CALL TO ORDER

ROLL CALL

INVOCATION BY Justin Hayes of Dodge City Church of Nazarene

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).

Jim Hanni of Triple AAA - Safety Award to Dodge City Police Department

CONSENT CALENDAR

1. Approval of City Work Session Minutes, May 16, 2016;
2. Approval of Special City Commission Meeting Minutes, 19, 2016;
3. Appropriation Ordinance No. 11, June 6, 2016;
4. Cereal Malt Beverages:
   a. Love’s Travel Stop #62, 400 E. Wyatt Earp Blvd.
   b. El Charro Restaurant, 1206 W. Wyatt Earp Blvd.
5. Change Order #1 for Well #18 Replacement /New Well #31, WL 1401.

ORDINANCES & RESOLUTIONS

Ordinance No. 3628: An Ordinance Designating Dodge City Days as a Special Event in the City of Dodge City, Kansas.

Ordinance No. 3629: An Ordinance Vacating Alley Right-of-Way South of Division Street, Between Central Avenue and Avenue A. Report by Planning, Zoning, Storm Water Coordinator, Nathan Littrell.

Resolution No. 2016-17: A Resolution Making Certain Findings and Determinations as to the Need for Housing With the City of Dodge City, Kansas and Setting Forth the Legal Description of Real Property Proposal to be Designed as a Rural Housing Incentive District Within the City. Report by Special Projects/ Housing Coordinator, Mollea Weinscott.


NEW BUSINESS


2. Approval of Bid from Building Solutions, LLC. For Reconstruction of Park Street (Santa Fe Avenue to 5th Avenue). Report by E.I. Civil Engineer, Tanner Rutschman.

UNFINISHED BUSINESS

OTHER BUSINESS

ADJOURNMENT
CALL TO ORDER

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

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

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

Mayor Joyce Warshaw read the National Public Works Week Proclamation and proclaimed May 15 through May 21, 2016 as National Public Works Week. Corey Keller, Superintendent of Public Works, thanked all public works employees for all the hard work they do every day. Corey invited the Commission to the public works luncheon to be held on Friday at the Golf Course.

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).

An Annual City of Dodge City Water Conservation Report was given by Public Works Superintendent, Corey Keller.

Paul Lewis introduced Danielle Satterly who represents Standguard Aquatics, the operator of the Long Branch Lagoon. Danielle talked about the activities she has been participating in the community and the schools to promote the water park. All of the employees have been hired that are needed and are being trained.

CONSENT CALENDAR

1. Approval of City Work Session Minutes, May 2, 2016;
2. Approval of City Commission Meeting Minutes, May 2, 2016;
3. Appropriation Ordinance No. 10, May 16, 2016;
4. Approval of Contract with Wald’s All American Display Fireworks.

Commissioner Kent Smoll moved to approve the Consent Calendar as presented. Commissioners Jan Scoggins seconded the motion. The motion carried unanimously.
ORDINANCES & RESOLUTIONS

Resolution No. 2016-15: A Resolution authorizing the improvement or reimprovement of certain main trafficways within the City of Dodge City, Kansas; and providing for the payment of the costs thereof was approved on a motion by Commissioner Rick Sowers. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

NEW BUSINESS

1. The proposal from Sweeney’s Pavement Maintenance for the application of Mastic Crack Sealant in the amount of $75,000 for 6,220 gallons was approved on a motion by Commissioner Kent Smoll. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

2. The Bid for Well Field Testing from Clarke Well & Equipment in the amount of $35,328 was approved on a motion by Commissioner Brian Delzeit. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

3. The proposal for Phase 1 SCADA Replacement for Water & Wastewater Systems from R.E. Pedrotti Co., Inc. in the amount of $273,157 was approved on a motion by Commissioner Rick Sowers. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

OTHER BUSINESS

Cherise Tieben
- May 19 at 5:00 there will be a Special Meeting of the City Commission;
- May 20 there is a Public Works luncheon at the Golf Course at 11:30 a.m.;
- June 6th at 5:30 p.m. there will be a joint meeting between the City, County, USD 443 and DCCC to discuss and approve a commercial Neighborhood Revitalization Program (NRP) area.

