CALL TO ORDER

ROLL CALL

INVOCATION by Rev. Kirk Larson with Grace Community Church

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).

Character Trait - Contentment

CONSENT CALENDAR

1. Approval of City Commission Meeting minutes, October 17, 2011;
2. Appropriation Ordinance No. 20, November 7, 2011
3. Cereal Malt Beverage License
   a. Presto #1624, 2615 E. Trail Street
   b. Presto #1625, 609 S. 2nd Avenue
   c. The End, 2305 W. Wyatt Earp
4. Approval of Change Order No. 1 2010 Asphalt Reconstruction
5. Approval of Change Order No. 1 2011 Asphalt Mill & Overlay

ORDINANCES & RESOLUTIONS


UNFINISHED BUSINESS
NEW BUSINESS

1. Approval of Placement of the General Insurance and Worker’s Compensation Insurance. Report by Special Projects Coordinator, Mary Trent.

2. Approval of City Appointment to Horse Thief Reservoir Benefit District. Report by City Manager, Ken Strobel.

OTHER BUSINESS

ADJOURNMENT
Sometimes a relationship ends, a project goes wrong, or an uncertain economy has you fearing for your job. Anxiety strains relationships, it’s difficult to plan for the future, and the situation gets worse when we feel pressured to measure up to expectations.

Check Your Desires
Ask yourself why it’s hard to be grateful. This question tends to reveal our real motives. If we’re annoyed because we feel a task belongs to someone else, perhaps it’s because we want to spend more time on our assignments.

But why is that? Maybe it’s because we get more credit for finishing our work than for helping others. Maybe our desire for praise is keeping us from doing what needs to be done. Or maybe we are just pressed for time...or both.

Be Grateful
If we can see the task itself is worth doing, some measure of joy becomes possible...not because the situation becomes more bearable but because we can see it in a context of contentment.

Helping a coworker meet a deadline can help your entire organization keep its word.

Grading papers gives students valuable feedback they need in order to learn.

Keeping a clean restroom makes life more pleasant and helps motivate its users to take better care.

Live Within Your Means
A content person recognizes available resources and puts them to creative use. Because a content person has values bigger than possessions and convenience, he or she can see the good in life instead of falling for the slickest advertisement or being distracted by what others are doing.

Buy what you need in order to fulfill your responsibilities. But do not buy things just to impress someone or make yourself feel better. Do not compare yourself to others. Envy keeps you focused on what you don’t have instead of making good use of your current resources.

Contentment comes when we change our outlook and stop comparing ourselves and our circumstances to those around us. When we’re discontent with our position in life, we are tempted to covet another person’s path, family, talents, titles, and trophies.

To triumph over covetousness at work, practice the following:

- **Keep your eyes on your side of the fence (or cubicle).** Instead of comparing yourself to others, make a list of everything positive in your workplace. Find the fold nuggets that you might have forgotten or overlooked. Writing this list on paper and re-reading it will reinforce the good and be therapeutic for you.

- **Don’t be discouraged by areas of weakness.** Recognize the lessons you can draw from your colleagues. Life is a team effort, so take opportunities as they come to learn from others, build a stronger team, and strengthen your professional and personal bond.

- **Streamline your work area.** If you have too much in your work space, it creates clutter, disorganization, and stress - which saps enjoyment from work and creates chaos instead of contentment.

- **Lay the groundwork for the goals you currently have.** Remember, short-term goals are very important, and every achievement brings a sense of accomplishment. Seek additional training. Recognize all successes - great and small - as stepping stones along your path.
CALL TO ORDER

ROLL CALL: Mayor Rick Sowers, Commissioners Kent Smoll, Jim Sherer, Michael Weece and Monte Broeckelman were present.

INVOCATION by Dr. Jerry Ketner of the New Hope on the Plains

PLEDGE OF ALLEGIANCE

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 Johnson announced they will be starting the Youth Hockey Season, he spoke about the league and the participants.

CONSENT CALENDAR

1. Approval of Joint City/County Commission minutes, October 3, 2011
2. Approval of City Commission Meeting minutes, October 3, 2011
3. Appropriation Ordinance No. 20, October 17, 2011
4. Cereal Malt Beverage License
   a. Taco Palenque, 307 Military

Commissioner Jim Sherer moved to approve the Consent Calendar as presented, seconded by Commissioner Michael Weece. The motion carried 5-0.

