CITY COMMISSION AGENDA
City Hall Commission Chambers
Monday, August 17, 2009
7:00 p.m.
MEETING #4773

CALL TO ORDER

ROLL CALL

INVOCATION: Church of the Nazarene

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATION

PUBLIC HEARING: 2010 City of Dodge City Budget

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 from August 3, 2009

2. Approval of City Commission Special Meeting minutes from August 12, 2009

3. Appropriation Ordinance No. 16, August 17, 2009

ORDINANCES & RESOLUTIONS

Ordinance No. 3475: An Ordinance Regulating Public Offenses within the Corporate Limits of the City of Dodge City, Kansas; Public Offense Code for Kansas Cities, Edition 2009 and Repealing Ordinance No. 3461

Ordinance No. 3476: An Ordinance Regulating Traffic within the Corporate Limits of the City of Dodge City, Kansas; Incorporating by Reference the “Standard Traffic Ordinance for Kansas Cities, Edition 2009” and Repealing Ordinance No. 3462

UNFINISHED BUSINESS
NEW BUSINESS

1. Approval of 2010 Budget for the City of Dodge City. Presented by Nannette Pogue, City Clerk.


OTHER BUSINESS

ADJOURNMENT
NOTICE OF BUDGET HEARING

The Governing Body of the City of Dodge City will meet on the 17th day of August, 2009, at 7:00 p.m. at the City Commission meeting room, 808 2nd Avenue for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of Ad Valorem Tax.

Detailed budget information is available at City Hall, 806 Second Avenue, and will be available at this hearing.

BUDGET SUMMARY

The "Proposed Budget 2010 Expenditures" and the "Amount of 2009 Tax to be Levied" establish the maximum limits of the 2010 budget. The "Est Tax Rate" is subject to change depending on final assessed valuation.

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<td>16,259,951</td>
<td>21,973</td>
<td>2,780,565</td>
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<td>513,676</td>
<td>735,000</td>
<td>693,000</td>
<td>2,541</td>
<td>374,276</td>
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<td>844,195</td>
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<td>Library Employee Benefit</td>
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<td>1,646</td>
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<td>48,365</td>
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<td>2,994,365</td>
<td>2,861,700</td>
<td>14,802</td>
<td>1,892,371</td>
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<td>403,000</td>
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<td>Sales Tax - Special Projects</td>
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<td>3,369,861</td>
<td>12,059,471</td>
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<td>ST Fund</td>
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<td>Convention and Visitors</td>
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<td>Special Streets &amp; Highways</td>
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<td>749,459</td>
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<td>Special Parks &amp; Recreation</td>
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<td>80,000</td>
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<td>Special Alcohol &amp; Drug</td>
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<td>Alcohol Drug &amp; Safety Action</td>
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<td>Special Law Enforcement Trust</td>
<td>11,717</td>
<td>194,830</td>
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<td>All 4 Fun</td>
<td>214,096</td>
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<td>Underage Alcohol Abuse Program</td>
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<td>DARE</td>
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<td>Wastewater</td>
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<td>Economic Development Revolving</td>
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<td>TOTALS</td>
<td>46,891,027</td>
<td>48,446</td>
<td>49,900</td>
<td></td>
<td>6,193,538</td>
<td>49,940</td>
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Less Transfers: 6,825,184 4,966,147 5,654,342
Net Expenditures 40,065,843 34,272,259 45,056,039
Total Tax Levied 4,021,136 6,214,470 6,193,538
Assessed Valuation 123,894,297 122,541,541 124,019,705

Outstanding Indebtedness, January 1,

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<th>2008</th>
<th>2009</th>
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<td>G.O. Bonds</td>
<td>15,245,000</td>
<td>22,530,000</td>
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<td>Revenue Bonds</td>
<td>24,825,000</td>
<td>23,120,000</td>
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<td>Temporary Notes</td>
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<td>Lease Purchase</td>
<td>169,406</td>
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<td>Total</td>
<td>40,039,406</td>
<td>45,684,900</td>
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*Tax Rates are expressed in mills.

City Clerk
CALL TO ORDER

ROLL CALL: Mayor Rick Sowers, Commissioners Kent Smoll, Jim Sherer, Monte Broeckelman, and Brian Weber.

INVOCATION: Church of the Nazarene, Kelly Knedler.

PLEDGE OF ALLEGIANCE

Mayor Sowers indicated a need to add two items to the agenda.