Kent Smoll
- Asked about the status of the Airport. Corey Keller replied that he had discussions with the Department of Transportation last week and there were some issues with the Penn Air proposal that needed to be resolved;
- In the consent calendar, the fireworks contract was approved. He asks residents to help support the July 4th fireworks show. There will be a fundraiser at Wendy’s scheduled the Wednesday before Father’s Day. You can also send your contribution to P.O. Box 880, Dodge City, KS 67801;
- Wednesday, the Beach Boys are performing at the United Wireless Arena.

Jan Scoggins
- Thanked staff at the Dodge City Public Library;
- Thanked Paul Lewis, Ray Slattery and their staffs for the bike path through Chilton Park. She really likes the crossing lights.
Brian Delzeit
- Publicly recognized Paul Lewis for all of the hard work he has put in for making the Water park a reality. He has put in countless hours to make this happen.

Rick Sowers
- Asked Kent Smoll if he still had the pipe sticking out in the middle of his business driveway. He asked the Engineering Department if they can find out who the contractor was for that project and follow up with them.

Brian mentioned that there is a cable line above ground on a pole in the alley of Fairway and Campus and kids will use the wire to climb the pole. Engineering will also follow up on this.

Joyce Warshaw
- It is a wonderful time for Dodge City. The Beach Boys will kick off summer on Wednesday night at the United Wireless Arena;
- School is out on Thursday, so watch out for the children;
- The Main Street Festival is June 4th;
- Urged residents to take care of their properties.

Adjournment

Commissioner Brian Delzeit moved to adjourn the meeting. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.

________________________________
Mayor

ATTEST:

_______________________________
Nannette Pogue, City Clerk
CALL TO ORDER

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

At 5:20 P.M., Commissioner Smoll moved to adjourn to Executive Session to discuss Attorney Client matters and to include the Commissioners, City Manager, City Attorney and Director of Engineering Services, Ray Slattery, not to exceed 30 minutes. Commissioner Rick Sowers seconded the motion. The motion carried unanimously.

At 5:50, Brian Delzeit moved to extend the Executive Session by 10 minutes. Commissioner Rick Sowers seconded the motion. The motion carried unanimously.

The Special Meeting reconvened at 6:00 P.M.

NEW BUSINESS

1. There was discussion of the Bio Gas project that has been worked on and discussed for some time that will be recapturing methane gas at the south wastewater treatment plant, cleaning it and putting it into the pipeline for sale of the gas and the environmental credits.

   Commissioner Brian Delzeit moved to approve the Agreement for Engineering Services to construct bio-gas system improvements between the City of Dodge City and Professional Engineering Consultants in the amount of $346,650. Commissioner Jan Scoggins seconded the motion. The motion carried 4–1, with Commissioner Kent Smoll voting no.

   Commissioner Kent Smoll moved to approve an Optimization Services Agreement with US Energy subject to Attorney approval as to form. Commissioner Rick Sowers seconded the motion. The motion carried unanimously.

   City Manager, Cherise Tieben reported that construction and financing contracts will be submitted for the Commission’s approval at a later date.

ADJOURNMENT
Commissioner Rick Sowers moved to adjourn the meeting. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

__________________________________________
Mayor

ATTEST:

__________________________________________
Nannette Pogue, City Clerk
CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES
(This form has been prepared by the Attorney General’s Office)

☒ City or ☐ County of ________________________________ City of Dodge City

SECTION 1 – LICENSE TYPE

Check One: ☒ New License ☐ Renew License ☐ Special Event Permit

☐ 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): 004-731220756F01

<table>
<thead>
<tr>
<th>Name of Corporation</th>
<th>Principal Place of Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>Love’s Travel Stops &amp; Country Stores, Inc.</td>
<td>Corporation City Oklahoma City</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Corporation Street Address</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>10601 North Pennsylvania Avenue</td>
<td>OK</td>
<td>73120-4108</td>
</tr>
</tbody>
</table>

Date of Incorporation
December 29, 1986

Articles of Incorporation are on file with the Secretary of State.

