with the project moving forward.

Background: The need for this project rose from side slopes that were unable to establish vegetation to hinder the soil from being eroded along several properties on 14th Ave.

Justification: This was an unbudgeted project that should not cost much more than \$40,000 to complete. We will seek other means of completing these much needed improvements.

Financial Considerations: Since the bids are being recommended for rejection, there will not be any financial Consideration at this time.

Purpose/Mission: The completion of this project would align with the City's core value of ongoing improvement.

Legal Considerations: By rejecting the bid, the city will not have any responsibility to JAG Construction Co.

Attachments: Bid Tab with the Engineer's Estimate.

**CITY OF DODGE CITY, KANSAS
 BID TABULATION**

PROJECT: 14th Ave. Erosion Improvements
 PROJECT #: SD 1501
 BID DATE: 06/09/15

CONTRACTOR: JAG Construction Co.	
ADDRESS: PO Box 1493	
CITY: Dodge City	
STATE: Kansas	
ZIP: 67801	

ENGINEER'S ESTIMATE

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
1	Mobilization	L.S.	1	\$ 2,500.00	\$ 2,500.00
2	8" Concrete Retaining Wall	L.F.	535	\$ 30.00	\$ 16,050.00
3	6" Concrete Retaining Wall	C.Y.	0.85	\$ 1,000.00	\$ 850.00
4	6" Concrete Drive	S.Y.	23	\$ 60.00	\$ 1,380.00
5	Contractor Furnished Fill	C.Y.	72	\$ 20.00	\$ 1,440.00
6	Turf Reinforcement Mat, Installed	S.Y.	1770	\$ 3.50	\$ 6,195.00
7	Clearing and Grubbing	L.S.	1	\$ 2,000.00	\$ 2,000.00
8	Seeding	L.S.	1	\$ 4,000.00	\$ 4,000.00
9	Erosion Control	L.S.	1	\$ 1,000.00	\$ 1,000.00
10	Traffic Control	L.S.	1	\$ 3,500.00	\$ 3,500.00

TOTAL \$ 38,915.00

UNIT PRICE	CONTRACT AMOUNT
\$11,500.00	\$ 11,500.00
\$82.00	\$ 43,870.00
\$2,900.00	\$ 2,465.00
\$87.00	\$ 2,001.00
\$100.00	\$ 7,200.00
\$5.00	\$ 8,850.00
\$1,500.00	\$ 1,500.00
\$7,000.00	\$ 7,000.00
\$2,200.00	\$ 2,200.00
\$2,000.00	\$ 2,000.00

TOTAL \$ 88,586.00

BID SECURITY 5%
 START DATE 7/7/2015

LOW BIDDER