1. Geopiers System for the Special Events Center
2. Executive Session to last no more than 30 minutes for Land Acquisition and discussion on non elected personnel

Commissioner Smoll moved to approve the addition of the two items to the agenda, seconded by Commissioner Sherer. Motion carried unanimously 5-0.

PETITIONS & 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).

City Character Trait—Faith vs. Ignorance read by Cherise Tieben, Assistant City Manager.

CONSENT CALENDAR

1. Approval of Work Session Meeting minutes July 20, 2009
2. Approval of City Commission Meeting minutes July 20, 2009
3. Approval of Work Session Meeting minutes July 27, 2009
4. Appropriation Ordinance No. 15, August 3, 2009
5. Cereal Malt Beverage License
   a. Speed Stop, 2615 Gary Ave
   b. River Stop, 705 S. 14th Ave
6. Airport Access Road Reconstruction Change Order Increase
7. 14th Ave. & Linn Sidewalk Change Order Increase

Commissioner Weber moved to approve the Consent Calendar as presented, seconded by Commissioner Broeckelman. Motion carried unanimously 5-0.

**ORDINANCES & RESOLUTIONS**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

1. The bid for Hot Tack Oil Distributer from Stepp Manufacturing in the amount of $18,924.00 was approved on a motion by Commissioner Sherer, seconded by Commissioner Weber. Motion carried unanimously.

2. The bid for Beeson Court Subdivision Water, Sewer, and Street Improvements from APAC, Kansas in the amount of $193,258.48, with the City being responsible at large for 50% of water improvements, was approved on a motion by Commissioner Broeckelman, seconded by Commissioner Smoll. Motion carried unanimously.

3. The appointment of Eric Hasselhorst to the Recycling Advisory Board and Kari Casterline to the CVB Advisory Board was approved on a motion by Commissioner Smoll, seconded by Commissioner Weber. Motion carried unanimously.

4. Use of the Geopier Rammed Aggregate Pier Foundation System as recommended by International Coliseums Company for the Special Events Center was approved on a motion by Commissioner Weber, seconded by Commissioner Sherer. Motion carried unanimously.

**OTHER BUSINESS**

Ken Strobel:
- DC Days went very well. Congratulations and great job to the Chamber and Roundup
- Condolences to Firefighter Tim Wolfe for the loss of his wife
- Condolences to Bill Austen’s Family
- Staff workday at the Soccer Complex to install the playground on August 5th
- Jeff Ungerer and James Walker will be in town to work on Development Agreement

Cherise Tieben:
- Public Hearing meeting next week for CDBG Grant
- Tri City meeting at Liberal tentatively set for the 12th or 19th
- County Public Officials Exchange on Tuesday, August 18th at 6:00 p.m.
- Accepted into the Main Street program
- CFAB meeting on Thursday, August 6th
- Housing meeting with Representative George
Commissioner Weber:
- Thanked everyone for the DC Days turnout

Commissioner Sherer:
- Thanked employees and citizens for beautifying Dodge City
- Thanked everyone that worked on the DC Days events
- Condolences to the Austen family

Commissioner Broeckelman:
- Appreciate the improvements that have been made to 2nd & Sycamore by City Street staff

Commissioner Smoll:
- Thanked everyone at the Chamber and Roundup for great events
- Garden City hotels were sold out due to DC Days

Mayor Sowers:
- Condolences to the Wolfe and Austen families.
- Kudos to DC Days and all the staff for Mayors float
- 3.87% increase for Sales Tax for June

At 7:45 p.m. Commissioner Smoll moved to adjourn to an Executive Session for 30 minutes to discuss Land Acquisition and non-elected personnel which will include the City Manager and Assistant City Manager in the meeting, seconded by Commissioner Weber. No actions will be taken. The motion carried unanimously.

At 8:15 p.m. Commissioner Weber moved to extend the Executive Session for 10 minutes, seconded by Commissioner Sherer. Motion carried unanimously.

At 8:25 p.m. Commissioner Smoll moved to extend the Executive Session for 10 minutes, seconded by Commissioner Broeckelman. Motion carried unanimously.

The regular meeting reconvened at 8:35 p.m.

A motion was made by Commissioner Broeckelman to adjourn the meeting, seconded by Commissioner Sherer. Motion carried unanimously.