☐ Yes ☐ No

Resident Agent Name
CT Corporation

<table>
<thead>
<tr>
<th>Phone No.</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>(785) 233-0593</td>
<td>Topeka</td>
<td>KS</td>
<td>66603</td>
</tr>
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</table>

Residence Street Address
515 S. Kansas Avenue

SECTION 3 – LICENSED PREMISE

<table>
<thead>
<tr>
<th>Licensee Name</th>
<th>Licensed Premise (Business Location or Location of Special Event)</th>
<th>Mailing Address (If different from business address)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Love’s Travel Stop #62</td>
<td></td>
<td>Love’s Travel Stops &amp; Country Stores, Inc.</td>
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<table>
<thead>
<tr>
<th>Name</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 E. Wavell Earl</td>
<td>Dodge City</td>
<td>KS</td>
<td>67801</td>
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<table>
<thead>
<tr>
<th>Business Phone No.</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
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</thead>
<tbody>
<tr>
<td>(405) 463-8891</td>
<td>Oklahoma City</td>
<td>OK</td>
<td>73126-0210</td>
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</tbody>
</table>

Business Location Owner Name(s)
Love’s Travel Stops & Country Stores, Inc.

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK

List each person and their spouse, if applicable. Attach additional pages if necessary.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date of Birth</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas Eugene Love</td>
<td>Executive Chairman</td>
<td>10/10/1937</td>
<td>73116-5415</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residence Street Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>6824 N.W. Grand Blvd.</td>
<td></td>
<td></td>
<td></td>
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</table>

| Spouse Name | Position | Date of Birth | Zip Code |

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
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<th>Zip Code</th>
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<tbody>
<tr>
<td>Gregory Michael Love</td>
<td>Co-CEO</td>
<td>10/08/1961</td>
<td>73120-1223</td>
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<table>
<thead>
<tr>
<th>Residence Street Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
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<tbody>
<tr>
<td>7201 Nichols Road</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Spouse Name | Position | Age |

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date of Birth</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judith McCarthy Love</td>
<td>Secretary</td>
<td>06/17/1937</td>
<td>73116-5415</td>
</tr>
</tbody>
</table>

<table>
<thead>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

| Spouse Name | Position | Age |

| Residence Street Address | City | State | Zip Code |

Page 1 of 3

AG CMB Corporate Application (Rev. 07.08.2013)
INDIVIDUAL/SOLE PROPRIETOR
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES
(This form has been prepared by the Attorney General's Office)

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: Catherine Runion
Phone No.: 620-225-0371
Date of Birth: 6-22-78
City: Dc
Zip Code: 67801

Residence Street Address: 1209 W. Young
Applicant Spousal Information

Spouse Name: Elvin Runion
Phone No.: 620-255-1108
Date of Birth: 10-20-78
City: Dc
Zip Code: 67801

Residence Street Address: 815 Barr Phm

SECTION 3 – LICENSED PREMISE
Licensed Premise
(Business Location or Location of Special Event)

DBA Name: Elizabeth
Business Location Address: 1209 W. Young
City: Dc
State: Ks
Zip: 67801
Business Phone No.: 620-225-0371

Business Location Owner Name(s): Luke Abdul

SECTION 4 – APPLICANT QUALIFICATION
I am a U.S. Citizen □ Yes □ No

I have been a resident of Kansas for at least one year prior to application. □ Yes □ No

I have resided within the state of Kansas for 38 years. □ Yes □ No

I have been a resident of this county for at least 6 months. □ Yes □ No

Within 2 years immediately preceding the date of this application, neither I nor my spouse has being 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.