ORDINANCES & RESOLUTIONS

Resolution No. 2011-25: Resolution Delaying the Commencement of the Collection of a Community Improvement District Sales Tax from January 1, 2012 to January 1, 2013 was approved on a motion by Commissioner Jim Sherer, seconded by Commissioner Kent Smoll. Motion carried 5-0.

UNFINISHED BUSINESS
NEW BUSINESS

1. Final Replat for Gateway Townhouses was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Jim Sherer. Motion carried 5-0.

2. Bid from Utility Contractors, Inc. in the amount of $813,776.00 for the construction of Phase II of the North Dodge Collection System Improvements was approved pending approval from KDHE, on a motion by Commissioner Kent Smoll, seconded by Commissioner Monte Broeckelman. Motion carried 5-0.

3. Approval of Bid For Six (6) 2012 Chevrolet Tahoes for a maximum amount of $179,406.00 less trade of $14,000 for a total bid of $165,406.00 from Magourik Chevrolet was approved on a motion by Commissioner Jim Sherer, seconded by Commissioner Michael Weece. Motion carried 5-0.

4. The Project Cost Reimbursement Agreement and Consulting Services Agreement with SMH in the amount of $30,325.00 for the design of infrastructure for the Avenue K & Comanche development was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Jim Sherer. Motion carried 5-0.

OTHER BUSINESS

Ken Strobel, City Manager:
- Congratulations to Jim Sherer for being elected President of Kansas League of Municipalities.

Cherise Tieben, Assistant City Manager:
- Legislation Redistricting Meeting will be held Wednesday; and
- Offered condolences to Pat George with the loss of his mother and to Kenny Zielke with the loss of his wife.

Jane Longmeyer, Director of Public Information:
- Attended Main Street Awards Banquet, in which the Dodge City Main Street Program received 5 Awards; and
- On November 5th the Water Reclamation Facility will hold their Open House.

Commissioner, Michael Weece:
- Congratulations to the Dodge City Main Street Program.
Commissioner, Jim Sherer:
   • Wrap up on symposium – people couldn’t say enough good things about Dodge City and their facilities.

Mayor, Rick Sowers:
   • Commented on Dodge City Main Street Program Awards.

Commissioner, Kent Smoll:
   • Commented on the Events Center events during the weekend – very well attended – appreciated officers attendance at events;
   • Congratulations to Jim Sherer and to Dodge City Main Street Program; and
   • Use caution during Halloween.

**ADJOURNMENT:**  Commissioner Kent Smoll moved to adjourn the meeting; Commissioner Jim Sherer seconded the motion. The motion carried 5-0.

________________________________
Rick Sowers, Mayor

ATTEST:

________________________________
Nannette Pogue, City Clerk
**SECTION 1 - LICENSE TYPE**

Check One: ☐ New License  ☑ Renew License

☐ 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): 004-561574463F-01

<table>
<thead>
<tr>
<th>Name of Corporation</th>
<th>Principal Place of Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Pantry, Inc.</td>
<td>Cary, NC</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Corporation Street Address</th>
<th>Corporation City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>305 Gregson Drive</td>
<td>Cary</td>
<td>NC</td>
<td>27511</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Incorporation</th>
<th>Articles of Incorporation are on file with the Secretary of State.</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/13/1987</td>
<td>☐ Yes ☐ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resident Agent Name</th>
<th>Phone No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Todd W. Solomon</td>
<td>620-640-0050</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Residence Street Address</th>
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<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>1704 Central Avenue</td>
<td>Dodge City</td>
<td>KS</td>
<td>67801</td>
</tr>
</tbody>
</table>

**SECTION 3 - LICENSED PREMISE**

<table>
<thead>
<tr>
<th>DBA Name</th>
<th>License Premise (Business Location)</th>
<th>Mailing Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Presto #1624</td>
<td>2615 E. Trail Street</td>
<td>PO Box 8019</td>
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<tr>
<td>Cary</td>
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<table>
<thead>
<tr>
<th>Business Location Address</th>
<th>Phone No.</th>
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<tbody>
<tr>
<td>620-227-2625</td>
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</tbody>
</table>

