CALL TO ORDER

ROLL CALL

INVOCATION by Rev. Dennis Zimmerman of St. Cornelius Episcopal Church

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

VISITORS (Limit of 5 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 Minutes of Regular Meeting of June 5, 2006
2. Approval of payment of bills.
3. Approval of cereal malt beverage license for:
   A. Love’s Country Store, 1108 W. Wyatt Earp
      (pending inspections and approval of City Fire, Inspection & Police Dept.)

ORDINANCES & RESOLUTIONS

Resolution 2006-10: A Resolution for the temporary suspension and waiver of certain provisions of Ordinance No. 2838 and the Uniform Fire Code, pertaining to the discharge of fireworks within the City Limits of the City of Dodge City, Kansas. Report by Fire Chief, Dan Williamson.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of bid for Taxiway B Rehabilitation Project. Report by Airport Manager, Mike Klein.

OTHER BUSINESS

Commissioners
City Manager

ADJOURNMENT

If a reasonable accommodation is necessary to participate in a City of Dodge City event or service please contact us at 225-8100, 225-8155 TDD or by contacting the Kansas Relay Center at 1-800-766-3777.
MINUTES
June 5, 2006 - 7:00 p.m.
MEETING NO. 4652

MAYOR Jim Sherer called the regular meeting to order at 7:00 p.m.

RESPONDING TO ROLL CALL were Mayor Sherer, Commissioners Terry Lee, Kent Smoll, Rick Sowers, and Jim Lembright.

Invocation was let by Rev. Dennis Zimmerman of St. Cornelius Episcopal Church

The VFW presented the Colors
Daughters of the American Revolution presented a reading about the Flag and Flag Day
Brownie Troop 202 also assisted with the presentation

The PLEDGE OF ALLEGIANCE was recited.

PETITIONS & PROCLAMATIONS

Mayor Jim Sherer read a proclamation naming June, 2006 National Safety Month in Dodge City.

Mayor Jim Sherer read a proclamation naming The Drovers of Dodge City as the official Hospitality and Welcoming Partner for the City of Dodge City.

VISITORS (Limit of 5 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)

Bill Austin told about a commemorative Belt Buckle for the 30th anniversary of Roundup Rodeo.

Shirley Sanchez spoke to the Commission about vandalism in her neighborhood and asked for help from the Commissioners as well as the Police Dept.

Jose Vargas asked about semi-trailer trucks on Wyatt Earp Blvd.

Isaac Sanchez offered his support to the City Commission.
Jessica Brower of Wright Wonderworkers 4-H Club presented endurance as the City of Character Trait for June.

Commissioner Lee moved to pull 3 expenditures from the Consent Calendar, those being checks for:

1) Miscellaneous employee credit card reimbursement
2) Raceway Park disbursement of Racetrack Events Reserve Funds
3) Country Club

The motion died for lack of a second.
The CONSENT CALENDAR was approved on a motion by Commissioner Sowers, seconded by Commissioner Lembright, by a vote of 4-1.

1. Approval of Minutes of Regular Meeting of May 15, 2006

2. Approval of payment of bills.

3. Approval of cereal malt beverage license for:
   A. High Plains Pizza, Inc., 1513 W. Wyatt Earp
   B. High Plains Pizza, Inc., 110 Frontview
   (pending inspections and approval of City Fire, Inspection & Police Dept.)

4. Approval of Change Order #1 for 2005 Curb & Gutter/Inlet Repair Project.

ORDINANCES & RESOLUTIONS

UNFINISHED BUSINESS

1. Dennis Scheck and John Smithhisler were appointed to vacancies on the Dodge City Public Library and Beth Torrey was appointed to a vacancy on the Shade Tree Commission on a motion by Commissioner Lembright, seconded by Commissioner Smoll, by unanimous vote. Commissioner Sowers, was appointed to the Santa Fe Trails Solid Waste Committee on a motion by Commissioner Lembright, seconded by Commissioner Smoll, by unanimous vote.

2. A bid for a 20 cubic yard rear load sanitation truck from Dodge City International in the amount of $124,905 less $15,500 for trade in of used vehicle, for an amount of $109,405 on a motion by Commissioner Smoll, seconded by Commissioner Lee, by unanimous vote.

3. A Bid for an Animal Control van with transport cages from Magouirk Chevrolet in the amount of $30,055 was approved on a motion by Commissioner Sowers, seconded by Commissioner Lembright, by unanimous vote.

4. A Resolution relating to benefits obtainable by cities under the Program for Federal Aid on Highway Construction was approved on a motion by Commissioner Smoll, seconded by Commissioner Lee, by unanimous vote. Commissioner Smoll moved to approve the agreement for 14th Avenue Reconstruction between Ross Boulevard to Garnet Road. Commissioner Sowers seconded the motion which passed unanimously. The City is participating in a portion (approx 50% of 20%) of the cost of construction of the section from Ross Boulevard to Iron Road.

OTHER BUSINESS

Commissioner Lee reported that he attended the races Saturday night as well as the tournament held at Legends Park and thought there were good crowds. He also asked for an update on the Depot to which Ryan Carpenter responded.
On a motion by Commissioner Lembright, seconded by Commissioner Sowers, the meeting adjourned by unanimous vote.