□ Yes □ No

My spouse has previously held a CMB license. □ Yes □ No

My spouse has never been convicted of one of the crimes mentioned above while licensed. □ Yes □ No

AG CMB Individual Application (Rev. 6.21.11)
Memorandum

To: City Manager
   City Commissioners

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

Date: May 31, 2016
Subject: Change Order #1 for Well #18 Replacement/ New Well #31, WL 1401.
Agenda Item: Consent Calendar

Recommendation: Approve Change Order #1 for $5,837.00.

Background: Well #18 located at the airport developed issues with pumping sand and gravel in 2012. To determine the reason for the sand and gravel, the well was videoed and it was discovered that there was a hole in the casing of the well that allowed the gravel pack to enter the well and be pumped into the system. Unfortunately, a new casing can not be installed in the existing well. The only way to resolve this is to drill a new well and install a new casing. This well is authorized to pump 255 ac-ft. The location of the new well was moved approximately 40' north and 30' east from the design location. This was to help with access to the well by the drilling rig and in the future equipment needed to pull the well for maintenance purposes. The new well has already been drill at the new location.

Justification: This well needs to be replaced so that the water rights associated with it can be utilized. Depending upon the year the City needs the ability to rotate its water pumping to meet the needs of its citizens.

Financial Considerations: The relocation of the well added $5,837.00 to the contract. The original contract was for $519,794.89. the new contract amount will be $525,631.89. Funds are available from an existing Water Well Fund that currently has $596,250 for this project.

Purpose/Mission: The completion of this project will enable the City to utilize the water and provide ongoing improvements and a reliable water infrastructure for the residents and businesses.

Legal Considerations: By approving the Change Order with Nowak Construction Co., Inc. the City will be responsible to make payments to Nowak Construction co., Inc. for completed work.

Attachments: The Change Order #1.
CHANGE ORDER No. 1

Date of Issuance: May 3, 2016

<table>
<thead>
<tr>
<th>Project Name:</th>
<th>Owner:</th>
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<tbody>
<tr>
<td>Water Supply Well #31</td>
<td>City of Dodge City</td>
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<tr>
<td>Engineer's Project Number (if applicable):</td>
<td>Date of Contract:</td>
</tr>
<tr>
<td>34-14207-000-1009</td>
<td></td>
</tr>
<tr>
<td>Contractor:</td>
<td>Funding Agency Project Number (if applicable):</td>
</tr>
<tr>
<td>Nowak Construction Co., Inc.</td>
<td></td>
</tr>
</tbody>
</table>

The following changes are hereby made to the CONTRACT DOCUMENTS:

Justification: Relocation of well approximately 50 feet northeast; well discharge piping modifications. See attached for cost information.

- Change to CONTRACT PRICE

  Original CONTRACT PRICE: $519,794.89
  Current CONTRACT PRICE (as adjusted by previous CHANGE ORDERS): $519,794.89
  Increase in CONTRACT PRICE as of this Change Order: $5,837.00
  The new CONTRACT PRICE incorporating this CHANGE ORDER: $525,631.89

- Change to CONTRACT TIME:

  Original Contract Times: ☐ Working Days ☐ Calendar Days
  Substantial completion SELECT: 
  Final completion SELECT: 
  The CONTRACT TIME (as adjusted by previous CHANGE ORDERS):
  Substantial completion SELECT: 
  Final completion SELECT: 
  SELECT: in CONTRACT TIME as of this Change Order:
  Substantial completion SELECT: 
  Final completion SELECT: 
  CONTRACT TIMES with all approved CHANGE ORDERS:
  Substantial completion SELECT: 
  Final completion SELECT: 

REQUESTED:

By: [Signature] (Authorized Signature)
Date: 5/3/16
Approved by Funding Agency (if applicable):

RECOMMENDED:

By: [Signature] (Engineer (Authorized Signature))
Date: 5/3/16

ACCEPTED:

By: [Signature] (Owner (Authorized Signature))
Date: 

Date: 
Memorandum

To: Cherise Tieben, City Manager
From: Nannette Pogue, Finance Director/City Clerk
Date: May 24, 2016
Subject: Ordinance designating Dodge City Days as a Special Event
Agenda Item: Ordinance

Recommendation: I recommend approval of Ordinance No. 3628

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.

