

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Monday, August 1, 2016

7:00 p.m.

MEETING #5043

CALL TO ORDER

ROLL CALL

INVOCATION BY Chaplain Shannon Sanchez of Ft Dodge

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).

CONSENT CALENDAR

1. Approval of City Commission Work Session Minutes, July 18, 2016;
2. Approval of City Commission Meeting Minutes, July 18, 2016;
3. Appropriation Ordinance No. 15, August 1, 2016;
4. Cereal Malt Beverage License:
 - a. Love' Travel Stops & Country Stores, Inc., 1108 W. Wyatt Earp Blvd.
 - b. Speed-D-Stop, 2615 Gary Avenue
 - c. River Stop, 705 S. 14th Avenue

ORDINANCES & RESOLUTIONS

Ordinance No. 3632: An Ordinance Establishing 2 Hour Parking from 9 AM to 5 PM on the West Side of 4th Avenue from Spruce Street, south to the Alley between Spruce Street and Front Street and Providing Penalties for the Violation of the Provisions of this Ordinance. Report by Director of Engineering, Ray Slattery.

Ordinance No. 3633: An Ordinance Amending Sections 9-111 of Article 1, Chapter IX Of The Code Of The City of Dodge City And Repealing Ordinance No. 3519, Assessing Costs For The Administration Of Justice In The Municipal Court. Report by City Attorney, Bradley C. Ralph.

Resolution No. 2016-19: A Resolution Of The Governing Body Of The City Of Dodge City, Kansas Determining That The City Is Considering Establishing A Rural Housing Incentive District Within The City and Adopting A Plan For the Development of Housing and Public Facilities In Such Proposed District; Establishing the Date And Time Of A Public Hearing On Such Matter, And Providing For The Giving Of Notice Of Such Public Hearing. Reflection Living) Report by Special Projects Coordinator Mollea Wainscott.

Resolution No. 2016-20: A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Dodge City, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Various Internal Improvements/Candletree, Addition' Unit 7). Report by Finance Director/City Clerk Nannette Pogue.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Candletree 7 Plat. Report by Planning, Zoning, Storm Water Coordinator, Nathan Littrell.

OTHER BUSINESS

ADJOURNMENT

CITY COMMISSION WORK SESSION MINUTES

City Hall Commission Chambers

Monday, July 18, 2016

5:00 p.m.

CALL TO ORDER

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

WORK SESSION

2017 Budget was presented. The Commission discussed the proposed budget. The budget hearing will be published and held on August 15.

ADJOURNMENT

Commissioner Rick Sowers moved to adjourn the meeting. Commissioner Jan Scoggins seconded the motion. The motion carried 4-0.

Mayor

ATTEST:

Nannette Pogue, City Clerk

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Monday, July 18, 2016

7:00 p.m.

MEETING #5042

CALL TO ORDER

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

INVOCATION by Reverend Virgil Winkler

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

Brent Harris from Boot Hill Museum read the National Day of the Cowboy proclamation and gave some background on the National Day of the Cowboy. Mayor Joyce Warshaw proclaimed July 30, 2016 as the National Day of the Cowboy. Ray and Pat Shrader, representing the Dodge City Drivers, handed out coupons and flags for the National Day of the Cowboy.

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).

Mark Vierthaler, Director of Marketing and Distillery at Boot Hill Distillery thanked the City for their contributions to their project and invited all of the Commissioners to attend their grand opening on July 30 from 1:00 p.m. to 8:00 p.m. The ribbon cutting will be at 5:00 p.m. and the Cowboy Band will be playing at the Grand Opening along with other bands.

Brent Harris, Boot Hill Museum, thanked City staff for helping with a project that they had been tasked with.

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, July 5, 2016;
2. Appropriation Ordinance No. 14, July 18, 2016;
3. Cereal Malt Beverage License:
 - a. Marco Valdez, 307 Military Avenue

Commissioner Brian Delzeit moved to approve the Consent Calendar as presented; Commissioner Jan Scoggins seconded the motion. The motion carried 4-0.

ORDINANCES & RESOLUTIONS

Ordinance No. 3631: An Ordinance Establishing Bus Zones in the Vicinity of a Public School, Repealing Conflicting Ordinance and Providing Penalties for the Violation of the Provisions of this Ordinance. Was approved on a motion by Commissioner Rick Sowers. Commissioner Jan Scoggins seconded the motion. The motion carried 4-0.

NEW BUSINESS

1. Commissioner Rick Sowers moved to approve the Consulting Service Agreement for Candletree #7 Design, PL 1603 in an amount not to exceed \$63,999 pending review of the City Attorney. Commissioner Jan Scoggins seconded the motion. The motion carried 4-0.
2. Commissioner Brian Delzeit moved to approve of Professional Engineering Services for Reconstruction of Runway 14-32 Design at the Dodge City Regional Airport with Burns and McDonnell in the amount of \$678,303.00 with 95% federally funded and the 5% local match being \$33,915. Commissioner Rick Sowers seconded the motion. The motion carried 4-0.
3. Commissioner Brian Delzeit moved to approve the Amendment to the Standard Specifications for Public Works Construction Section 103.6.00. Commissioner Jan Scoggins seconded the motion. The motion carried 4-0.
4. Approval of Change Order for the Contract with Building Solutions for the Parks and Recreation Department building relocation project in the amount of \$249,717 was approved on a motion by Commissioner Jan Scoggins, seconded by Commissioner Brian Delzeit. The motion was carried 4-0.