_________________________
Rick Sowers, Mayor

ATTEST:

________________________
Nannette Pogue, City Clerk
CITY COMMISSION MINUTES
SPECIAL MEETING
City Hall Commission Chambers
Wednesday, August 12, 2009
6:00 p.m.
MEETING #4771

CALL TO ORDER

ROLL CALL: Mayor Rick Sowers, Commissioners Kent Smoll, Jim Sherer and Brian Weber. Commissioner Monte Broeckelman was reported absent.

NEW BUSINESS

The J. E. Dunn Construction Management Contract for the Special Events Center was discussed. Commissioner Sherer moved to approve the contract as presented, seconded by Commissioner Weber. Motion carried 4-0.

PUBLIC HEARING

Opened the Public Hearing for the Community Development Block Grant.

Faye Trent, Great Plains Development outlined for the public a Community Development Block Grant that the City will be applying for. The grant will assist low to moderate income individuals to rehab their homes. A notice published in the Dodge City Daily Globe outlined the details and boundaries of the grant.

Closed the Public Hearing for the Community Development Block Grant.

RESOLUTION

Resolution No. 2009-18: Certifying legal authority to apply for the 2010 Kansas Small Cities Community Development Block Grant Program from the Kansas Department of Commerce and authorizing the Mayor to sign and submit such an application. Commissioner Weber moved to approve the resolution, seconded by Commissioner Smoll. Motion carried 4-0.

ADJOURNMENT: Commission Sherer moved to adjourn the meeting, seconded by Commissioner Weber. Motion carried 4-0.

______________________________________________
Rick Sowers, Mayor

ATTEST:

______________________________________________
Nannette Pogue, City Clerk
Memorandum

To: City Manager
   Assistant City Manager
   City Commissioners

From: Nannette Pogue

Date: August 12, 2009

Subject: Ordinance No. 3475
Agenda Item:
Ordinances and Resolutions

Recommendation: It is recommended to approve Ordinance No. 3475.

Background: Ordinance No. 3475 adopts the “2009 Edition of the Uniform Public Offense Code” by reference. The changes made to the Uniform Public Offense Code during the 2009 legislative session include the following:

Section 1. Definitions.

Section 3.13. Stalking

Section 5.3. Unlawfully Hosting Minors Consuming Alcoholic Liquor or Cereal Malt Beverage

Section 6.24. Unlawfully Selling Scrap Metal

Section 10.1. Criminal Use of Weapons

Section 10.3. Criminal Disposal of Firearms

Section 11.12 Cockfighting
ORDINANCE NO. 3475

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF DODGE CITY, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, EDITION 2009 AND REPEALING ORDINANCE NO 3461

Be it Ordained by the Governing Body of the City of Dodge City:

Section 1: INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by Reference for the purpose of regulating public offenses within the corporate limits of the City of Dodge City, Kansas, that certain code known as the "Uniform Public Offense Code, "Edition of 2009, prepared and published in book form by the League of Kansas Municipalities, Topeka Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 3475" with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

Section 2: REPEAL. Ordinance No. 3461 is hereby repealed.

Section 3: EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the governing body of the City of Dodge City, Kansas, and approved by the Mayor this 17th day of August, 2009.

Rick Sowers, Mayor

ATTEST

Nannette Pogue, City Clerk
Memorandum

To: City Manager
    Assistant City Manager
    City Commissioners
From: Nannette Pogue
Date: August 12, 2009
Subject: Ordinance No. 3476
Agenda Item: Ordinances and Resolutions

Recommendation: It is recommended to approve Ordinance No. 3476

Background: Ordinance No. 3476 adopts the “2009 Edition of the Standard Traffic Ordinance” by reference. The changes made to this code during the 2009 legislature include the following:

Section 1. Definitions.

Section 24 Accident Involving Damage to Vehicle or Other Property

Section 26 Duty Upon Striking Unattended Vehicle or Other Property

Section 26.1 Removal of Vehicle from Roadway After Accident

Section 31 Fleeing or Attempting to Elude a Police Officer

Section 114.4 Unlawful Operation of a Golf Cart

Section 114.5 Unlawful Operation of a Work-Site Utility Vehicle

Section 195 Driving in Violation of Restrictions
**Justification:** The Standard Traffic Ordinance is updated annually because of the new laws enacted by the Kansas State Legislature.

**Financial Considerations:** The booklets supplied to each City employee that references the ordinance is $6.00 each. We purchase approximately 95 of them.