After approving the ordinance, Mr. Garcia will be able to apply to the State of Kansas for a temporary alcohol permit. The Doctor’s office held a bull riding event in the street during Dodge City Days last year and the event caused no issues for the City or any of the participants.

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.
ORDINANCE NO. 3628

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 28, 2016 and ending on August 7, 2016.

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 June, 2016.

____________________________________
Mayor

ATTEST:

______________________________
City Clerk
Memorandum

To: City Manager
    City Commissioners

From: Nathan Littrell

Date: June 6, 2016

Subject: Vacation of Right-of-Way
          Ordinance Nos. 3629 & 3630

Agenda Item:
          Ordinances and Resolutions

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

**Background:** The applicant, U.S.D. 443, requested the vacation of Alley Right-Of-Way South of Division St. and a portion of Smith Street 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 are utilities located in both Right-Of-Ways and the utility companies have requested utility easements for them.

**Financial Considerations:** None

**Purpose/Mission:**

**Legal Considerations:** None

**Attachments:** Petition, Vacation Ordinances and Maps
ORDINANCE NO. 3629

AN ORDINANCE VACATING ALLEY RIGHT-OF-WAY SOUTH OF DIVISION STREET, BETWEEN CENTRAL AVENUE AND AVENUE A.

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: Alley Right-Of-Way, between Central Ave. and Ave. A., beginning at the South Right-Of-Way line of Vacated Division Street, all right-of-way extending South 93.68 feet to the extended South lot line of Lot 6, Block 57 of Original Town, Dodge City, Ford County, Kansas. Vacation of this Right-Of-Way is subject to utility easements being finalized.

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 SIXTH DAY OF JUNE, 2016.

______________________________
JOYCE WARSHAW, MAYOR

ATTEST:

______________________________
NANNETTE POGUE, CITY CLERK
Before the Commission of The City of Dodge City, Kansas

In the Matter of the
Application for the
Vacation of Platted Right-Of-Way.

Requested for Vacation of a Platted Right-Of-Way.

Come now Unified School District No. 443, owner of a tract more fully Block 57, Original Town, and Block 2, Shinn’s Addition, 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 a platted 15 foot wide alley, described as follows: Beginning at the Northwest Corner of Lot B in Block 57, Original Town of Dodge City, Ford County, Kansas; Thence South along the West line of said 15 foot alley, 93.68 feet to the Southwest Corner of Lot 6, said Block 57; Thence West 15.00 feet to the Southeast Corner of Lot 5 in said Block 57; Thence North along the East line of said 15 foot alley, 93.70 feet to the Northeast Corner of Lot C in said Block 57; Thence East 15.00 feet to the Point of Beginning, containing 1420.33 square feet (0.033 acres). The vacation of such portion of the platted Right-Of-Way is necessary for the petitioner to allow development in the area.

Respectfully Submitted,

[Signature]
William Hammond, petitioner

[Date] March 29, 2016
ORDINANCE NO. 3630

AN ORDINANCE VACATING A PORTION OF SMITH STREET RIGHT-OF-WAY, WEST OF SUNNYSIDE ELEMENTARY SCHOOL.

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: The South 233.75 feet of platted Smith Street Right-Of-Way of Peterson Place Subdivision, Dodge City, Ford County, Kansas. Vacation of this Right-Of-Way is subject to utility easements being finalized.

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 SIXTH DAY OF JUNE, 2016.

JOYCE WARSHAW, MAYOR

ATTEST:

NANNETTE POGUE, CITY CLERK
Before the Commission of The City of Dodge City, Kansas

In the Matter of the
Application for the
Vacation of Platted Right-Of-Way.

Requested for Vacation of a Platted Right-Of-Way.