_________________________________
V. James Sherer, Mayor

ATTEST:

_________________________________
Nannette Pogue, City Clerk
APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES

Dodge City, Ford COUNTY, KANSAS, June 6, 2006

TO THE GOVERNING BODY OF THE CITY OF Dodge City
or
THE BOARD OF COUNTY COMMISSIONERS OF Ford COUNTY, KANSAS.

GENTLEMEN—I Love’s Travel Stops & Country Stores, Inc. (Corporation), on behalf of a

firm, partnership or association (Circle the proper one) known as

Love’s County Store #58
doing business as

hereby apply for a license to retail cereal malt beverages in conformity with the laws of the State of Kansas, and the rules and regulations prescribed, and hereafter to be prescribed by you, relating to the sale or distribution of cereal malt beverages; and for the purpose of securing such license, I make the following statements under oath:

1. The firm, copartnership, or association is made up of the following persons whose name, residence, age, date of birth, place of birth, method of obtaining United States citizenship with date and place of naturalization, if that is the basis of citizenship, together with the length of each person’s residence within the State of Kansas and the city or county to which this application is being made, is set forth below:

* SEE ATTACHED *

2. I hereby certify that with regard to each of the above-named persons the following statements are true:

None of them has within the last two years from this date been convicted of:

(a) A felony
(b) A crime involving moral turpitude
(c) Drunkenness
(d) Driving a motor vehicle while under the influence of intoxicating liquors
(e) Violation of any state or federal intoxicating liquor law

In any of the above have been convicted of any of the above-specified offenses, the details are set out hereinafter.

3. (a) The premises for which the license is desired are located at 1108 W. Wyatt Earp

Dodge City, KS 67801

(b) The legal description of the premises is

License fee of $12.50 is enclosed herewith.

(c) The street and number is 1108 W. Wyatt Earp

(d) The building is described as Concrete Block

(e) The business will be conducted under the name of

Love’s Country Store #58

(f) The place of business will be conducted by the following manager, if not by one of the firm, partnership, or association members Johnny Dunlap

(g) Said manager’s residence, place and date of birth

417 Runyon Ave., Dodge City, KS Scott City, KS 7/2/48

(h) Residence in the State of Kansas in

Ford County and in the City of

Dodge City

are as follows:

10 years

(i) He is a citizen of the United States by birth (X), naturalization ( ), is not a citizen ( ). If a naturalized citizen, his place and date of naturalization are

(j) He has not been convicted of any of the crimes specified in number 2 above (X). If he has, the details are

as follows:

4. The name and address of the owner or owners of the premises upon which the proposed business will be conducted is Love’s Travel Stops & Country Store

P.O. Box 26210, Oklahoma City, OK 73126

5. This application is for a license to retail cereal malt beverages for consumption on the premises ( ). For a license to retail cereal malt beverages in original and unopened containers and not for consumption on the premises (X ).
Memorandum

To: Jeff Pederson, City Manager

From: Dan R. Williamson - Fire Chief

Date: Thursday, June 15th, 2006

Subject: Resolution for temporary suspension and waiver of Ordinance No. 2838, discharge of fireworks within the city limits.

Background

Prior to May 2003, City Code did not allow the discharge within the City Limits at any time, with the exception of publicly related events (i.e. Rodeo, Public related displays, etc.). The fireworks ban had been in effect since 1987. Over the past couple of years prior to 2003, the City had been approached by citizens and County officials as to the possibility of lifting the ban during a period around the 4th of July. The basis for the request came from the fact that citizens were either illegally discharging in the city limits or were going to the county areas surrounding the city to discharge fireworks. Enforcement has always been a problem and county officials indicated more of a problem existed in the county due to the city’s ban.

The City Commission on June 2, 2003 adopted Resolution No. 2003-10 which waived the current ban for a period from July 3rd to July 5th, 2003, between the hours of 10:00 a.m. To 11:00 p.m. The resolution only provided a temporary waiver of the current city code on the discharge of fireworks, thus banning discharge in the city limits any other days of the year.

Discussion

The issue at hand is the temporary waiver of Ordinance No. 2838 and the Uniform Fire Code pertaining to the discharge of fireworks within the city limits of Dodge City. No significant problems were encountered in 2005 by either the Dodge City Fire Department or the Police Departments in regards to the discharge of fireworks. By establishing guidelines for the discharge of fireworks the city fire
department is attempting to meet the needs and desires of both sides of the issue by providing both opportunity and control.

**Required Actions**

1. Adopt a new resolution setting forth the same waiver restrictions as 2005.

2. Adopt a new resolution allowing a waiver but with different stipulations as to dates and times.

3. Do not adopt any resolutions setting forth a waiver of Ordinance No. 2838, thus keeping the local ban in effect year round.