**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>City</th>
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<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mike K. Bierley</td>
<td>Officer</td>
<td>08/17/66</td>
<td>Plymouth</td>
<td>MI</td>
<td>48170</td>
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<tr>
<td>Residence Street Address</td>
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</tr>
<tr>
<td>Spouse Name</td>
<td>Helen Bierley</td>
<td>Date of Birth</td>
<td>05/28/65</td>
<td>Plymouth</td>
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<td>Residence Street Address</td>
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<tbody>
<tr>
<td>Berry L. Epley</td>
<td>Officer</td>
<td>02/27/66</td>
<td>West End</td>
<td>NC</td>
<td>27376</td>
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<tr>
<td>Residence Street Address</td>
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</tr>
<tr>
<td>Spouse Name</td>
<td>Kimothy Epley</td>
<td>Date of Birth</td>
<td>12/21/66</td>
<td>West End</td>
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<tr>
<td>Residence Street Address</td>
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<th>Zip Code</th>
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<tr>
<td>Lindsay S. Cunningham</td>
<td>Officer</td>
<td>12/08/72</td>
<td>Apex</td>
<td>NC</td>
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<tr>
<td>Residence Street Address</td>
<td>3208 Fox Terrace Drive</td>
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</tr>
<tr>
<td>Spouse Name</td>
<td>Sean Cunningham</td>
<td>Date of Birth</td>
<td>06/11/64</td>
<td>Apex</td>
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<tr>
<td>Residence Street Address</td>
<td>3208 Fox Terrace Drive</td>
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<td></td>
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</tr>
</tbody>
</table>
SECTION 5 – MANAGER OR AGENT INFORMATION

My place of business will be conducted by a manager or agent. ☑ Yes ☐ No

If yes, provide the following:

Manager/Agent Name: Todd W. Solomon
Phone No: 620-640-0050
Date of Birth: 09/07/63
Residence Street Address: 1704 Central Avenue
City: Dodge City
Zip Code: 67801

Manager or Agent Spousal Information

Spouse Name: N/A
Phone No:
Date of Birth
Residence Street Address
City
Zip Code

SECTION 6 – QUALIFICATIONS FOR LICENSURE

Within 2 years immediately preceding the date of this application, none of the individuals identified in Sections 4 & 5 have 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.

☐ Yes ☐ No

None of the individuals identified in Sections 4 and 5 were managers, officers, directors or stockholders owning more than 25% of the stock of a corporation which:

(1) Had a cereal malt beverage license revoked; or (2) Was convicted of violating the Club and Drinking Establishment Act or the CMB laws of Kansas.

☐ Yes ☐ No

All of the individuals identified in Sections 4 & 5 are at least 21 years of age.

☐ Yes ☐ No

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct and that I am authorized by the corporation to complete this application. (K.S.A. 53-601)

SIGNATURE ___________________________ DATE 10-18-11

FOR CITY/COUNTY OFFICE USE ONLY:

☒ License Fee Received Amount $ 50.00 Date 10-25-11
($25 - $50 for Off-Premise license or $25-200 for On-Premise license)

☒ $25 CMB Stamp Fee Received Date 10-25-11

☐ Background Investigation ☐ Completed Date ______________ ☐ Qualified ☐ Disqualified

☐ New License Approved Valid From Date ______________ to ______________ By:

☐ License Renewed Valid From Date ______________ to ______________ By:

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR QUARTERLY REPORT (ABC-301) TO THE ALCOHOLIC BEVERAGE CONTROL, 915 SW HARRISON STREET ROOM 214, TOPEKA, KS. 66625-3512.

1 Spouse not required to be over 21 years of age. K.S.A. 41-2703(b)(9)
**CORPORATE 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

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.

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**SECTION 2 – APPLICANT INFORMATION**

Kansas Sales Tax Registration Number (required): 004-561574483F-01

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<tr>
<td>Phone No.</td>
<td>620-640-0050</td>
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<tr>
<td>Articles of Incorporation</td>
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<tr>
<td>Secretary of State</td>
<td>27511</td>
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**SECTION 3 – LICENSED PREMISE**

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<td>609 S. 2nd Avenue</td>
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<table>
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<tr>
<th>Mailing Address</th>
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<tr>
<td>Name</td>
</tr>
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**SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK**

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

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<td>Zip Code</td>
<td>48170</td>
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<tr>
<td>Date of Birth</td>
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<td>Zip Code</td>
<td>27376</td>
</tr>
<tr>
<td>Date of Birth</td>
<td>02/27/66</td>
</tr>
</tbody>
</table>