**Purpose/Mission:** To keep updated on the laws of the State of Kansas.

**Legal Considerations:** Ordinance adopts the Standard Traffic Ordinance by reference.

**Attachments:** None
ORDINANCE NO. 3476

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF DODGE CITY, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION 2009" AND REPEALING ORDINANCE NO. 3462

Be it Ordained by the Governing Body of the City of Dodge City:

Section 1: INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by Reference for the purpose of regulating traffic within the corporate limits of the City of Dodge City, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2009, prepared and published in book form by the League of Kansas Municipalities, Topeka Kansas, save and except such articles, section, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 3476" with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

Section 2. TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118.

(b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (a) of this section, shall be considered traffic offenses.

Section 3. PENALTY FOR SCHEDULED FINES. The fine for violation of an ordinance traffic infraction or any other traffic offense will be established by the municipal judge in a fine schedule. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed $500.

Section 4: REPEAL. Ordinance no 3462 is hereby repealed.

Section 5: EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the governing body of the City of Dodge City, Kansas, and approved by the Mayor this 17th day of August, 2009.

________________________________________
Rick Sowers, Mayor

ATTEST:

________________________________________
Nannette Pogue, City Clerk
Memorandum

To: City Manager
   Assistant City Manager
   City Commissioners
From: Ryan T. Reid, ISA
Date: 2009 08 10
Subject: New IBM Power System

Recommendation: I suggest we accept the bid from SPS VAR for the new IBM Power System server.

Background: The server system runs the City's main software system (Court, Utility Billing, Inspections, Code Enforcement, Fleet Maintenance, Finance, and Payroll). Additionally, other departments like Fire, Police, Communications, and Parks inquire into the system to get information.

Justification: The current system was purchased in 2004; since then we have dramatically increased users and software systems. It has been upgraded twice but it is just not powerful enough to meet City needs; it cannot be upgraded any further. Additionally, without this replacement, the City cannot upgrade the Navilime software.

Financial Considerations: The bid total was for $41,629.

Purpose/Mission: In keeping with the City of Dodge City Core Values, the Power System is necessary for ongoing improvement of City efficiency and reliability. Additionally Navilime improves the ability of departments to work together and share information.
Legal Considerations:

Attachments: One (1) memo recommending the purchase of the IBM Power System.
MEMO

To: Nannette Pogue
CC:
From: Ryan T. Reid
Date: 8/10/2009
Re: IBM Power System (for City Hall Naviline)

Nannette:

I advertised specs for a new IBM Power System in the Globe and on our website outlining our need for a new IBM Power System server (for City Hall/Court's Naviline enterprise software system). Our current 1 Series server is about six years old and is not able to keep up with the demands of our many users. Since purchasing it, we have added many departments and applications. The system has been upgraded once, about two years ago but future upgrades (to address the speed deficiencies) are not possible. This project was budgeted for this year.

Barb Slagle and I opened and reviewed the bids on Tuesday, August 4th at 2:00. There was only one response; the total was $41,629. After comparing the bid and double-checking its accuracy, I recommend we purchase IBM Power System from SPS VAR.

We have used SPS VAR's services twice in the past six years and they did a good job both times. Additionally SPS VAR is the hardware arm of Sungard, who is the provider of our enterprise software system, Naviline. This close relationship should allow for a seamless migration to the new system with minimal downtime to our departments.

Though we did not get any other bidders for this project, the bid is in line with previous estimates I have seen for this kind of system.

I would like to have this reviewed by the City Commission on the 17th so I can (hopefully) get the actual system installed in September, before end of year processes.

Thank you.

RTR
Memorandum

To: City Manager
Assistant City Manager
City Commissioners

From: Jane Longmeyer

Date: August 13, 2009

Subject: Board Appointments
Agenda Item: New Business

Recommendation: Larry Daniels be appointed to serve a vacant position on the Board of Zoning Appeals and Ryan Rabe be appointed to serve a vacant position on the Building Board of Appeals.

Background: The applications submitted by the applicants are testimony to their qualifications to fill the respective positions.

Justification: The positions are vacant and need to be filled.