**Recommendation**

Fire and Police Chiefs would recommend the approval of the attached Resolution No. 2006 - which would provide for a waiver to the ordinance with the following stipulations:

Set a 4 day waiver beginning July 1 and ending July 4th, 2006, from 10:00 a.m. till 11:00 p.m.
RESOLUTION NO. 2006-10
A RESOLUTION FOR THE TEMPORARY SUSPENSION AND WAIVER OF CERTAIN
PROVISIONS OF ORDINANCE NO. 2838 AND THE UNIFORM FIRE CODE PERTAINING
TO THE DISCHARGE OF FIREWORKS WITHIN THE CITY LIMITS OF THE CITY OF
DODGE CITY, KANSAS:

SECTION 1: For the time periods and under the conditions set forth herein, the provisions of Ordinance
No. 2838 and the Uniform 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, for the period from July 1,
2006 through July 4th, 2006, between the hours of 10:00 a.m. to 11:00 p.m. of said days;

SECTION 2: This waiver and suspension shall not apply to, and the discharge of fireworks shall be
prohibited at any time, including July 1, 2006 through July 4, 2006, 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 or any public rights of way.

SECTION 3: This waiver and suspension shall not apply to, and the discharge of fireworks shall be
prohibited at any time, including July 1, 2006 through July 4, 2006, 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 4th, 2006, and may be
rescinded prior thereto by action of the governing body.

 Adopted by the governing body this ____ day of June, 2006

_____________________________
V. JAMES SHERER, MAYOR

ATTEST:

_____________________________
NANNETTE POGUE, CITY CLERK
Memorandum

To: Jeff Pederson, City Manager
    City Commission

CC: Mike Rottinghaus, FAA
    Dave Hadel, Burns & McDonnell
    Airport Advisory Board

From: Mike Klein, Airport Manager

Date: Monday, June 12, 2006

Subject: Bids-Taxiway B, Reconstruction and Lighting Rehabilitation
         2006 Budget Fund & Amount
         CIP $75,000

On January 13, 2006, The Dodge City Regional Airport received notification from the Federal Aviation Administration to proceed with advertising and the bidding process for Taxiway B Rehabilitation Project. The Taxiway B Project consists of milling, pulverization, base stabilization, new pavement, marking and new lighting system. The bid package consists of the base bid plus bid alternate A (asphalt) and base bid plus bid alternate B (concrete).

Two bids were received and opened on June 9, 2006 at 2:00 p.m.

APAC, Dodge City, KS
Base bid $596,139.00
Bid alternate A (asphalt) $431,051.25
Total Bid $1,027,190.25

Dobson Brothers, Lincoln, NE
Base bid $688,048.00
Bid alternate B (concrete) $1,019,430.00
Total Bid $1,707,478.00

Engineer’s Estimate from Burns & McDonnell, Kansas City, MO:
Base bid $738,217.50
Bid alternate A (asphalt) $472,812.50       Total $1,211,030.00
Bid alternate B (concrete) $721,125.00       Total $1,459,342.50

As per FAA requirements, Burns & McDonnell staff has reviewed the bids for compliance as established in the project specifications manual. All unit prices were verified and no irregularities were discovered. Documentation is attached for your review.
Based on the bids received, it is the recommendation of Burns & McDonnell and airport staff to accept the bid from APAC of Dodge City, KS for the base bid and bid alternate A (asphalt) for a total bid of $1,027,190.25. This project is 95% FAA funded, estimated $975,830 and 5% local match, estimated $51,360.25. Funds are available for the City match from the CIP Fund.

Upon City Commission approval, documentation will be forwarded to FAA for completion of the grant offer. Contracts will not be signed until the grant offer is received.

If you have any questions or need additional information, please contact my office.
June 9, 2006

Mr. Mike Klein
Airport Manager
806 Second Avenue
Dodge City, Kansas 67801

Engineer’s Estimated Cost of Construction for the Taxiway B Reconstruction and Lighting Rehabilitation Project at Dodge City Regional Airport
AIP No. 3-20-0017-17
B&McD No. 38791

Dear Mr. Klein:

Burns & McDonnell has developed an estimated cost of construction for the Base Bid and Bid Alternates A and B for the aforementioned project. The estimated costs are shown in Table A and include the latest information issued with Addendum 1.

<table>
<thead>
<tr>
<th>TYPE OF BID</th>
<th>ESTIMATED COST</th>
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<tr>
<td>Base Bid</td>
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<tr>
<td>Bid Alternate A</td>
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<tr>
<td>Bid Alternate B</td>
<td>$721,125.00</td>
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<td><strong>Base Bid and Bid Alternate A</strong></td>
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<tr>
<td><strong>Base Bid and Bid Alternate B</strong></td>
<td><strong>$1,459,342.50</strong></td>
</tr>
</tbody>
</table>

In addition, enclosed for your review are itemized cost extensions for the summary of the Base Bid and Bid Alternate A and the Base Bid and Bid Alternate B cost estimates.
Mr. Mike Klein
June 6, 2006
Page 2

If you should have any additional questions or comments regarding this information, please contact me at 816-822-4253.

Sincerely,

[Signature]

Kerry J. Adams, P.E.
Project Engineer

cc
Mike Rottinghaus, FAA
Dave Hadel, BMcD
Jody DeHart, BMcD

eng est letter 6-09-06.doc