---

AG CMB Corporate Application (Rev. 1.26.10)
**SECTION 5 – MANAGER OR AGENT INFORMATION**

My place of business will be conducted by a manager or agent.  
☐ Yes  ☐ No

If yes, provide the following:

<table>
<thead>
<tr>
<th>Manager/Agent Name</th>
<th>Phone No.</th>
<th>Date of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Todd W. Solomon</td>
<td>620-640-0050</td>
<td>09/07/63</td>
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<tbody>
<tr>
<td>1704 Central Avenue</td>
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<td>67801</td>
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</table>

**Manager or Agent Spousal Information**

<table>
<thead>
<tr>
<th>Spouse Name</th>
<th>Phone No.</th>
<th>Date of Birth</th>
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<tbody>
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**SECTION 6 – QUALIFICATIONS FOR LICENSURE**

Within 2 years immediately preceding the date of this application, none of the individuals identified in Sections 4 & 5 have 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 law intoxicating liquor law.

None of the individuals identified in Sections 4 and 5 were managers, officers, directors or stockholders owning more than 25% of the stock of a corporation which:  
1. Had a cereal malt beverage license revoked; or 2. Was convicted of violating the Club and Drinking Establishment Act or the CMB laws of Kansas.

All of the individuals identified in Sections 4 & 5 are at least 21 years of age.

☐ Yes  ☐ No

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct and that I am authorized by the corporation to complete this application. (K.S.A. 53-601)

Signature: ___________________________  Date: 10-18-11

FOR CITY/COUNTY OFFICE USE ONLY:

☐ License Fee Received Amount $ 50.00  Date: 10-25-11
($25 - $50 for Off-Premise license or $25-200 for On-Premise license)

☐ $25 CMB Stamp Fee Received Date: 10-25-11

☐ Background Investigation  Completed Date:  
☐ Qualified  ☐ Disqualified

☐ New License Approved  Valid From Date:  to:  By:

☐ License Renewed  Valid From Date:  to:  By:

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR QUARTERLY REPORT (ABC-301) TO THE ALCOHOLIC BEVERAGE CONTROL, 915 SW HARRISON STREET ROOM 214, TOPEKA, KS 66625-3512.

1 Spouse not required to be over 21 years of age. K.S.A. 41-2703(b)(9)

Page 3 of 3
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, KS

SECTION 1 - LICENSE TYPE
Check One: ☒ New License □ Renew License

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 licensees premises.

SECTION 2 - APPLICANT INFORMATION
Kansas Sales Tax Registration Number (required):

Name: John Weidner
Residence Street Address: 2419 Diane Dr., Dodge City, KS 67801
Spouse Name: N/A

SECTION 3 - LICENSED PREMISE
Licensed Premise (Business Location):

DBA Name: The End
Business Location Address: 2305 W. Wyatt Earp
City: Dodge City
State: KS
Zip: 67801
Business Phone No: 620-338-8166

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 30+ years.

I am at least 21 years old.
☐ Yes ☐ No

Within 2 years immediately preceding the date of this application, neither I nor my spouse 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.
☐ 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
**INDIVIDUAL/SOLE PROPRIETOR**
**APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**
(This form prepared by the Attorney General's Office)

**SECTION 5 – MANAGER OR AGENT QUALIFICATION**

<table>
<thead>
<tr>
<th>My place of business will be conducted by a manager or agent.</th>
<th>□ Yes  □ No</th>
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</table>

If yes, provide the following:

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<th>Spouse Name</th>
<th>Phone No.</th>
<th>Date of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residence Street Address</td>
<td>City</td>
<td>Zip Code</td>
</tr>
</tbody>
</table>

**Qualification Statement**

My manager/agent and his/her spouse\(^2\) meets all of the qualifications in Section 4.  □ Yes  □ No

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct. (K.S.A. 52-601)

**SIGNATURE**

\[\text{Signature} \]

**DATE** 10/27/11

\[\varphi 75^\circ\]

**FOR CITY/COUNTY OFFICE USE ONLY:**

<table>
<thead>
<tr>
<th>□ License Fee Received Amount $</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>($25 - $50 for Off-Premise license or $25-200 On-Premise license)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>□ $25 CMB Stamp Fee Received Date</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>□ Background Investigation □ Completed Date</th>
<th>□ Qualified □ Disqualified</th>
</tr>
</thead>
</table>

| □ New License Approved Valid From Date to By: |
|--------------------------------|----------|

| □ License Renewed Valid From Date to By: |
|--------------------------------|----------|

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR QUARTERLY REPORT (ABC-301) TO THE ALCOHOLIC BEVERAGE CONTROL, 915 SW HARRISON STREET ROOM 214, TOPEKA, KS 66625-3512.