Come now Unified School District No. 443, owner of a tract more fully Block 57, Peterson Tract located in Section 35, Township 26 South, Range 25 West of the 6th P.M., Dodge City, Kansas, more commonly known as Sunnyside Elementary located at 511 Sunnyside Avenue 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 Smith Street Right-Of-Way, described as follows: Beginning at the Southwest corner of a tract of land described in Book 213 on Page 49 at the Ford County Register of Deeds Office, said tract more commonly known as the Slattery Parcel; Thence along the East line of said Smith Street, South 00°14’42” West, 53.95 feet; Thence North 89°41’51” West, 20.00 feet; Thence South 00°14’42” West, 179.75 feet to the Southwest corner of said Smith Street; Thence North 89°41’39” West, 20.00 feet to the Southwest corner of said Smith Street; Thence along the West line of said Smith Street, North 00°14’42” East, 233.75 feet; Thence South 89°41’39” East, 40.00 feet to the Point of Beginning, containing 0.13 acres. The vacation of such portion of the platted Right-Of-Way is necessary for the petitioner to allow development in the area.

Respectfully Submitted,

[Signature]

William Hammond, petitioner

USO 443 Board Clerk

4-7-2016

Date
Memorandum

To: City Manager
   City Commissioners
From: Mollea Wainscott
       Special Projects/Housing
Date: 6/6/16
Subject: RHID
Agenda Item: Resolution No. 2016-17

Recommendation: Staff recommends adoption of Resolution 2016-17, which permits the submittal of a proposed Rural Housing Incentive District (RHID) to the Kansas Secretary of Commerce for approval.

Background: In 2008, the City commissioned a Housing Needs Analysis, which reflected a critical shortage of housing available in the community. In 2009, the City Commission adopted a Resolution providing for several incentive programs in order to encourage housing development in the City. The RHID was identified as one of those programs. The program has captured the attention of several developers, locally and statewide. In 2015, the City commissioned another Housing Needs Analysis taking into consideration the progress that had developed since the 2008 Analysis. The latest Analysis continued to reflect a major shortage of housing. The establishment of this RHID will provide the incentive needed to entice developers to and in our community.

Justification: Housing continues to be a constant challenge in the Dodge City area. Establishment of the RHID is necessary in order to address the City’s critical housing shortage.

Financial Considerations: None at this time. However, if utilized, the financial consideration would be dependent upon each independent development agreement.

Purpose/Mission: To provide adequate housing in order for the City to accommodate present and future growth.

Legal Considerations: None

Attachments: Resolution No. 2016-17
RESOLUTION NO. 2016-17

A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR HOUSING WITHIN THE CITY OF DODGE CITY, KANSAS AND SETTING FORTH THE LEGAL DESCRIPTION OF REAL PROPERTY PROPOSED TO BE DESIGNATED AS A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY.

WHEREAS, K.S.A. 12-5241 et seq. (the “Act”) authorizes any city incorporated in accordance with the laws of the state of Kansas (the “State”) with a population of less than 60,000 located in a county with a population of less than 80,000, to designate rural housing incentive districts within such city; and

WHEREAS, prior to such designation the governing body of such city shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community; and

WHEREAS, after conducting such analysis, the governing body of such city may adopt a resolution making certain findings regarding the establishment of a rural housing incentive district and providing the legal description of property to be contained therein; and

WHEREAS, after publishing such resolution, the governing body of such city shall send a copy thereof to the Secretary of Commerce of the State (the “Secretary”) requesting that the Secretary agree with the finding contained in such resolution; and

WHEREAS, if the Secretary agrees with such findings, such city may proceed with the establishment of a rural housing incentive district within such city and adopt a plan for the development or redevelopment of housing and public facilities in the proposed district; and

WHEREAS, the City of Dodge City, Kansas (the “City”) has an estimated population of 27,340, is located in Ford County, Kansas, which has an estimated population of 33,848 and therefore constitutes a city as said term is defined in the Act; and