Financial Considerations: None

Purpose/Mission:

Legal Considerations: None

Attachments: Applications
APPLICATION FOR CITY OF DODGE CITY ADVISORY BOARDS

NAME: Lawrence P. Daniels       OCCUPATION: Attorney
ADDRESS: 1501 Ave. A, Dodge City, KS       TELEPHONE: 620 227-7411

Advisory Board(s) you wish to be considered for:

Board of Zoning Appeals

Tell us about your educational background:

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<td>Pittsburg State Univ</td>
<td>1961-1965</td>
<td>Economics</td>
</tr>
<tr>
<td>George Washington Univ</td>
<td>1966-1972</td>
<td>Law</td>
</tr>
</tbody>
</table>

Work history:

I have been a practicing attorney in Kansas since 1974. I have been a partner in Lundin & Daniels since 1993. See attached resume.

To the best of your knowledge, would the appointment of you to the Board of Zoning Appeals advisory board create any conflicts of interest due to your employment or business endeavors? If yes, please explain:

No.

Have you ever served on any advisory board, committee, etc. of another public body? If you have, please tell us something about it.

I currently serve on the Board of Indigent Defense Services.

Tell us about other qualifications you have which you feel qualify you for appointment.

________________________________________________________________________

________________________________________________________________________

Signature: [Signature]       Date: 8-4-09

Please return to: City Manager’s Office, City Hall, P.O. Box 880, Dodge City, Kansas 67801-0880.

Thank you for your interest!
LAWRENCE P. DANIELS

EDUCATION

Bachelor of Arts, Pittsburg State University, Pittsburg, Kansas, 1965, Major - Economics

Juris Doctor, George Washington University, Washington, D.C., 1972

PROFESSIONAL EXPERIENCE

Partner, LUNDIN & DANIELS, Dodge City, Kansas 2005 to present

Partner, LUNDIN, DANIELS & KNAPP, Dodge City, Kansas, 2003 - 2005

Partner, LUNDIN & DANIELS, Dodge City, Kansas, Dodge City, Kansas, 1993 - 2003

Managing Attorney, Kansas Rural Legal Services, Garden City, Kansas, 1984 - 1992

Supervising Attorney, Southwest Kansas Senior Citizens Law Project, Garden City, Kansas, 1984 - 1992

Assistant County Attorney, Crawford County, Kansas, 1982 - 1984

Partner, Grotheer, Grotheer & Daniels, Pittsburg, Kansas, 1982 - 1984

Attorney in solo practice, Pittsburg, Kansas, 1979 - 1982

Associate and Partner, Wheeler & Mitchelson, Pittsburg, Kansas, 1974 - 1979

Economist, Postal Rate Division, U. S. Postal Service, 1969 - 1974


PROFESSIONAL MEMBERSHIPS

Kansas Bar Association, Southwest Kansas Bar Association, Ford/Gray County Bar Association

Admitted to practice before the Supreme Court of Kansas, the U. S. District Court for the District of Kansas, and the U. S. Circuit Court of Appeals for the Tenth Circuit
APPLICATION FOR CITY OF DODGE CITY ADVISORY BOARDS

NAME: Ryan Rage
OCCUPATION: Construction

ADDRESS: 2313A Fairway Dr.
TELEPHONE: (620) 338-7153

Advisory Board(s) you wish to be considered for:

Building Board of Appeals

Tell us about your educational background:

<table>
<thead>
<tr>
<th>School</th>
<th>Dates Attended</th>
<th>Major</th>
</tr>
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<tbody>
<tr>
<td>Kansas State University</td>
<td>1999-2004</td>
<td>Construction Science</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Management</td>
</tr>
</tbody>
</table>

Work history:

<table>
<thead>
<tr>
<th>Job and Title</th>
<th>Dates of Employment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Solutions Project Mgr/Estimator</td>
<td>8/06 - Current</td>
</tr>
<tr>
<td>KB Homes - Denver Customer Service Rep</td>
<td>7/05 - 8/06</td>
</tr>
<tr>
<td>Conoco Construction Superintendent</td>
<td>6/04 - 6/05</td>
</tr>
</tbody>
</table>

To the best of your knowledge, would the appointment of you to the Building Board of Appeals advisory board create any conflicts of interest due to your employment or business endeavors? If yes, please explain:

No

Have you ever served on any advisory board, committee, etc. of another public body? If you have, please tell us something about it.

No

Tell us about other qualifications you have which you feel qualify you for appointment.

Signature: Ryan Rage
Date: 8/10/09

Please return to: City Manager’s Office, City Hall, P.O. Box 880, Dodge City, Kansas 67801-0880.

Thank you for your interest!