\(^1\) If renewal application, applicant's spouse not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)

\(^2\) Spouse not required to be U.S. citizen, Kansas resident or over 21 years of age. K.S.A. 41-2703(b)(9)
Memorandum

To:       City Manager
         Assistant City Manager
         City Commissioners

From:     Ray Slattery,
         Director of Engineering
         Services

Date:     October 19, 2011
Subject:  2010 Asphalt
         Reconstruction ST 1001
Agenda Item: Consent Calendar

Recommendation: Approve change order No.1 2010 Asphalt Reconstruction

Background: 2010 Asphalt Reconstruction was approved by the Commission on June 6, 2011.

Justification: Sub Grade Repair – The deletion of 982 C.Y. was because less unsuitable sub-grade was encountered than anticipated during the design. The weather conditions we experienced over the past year could have contributed to the sub-grade not being wet/un-workable.

BM-4 (4") Base Course – The addition of 54 tons of asphalt represent actual field measurements/weigh tickets. This is a 2% over-run which equates to 1/16” of extra thickness of the Base Course mat.

BM-2 (2) Surface Course – The deletion of 40 tons of asphalt represent actual field measurements/weigh tickets. The reason for the under run was an over estimation/rounding of quantities in the design stage of this project. The average placed thickness calculates to be 2 1/16”.

Water Valve Adjustment – The deletion of 2 adjustments was because staff and the contractor decided to leave these two valves in place because half of the valve was in the concrete intersection pavement and half in the asphalt pavement. The Contractor worked around the valves

Financial Considerations: Change Order No.1 is for an decrease of $10,130.00
**Purpose/Mission:** One of the City's core values in Ongoing Improvements. With the construction of these improvements the City is preparing for the community's future and providing new possibilities for current and future citizens of our community.

**Legal Considerations:** N/A

**Attachments:** Change Order No.1
# CITY OF DODGE CITY
## Change Order

**CONTRACT FOR:** 2010 Asphalt Street Reconstruction  
**PROJECT NUMBER:** ST 1001  
**REQUEST NUMBER:** 1  
**CONTRACTOR:** Klotz Sand Co., Inc.  

<table>
<thead>
<tr>
<th>ITEM DESCRIPTION</th>
<th>UNIT</th>
<th>CONTRACT OR PREVIOUS QUANTITY</th>
<th>ADJUSTED QUANTITY</th>
<th>AMOUNT OF OVERRUN OR UNDERRUN</th>
<th>CONTRACT UNIT PRICE</th>
<th>NEW UNIT PRICE</th>
<th>DOLLAR AMOUNT OF CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-Grade Repair</td>
<td>C.Y.</td>
<td>1000</td>
<td>18</td>
<td>-982</td>
<td>$10.00</td>
<td></td>
<td>$ (9,820.00)</td>
</tr>
<tr>
<td>BM-4 (4&quot;) Base Course</td>
<td>Ton</td>
<td>2560</td>
<td>2614</td>
<td>54</td>
<td>$57.00</td>
<td></td>
<td>$ 3,078.00</td>
</tr>
<tr>
<td>BM-2 (2&quot;) Surface Course</td>
<td>Ton</td>
<td>1280</td>
<td>1240</td>
<td>-40</td>
<td>$64.70</td>
<td></td>
<td>$ (2,588.00)</td>
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<tr>
<td>Water Valve Adjustment</td>
<td>Each</td>
<td>4</td>
<td>2</td>
<td>-2</td>
<td>$400.00</td>
<td></td>
<td>$ (800.00)</td>
</tr>
</tbody>
</table>

**RECOMMENDED FOR APPROVAL:**

Ray Slattery, P.E.  
Director of Engineering Services

Nannette Pogue, City Clerk  
Mayor or City Manager

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., Inc.  
**By:**
Memorandum

To: City Manager  
Assistant City Manager  
City Commissioners

From: Ray Slattery,  
Director of Engineering  
Services

Date: October 19, 2011

Subject: 2011 Asphalt Mill & Overlay  
ST 1102

Agenda Item: Consent Calendar

Recommendation: Approve change order No.1 2011 Asphalt Mill & Overlay

Background: 2011 Asphalt Mill & Overlay was approved by the Commission on June 6, 2011.