WHEREAS, the Governing Body of the City has performed a Housing Needs Analysis dated May 2015 (the “Needs Analysis”), a copy of which is on file in the office of the City Clerk; and

WHEREAS, based on the Needs Analysis, the Governing Body of the City proposes to commence proceedings necessary to create a Rural Housing Incentive District, in accordance with the provisions of the Act.
THEREFORE, BE IT RESOLVED by the Governing Body of the City of Dodge City, Kansas, as follows:

Section 1. The Governing Body hereby adopts and incorporates by this reference as part of this Resolution the Needs Analysis, a copy of which is on file in the office of the City Clerk, and based on a review of said Needs Analysis makes the following findings and determinations.

Section 2. The Governing Body hereby finds and determines that there is a shortage of quality housing of various price ranges in the City despite the best efforts of public and private housing developers.

Section 3. The Governing Body hereby finds and determines that the shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City.

Section 4. The Governing Body hereby finds and determines that the shortage of quality housing is a substantial deterrent to the future economic growth and development of the City.

Section 5. The Governing Body hereby finds and determines that the future economic well-being of the City depends on the Governing Body providing additional incentives for the construction or renovation of quality housing in the City.

Section 6. Based on the findings and determinations recited in Sections 2 through 5 of this Resolution, the Governing Body proposes to establish a Rural Housing Incentive District pursuant to the Act, within boundaries of the real estate legally described in Exhibit A, A-18 and A-19 attached hereto, and shown on the maps depicting the existing parcels of land contained in Exhibit B, attached hereto (the “District”).

Section 7. The City Clerk is hereby directed to publish this Resolution one time in the official City newspaper, and to send a certified copy of this Resolution to the Secretary of Commerce for the Secretary’s review and approval.

Section 8. This Resolution shall take effect after its adoption and publication once in the official City newspaper.

Approved this 6th day of June, 2016 and signed by the Mayor.

Joyce Warshaw, Mayor

ATTEST:

Nannette Pogue, City Clerk
Resolution No. 2016-17
Exhibit A

A-18 Lots 1 through 10, Gladden Homes, Dodge City, Ford County, Kansas

A-19 Lot 2, Block 1, Trinity Subdivision, City of Dodge City, Ford County, Kansas
Memorandum

To: City Manager
Assistant City Manager
City Commissioners

From: Fire Chief, Robert Heinz

Date: 6/6/2016

Subject: Temporary Suspension of Ord. No.2838 (Fireworks Ban)

Agenda Item:
Ordinances and Resolutions

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 No. 2016-18 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 the days approved by city commissioners between the hours of 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 no. 2016-18 is attached.
RESOLUTION NO. 2016-18

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:

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, from; July _____ to July _____, 2016 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 _____ and July ______, 2016 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 _____ and July ______, 2016 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 5th, 2016 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 6th day of June, 2016.

_____________________________
Joyce Warshaw, Mayor

ATTEST:

_____________________________
Nannette Pogue, City Clerk
Memorandum

To: City Manager
   City Commissioners

From: Tanner Rutschman, E.I.
   Civil Engineer

Date: June 6, 2016

Subject: Asphalt Street Projects,
         ST 1501

Agenda Item: New Business

Recommendation: Approve the proposal from Klotz Sand Co., Inc. for the construction of the 2015 Asphalt Street Projects in the amount of $188,942.75.

Background: These projects were slated for construction as part of the 2015 Street Program which was approved by the Commission last year. Due to the bids coming in high last year these improvements were put on hold. The streets to receive improvements are as follows: full depth reconstruction of the 3000 block of Gary Ave., 2½" overlay at the intersection of Central Ave. and Frontview St., a 1½" mill and 2" overlay on Comanche St. from Fairway Dr. to Ave. P, and a 2" mill & overlay on Soule St. from 6th Ave. to Hart Ave.

Justification: These roads have deteriorated passed the point where minor maintenance can provide a satisfactory driving surface and they are requiring continual attention from our street maintenance crews.