Justification: 6th Avenue  
Asphalt Overlay – BM-2 (2") – The deletion of 72 tons of asphalt represent actual field measurements/weigh tickets. The reason for the under run was an over estimation/rounding of quantities in the design stage of this project. The average placed thickness calculates to be 2 1/16".

Central Avenue  
Asphalt Overlay – BM-2 (2") – The deletion of 15 tons of asphalt represent actual field measurements/weigh tickets. The reason for the under run was an over estimation/rounding of quantities in the design stage of this project. The average placed thickness calculates to be 2 1/16".

San Jose Drive  
Asphalt Overlay – BM-2 (2") – The addition of 4 tons of asphalt represent actual field measurements/weigh tickets. The reason for the over run was do to the slightly thicker asphalt overlay. The average placed thickness calculates to be 2 3/16".

Beeson Road  
Asphalt Overlay – BM-2 (2") – The addition of 86 tons of asphalt represent actual field measurements/weigh tickets. The reason for the over run was because it was decided to
place a slight “crown” in the street and thicken the asphalt overlay slightly. The average placed thickness calculates to be 2 5/8”.

**Financial Considerations:** Change Order No.1 is for an increase of $180.80

**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:** 2011 Asphalt Mill & Overlay

**PROJECT NUMBER:** ST 1102

**CONTRACTOR:** APAC-Kansas, Inc., Shears Division

**REQUEST NUMBER:** 1

<table>
<thead>
<tr>
<th>ITEM DESCRIPTION</th>
<th>UNIT</th>
<th>CONTRACT OR PREVIOUS QUANTITY</th>
<th>ADJUSTED QUANTITY</th>
<th>AMOUNT OF OVERRUN OR UNDERRUN</th>
<th>CONTRACT UNIT PRICE</th>
<th>NEW UNIT PRICE</th>
<th>DOLLAR AMOUNT OF CHANGE</th>
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</thead>
<tbody>
<tr>
<td>6th Avenue</td>
<td>Ton</td>
<td>1400</td>
<td>1328</td>
<td>-72</td>
<td>$ 60.10</td>
<td>$</td>
<td>$ (4,327.20)</td>
</tr>
<tr>
<td>Central Avenue</td>
<td>Ton</td>
<td>297</td>
<td>282</td>
<td>-15</td>
<td>$ 72.00</td>
<td>$</td>
<td>$ (1,080.00)</td>
</tr>
<tr>
<td>San Jose Drive</td>
<td>Ton</td>
<td>298</td>
<td>302</td>
<td>4</td>
<td>$ 64.00</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>Beeson Road</td>
<td>Ton</td>
<td>904</td>
<td>990</td>
<td>86</td>
<td>$ 62.00</td>
<td>$</td>
<td>$ 5,332.00</td>
</tr>
</tbody>
</table>

**NET INCREASE** $ 180.80

---

**RECOMMENDED FOR APPROVAL:**

[Signature]

Ray Slattery, P.E.
Director of Engineering Services

---

Contractor: APAC-Kansas, Inc., Shears Division

By: [Signature]
Memorandum

To: Ken Strobel, City Manager
    Cherise Tieben, Assistant City Manager
From: Nannette Pogue
Date November 3, 2011
Subject: Resolution No. 2011-27
Agenda Item: Ordinances and Resolutions

Recommendation: I recommend the approval of Resolution No. 2011-27.

Background: Prior to year end, the City will need funding for the following projects: previously authorized street projects including 6th Avenue Street Improvements, Division Street Improvements and Trail Street Engineering and Design; and the Wagon Wheel Addition improvements which is a special assessment project in the amount of $503,000. Because the Wagon Wheel Project cannot be financed with bonds until the project is complete, we are going to issue Temporary Notes in 2011. Several Temporary Notes are coming due in 2012 and we will issue General Obligation Bonds for all of the projects at that time.