Financial Considerations: This project will be funded through General Obligation Bonds.

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

Legal Considerations: By approving the bid from Klotz Sand Co., Inc., the City will enter into a contract with Klotz Sand Co., Inc., and be responsible to make payments to Klotz Sand Co., Inc.

Attachments: Bid Tabulation which includes the bidders for the project along with the Engineer’s Estimate
**CITY OF DODGE CITY, KANSAS**  
**BID TABULATION**

**PROJECT:** 2015 Asphalt Street Projects  
**PROJECT #:** ST 1501  
**BID DATE:** 06/01/16

### Engineer's Estimate

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| **BID ALTERNATE** | | | | | |
| 1 | 2" Asphalt Mill | S.Y. | 795 | $3.75 | $2,981.25 |
| 2 | 2" HMA Surface Course | Ton | 93 | $89.00 | $8,277.00 |
| 3 | Water Valve Adjustment | Each | 1 | $400.00 | $400.00 |

**Low Bidder**

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**Contractor:** Klotz Sand Co., Inc.  
**Address:** P.O. Box 150  
**City:** Holcomb  
**State:** Kansas  
**Zip:** 67851

**Contractor:** APAC Kansas Inc., Shears Div.  
**Address:** 11188 S. 56 Bypass  
**City:** Dodge City  
**State:** Kansas  
**Zip:** 67801

### BID Tabulation

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**Bid Security:** 5%  
**Start Date:** 8/15/2016
Memorandum

To: City Manager
City Commissioners

From: Tanner Rutschman, E.I.
Civil Engineer

Date: June 6, 2016

Subject: Park St. Reconstruction Project,
ST 1504

Agenda Item: New Business

Recommendation: Approve the bid from Building Solutions, LLC. to reconstruct Park St. from Santa Fe Ave. to 5th Ave. The Engineer’s Estimate to reconstruct Park St. (Santa Fe Ave. to 5th Ave.) was $326,104.00 and the bid for the project was $315,815.00. The amount of $335,000.00 was budgeted for this project in the 2016 Street Program.

Background: With the construction in the area, this proposed street section for reconstruction has begun to deteriorate at a much faster rate. The new construction, coupled with utility cuts due to relocations, has caused the driving surface to fall below an acceptable quality and will become more of a maintenance issue with an increase in vehicle traffic due to the water park. This project will also add 17 angle parking stalls on Park St. just north of the Long Branch Lagoon.

Justification: This road is starting to deteriorate at a much faster rate and will only get worse with the completion of all the other developments in the area. The improvement to this road section will help complete the transformation of the development district as a whole.

Financial Considerations: This project will be funded through General Obligation Bonds.

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

Legal Considerations: By approving the bid from Building Solutions, LLC, the City will enter into a contract with Building Solutions, LLC, and be responsible to make payments to Building Solutions, LLC.

Attachments: Bid Tabulation which includes all the bidders for the project along with the Engineer’s Estimate
## CITY OF DODGE CITY, KANSAS
### BID TABULATION

**PROJECT:** Park St. Reconstruction (5th Ave., - Santa Fe)

**PROJECT #:** 57.1504

**BID DATE:** 06/01/16

### ENGINEER'S ESTIMATE

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**BID SECURITY 5%**

**START DATE:** 9/29/2016

**BASE BID**

<table>
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<tr>
<th>ITEM</th>
<th>CONTRACT AMOUNT</th>
<th>BASE BID</th>
</tr>
</thead>
<tbody>
<tr>
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**TOTAL BID**

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<tbody>
<tr>
<td>1</td>
<td>$506,158.00</td>
<td>$506,158.00</td>
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**BID SECURITY 5%**

**START DATE:** 9/29/2016

**BASE BID**

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**TOTAL BID**

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**BID SECURITY 5%**

**START DATE:** 9/29/2016

**BASE BID**

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**TOTAL BID**

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<tbody>
<tr>
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**BID SECURITY 5%**

**START DATE:** 2/15/2017