The Resolution offers for sale temporary notes for projects totaling $1,859,783.60. The amount of notes we plan to issue is $1,680,000. The reason for the significant difference is that we authorized 6th Avenue for $377,380, but this amount was actually all of the street projects for 2011 and 6th Avenue was estimated at $175,000. Because of the difference in authorization and actual costs, the amount needed has been lowered.

The resolution also approves the Preliminary Official Statement dated November 7, 2011. It also authorizes the Mayor and City Clerk to execute the “Certificate Deeming Preliminary Official Statement Final” and authorizes them to take any other actions that may be necessary to carry out the sale of the Notes.

Justification: To finance construction and special assessment projects.

Financial Considerations: The notes will need to be redeemed by General Obligation Bonds and paid back over a period of 10 years.

Purpose/Mission: To maintain and improve the infrastructure in Dodge City.

Legal Considerations: None

Attachments: Resolution No. 2011-27
RESOLUTION NO. 2011-27

RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2011-1, OF THE CITY OF DODGE CITY, KANSAS.

WHEREAS, the City of Dodge City, Kansas (the “Issuer”), has heretofore authorized certain internal improvements described as follows (collectively, the “Improvements”):

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Res No.</th>
<th>Authority</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wagon Wheel Addition-Unit One – Street,</td>
<td>2011-06</td>
<td>K.S.A. 12-6a01 et seq.</td>
<td>$503,000.00</td>
</tr>
<tr>
<td>Sewer and Water Improvements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street Improvements – 6th Avenue</td>
<td>2011-18</td>
<td>K.S.A. 13-1038 et seq.</td>
<td>377,379.94</td>
</tr>
<tr>
<td>Street Improvements – Division Street</td>
<td>2011-18</td>
<td>K.S.A. 13-1038 et seq.</td>
<td>579,403.66</td>
</tr>
<tr>
<td>Street Improvements – Trail Street</td>
<td>2011-18</td>
<td>K.S.A. 13-1038 et seq.</td>
<td>400,000.00</td>
</tr>
<tr>
<td>Total:</td>
<td></td>
<td></td>
<td>$1,859,783.60</td>
</tr>
</tbody>
</table>

; and

WHEREAS, the governing body of the Issuer is authorized by law to issue general obligation bonds to pay the costs of the Improvements; and

WHEREAS, it is necessary for the Issuer to provide cash funds (from time to time) to meet its obligations incurred in constructing the Improvements prior to the completion thereof and the issuance of the Issuer's general obligation bonds, and it is desirable and in the interest of the Issuer that such funds be raised by the issuance of temporary notes of the Issue; and

WHEREAS, none of such general obligation bonds or temporary notes heretofore authorized have been issued and the Issuer proposes to issue its temporary notes to pay the costs of the Improvements; and

WHEREAS, the Issuer, hereby selects the firm of Stifel, Nicolaus & Company, Inc., Wichita, Kansas (the “Purchaser”), as underwriter for one or more series of temporary notes of the Issuer in order to provide funds to temporarily finance the Improvements; and

WHEREAS, the Issuer desires to authorize the Purchaser to proceed with the offering for sale of said temporary and related activities; and

WHEREAS, one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to said temporary notes; and

WHEREAS, the Issuer desires to authorize the Purchaser, in conjunction with the Director of Finance, to proceed with the preparation and distribution of a preliminary official statement and all other preliminary action necessary to sell said temporary notes; and

JLN\600188.042\SALEDOCS (11-01-11)
WHEREAS, due to the volatile nature of the municipal bond market and the desire of the Issuer to achieve maximum benefit of timing of the sale of said temporary, the governing body desires to authorize the Mayor to confirm the sale of such temporary notes, if necessary, prior to the next meeting of the governing body to adopt the necessary resolution providing for the issuance thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS, AS FOLLOWS:

Section 1. The Purchaser is hereby authorized to proceed with the offering for sale of the Issuer’s General Obligation Temporary Notes, Series 2011-1 (the “Notes”) in accordance with the presentation made to the governing body this date. The offering for sale of the Notes shall be accomplished in consultation with the Director of Finance, Gilmore & Bell, P.C. (“Bond Counsel”) and the Purchaser. The confirmation of the sale of the Notes shall be subject to the execution of a note purchase agreement (the “Note Purchase Agreement”) between the Purchaser and the Issuer in a form approved by Bond Counsel and the adoption of a resolution by the governing body of the Issuer authorizing the issuance of the Notes and the execution of various documents necessary to deliver the Notes. The Mayor is hereby authorized to execute the Note Purchase Agreement subject to the following parameters: (a) principal amount not to exceed $1,700,000; and (b) a net interest cost (“NIC”) of not to exceed 2.50%.

Section 2. The Preliminary Official Statement, dated November 7, 2011, is hereby approved in substantially the form presented to the governing body this date, with such changes or additions as the Mayor and Director of Finance shall deem necessary and appropriate. The Issuer hereby consents to the use and public distribution by the Purchaser of the Preliminary Official Statement in connection with the sale of the Notes.

Section 2. The Purchaser, in conjunction with the Director of Finance and Bond Counsel, is hereby authorized to cause to be prepared a Preliminary Official Statement relating to the Notes. The Issuer hereby consents to the use and distribution of the Preliminary Official Statement in connection with the offering for sale of the Notes.

Section 3. For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12 of the Securities Exchange Commission (the “Rule”), the Mayor and Director of Finance or other appropriate officers of the Issuer are hereby authorized: (a) to approve the form of said Preliminary Official Statement, and to execute the “Certificate Deeming Preliminary Official Statement Final”, in substantially the form attached hereto as Exhibit A, as approval of the Preliminary Official Statement, such official's signature thereon being conclusive evidence of such official's and the Issuer's approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to certain national repositories and the Municipal Securities Rulemaking Board, as applicable; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary; to enable the Purchaser to comply with the requirement of the Rule.

Section 4. The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Notes or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(3) and (4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.
Section 5. The Mayor, Director of Finance and the other officers and representatives of the Issuer, Bond Counsel are hereby authorized and directed to take such other action as may be necessary to carry out the sale of the Notes.

Section 6. This Resolution shall be in full force and effect from and after its adoption.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]
ADOPTED by the governing body on November 7, 2011.

(SEAL)

ATTEST:

__________________________
Mayor

__________________________
Clerk
Memorandum

To: City Commissioners  
From: Ken Strobel  
Date: November 4, 2011  
Subject: General Insurance and Workers Compensation

Agenda Item: New Business

RECOMMENDATION: Pending the receipt of follow up information from KMIT staff will be in a position to make a recommendation on Monday.

BACKGROUND: The insurance was put out to bid again this year. Six bid packets were provided and three proposals were received. The Keller Leopold proposal was the only complete proposal received, totaling $744,063. KFSA/Public Risk Management and KMIT provided proposals for individual lines of coverage.

JUSTIFICATION:

FINANCIAL CONSIDERATIONS: We have adequate funds available. Funds required do not exceed budgetary amounts. The renewal proposals provide coverage for the WRF and the new fire truck.

PURPOSE/MISSION: Protects City assets, thereby better protecting our community

LEGAL CONSIDERATIONS: None

ATTACHMENTS: None
<table>
<thead>
<tr>
<th>COVERAGE</th>
<th>2011</th>
<th>Keller</th>
<th>KMIT</th>
<th>Keller w/o WC</th>
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<td>Boiler</td>
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<tr>
<td>Inland Marine</td>
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<td>1060</td>
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<tr>
<td>General Liability</td>
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<td>Liquor Liability</td>
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<td>Public Officials</td>
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<td>$744,063</td>
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$624,663 $744,063 $355,159 $394,633 $749,792
Memorandum

To: City Commissioners
From: Ken Strobel
Date: Friday, November 04, 2011
Subject: City Appointment to Horse Thief Reservoir Benefit District

Agenda Item: New Business

Recommendation: Staff is recommending the reappointment of Terry Janson to the Horse Thief Reservoir Benefit Board for a two (2) year term with Cherise Tieben as an alternate.

Background: The Horse Thief Reservoir is governed by an eight (8) member Board of Directors consisting of appointees from the counties and cities included within the benefit district.

Terry has served as the city appointee to the Board since its inception and has provided a valuable contribution to the development of the reservoir.

Due to many demands on Terry’s time, staff is recommending that Cherise be appointed as an alternate to represent the City when Terry is unavailable.

Justification: The City is entitled to representation on the Board in the future development of this important asset to Dodge City and the surrounding area.

Financial Considerations: None

Purpose/Mission: To provide a quality of life venue for the residents of Dodge City as we serve to make Dodge City the best place to be.

Legal Considerations: None

Attachments: None