OTHER BUSINESS

Cherise Tieben

- This week there will be a kick off meeting with PEC for the Methane Gas Project;
- Will be out of the office next week, Nannette will be available;
- July 30th will be the Boot Hill Distillery Grand Opening;
- At the end of the parade which will be held July 30th, the City will be providing pooper scooper services. There will also be pooper scoopers needed for the following Saturday at the Cattle Drive. If anyone is interested, please contact Cherise;
- On July 31 True Grit with John Wayne will be held at Eisenhower Park. There will be Boot Hill entertainment prior to the movie;
- Hoping to get a meeting set up with the Department of Commerce in early August to discuss the Star Bond District.

- The new app available will help you with a list of all of the Dodge City Days activities. To find the app, look up Dodge City, Kansas.

Jane Longmeyer

- The Dodge City A's season is winding down. The A's players volunteered today helping clean up 14th Avenue for Dodge City Days and relocating equipment for CHAD. Encourage everyone to attend their final games to show support;
- Asked community to look at the exterior of their businesses and spruce up their property for Dodge City Days visitors.

Jan Scoggins

- Thanked the Cowboy Band for their weekly concert in the Park during the summer and other activities that they participate in;
- Thanked the Dodge City Drivers for their important job;
- Reminded everyone that they can vote in advance.

Brian Delzeit

- Encouraged everyone to get their rodeo tickets. Dodge City Days is one of the biggest events in Kansas. Rodeo tickets are great for businesses to give to their clients.
- Echoed what Jane said, encouraged everyone to take a little extra pride in their property.

Rick Sowers

Joyce Warshaw

- Continue to enjoy the summer.

EXECUTIVE SESSION

At 7:40 p.m., Commissioner Rick Sowers moved to adjourn to Executive Session to discuss attorney client matters to include the City Attorney and City Manager not to exceed 10 minutes.

The regular meeting was reconvened at 7:50 p.m.

ADJOURNMENT

Commissioner Rick Sowers moved to adjourn the meeting. Commissioner Brian Delzeit seconded the motion. The motion carried 4-0.

Mayor, Joyce Warshaw

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 Dodge City

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

| | | | |
|---|--|--|---|
| SECTION 2 – APPLICANT INFORMATION | | | |
| Kansas Sales Tax Registration Number (required): 004-731220756F01 | | | |
| Name of Corporation Love's Travel Stops & Country Stores, Inc. | | Principal Place of Business | |
| Corporation Street Address 10601 North Pennsylvania Avenue | | Corporation City Oklahoma City | State OK Zip Code 73120-4108 |
| Date of Incorporation December 29, 1986 | | Articles of Incorporation are on file with the Secretary of State. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| Resident Agent Name CT Corporation | | Phone No. (785) 233-0593 | |
| Residence Street Address 515 S. Kansas Avenue | | City Topeka | State KS Zip Code 66603 |

| | | | |
|---|-------------|---|-------------|
| SECTION 3 – LICENSED PREMISE | | | |
| Licensed Premise (Business Location or Location of Special Event) | | Mailing Address (If different from business address) | |
| DBA Name Love's Country Store #58 | | Name Love's Travel Stops & Country Stores, Inc. | |
| Business Location Address 1108 W. Wyatt Earp | | Address Attn: Store Licensing, P.O. Box 26210 | |
| City Dodge City | State KS | City Oklahoma City | State OK |
| Zip 67801 | | Zip 73126-0210 | |
| Business Phone No. (405) 463-8891 | | <input checked="" type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location. | |
| Business Location Owner Name(s) 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. | | | |
| Name Thomas Eugene Love | | Position Executive Chairman | |
| Residence Street Address 6824 N.W. Grand Blvd. | | City Oklahoma City | State OK Zip Code 73116-5415 |
| Date of Birth 10/10/1937 | | | |
| Name Gregory Michael Love | | Position Co-CEO | |
| Residence Street Address 7201 Nichols Road | | City Oklahoma City | State OK Zip Code 73120-1340 |
| Date of Birth 10/08/1961 | | | |
| Name Judith McCarthy Love | | Position Secretary | |
| Residence Street Address 6824 N.W. Grand Blvd. | | City Oklahoma City | State OK Zip Code 73116-5415 |
| Date of Birth 06/17/1937 | | | |

**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 Ford

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

| | | |
|--|-----------------------|-----------------|
| SECTION 2 - APPLICANT INFORMATION | | |
| Kansas Sales Tax Registration Number (required): | | |
| Name | Phone No. | Date of Birth |
| <u>Nageeb Alhaj</u> | <u>620 408 7716</u> | <u>01-01-68</u> |
| Residence Street Address | City | Zip Code |
| <u>3206 Gary Ave</u> | <u>Dodge City KS</u> | <u>67801</u> |
| Applicant Spousal Information | | |
| Spouse Name | Phone No. | Date of Birth |
| <u>Laura Alhaj</u> | <u>620 408 7716</u> | <u>01-10-83</u> |
| Residence Street Address | City | Zip Code |
| <u>3206 Gary Ave</u> | <u>Dodge City, KS</u> | <u>67801</u> |

| | |
|---|---|
| SECTION 3 - LICENSED PREMISE | |
| Licensed Premise (Business Location or Location of Special Event) | Mailing Address (If different from business address) |
| DBA Name | Name |
| <u>S.Dee-D Stop</u> | |
| Business Location Address | Address |
| <u>2015 Gary Ave</u> | |
| City State Zip | City State Zip |
| <u>Dodge City KS 67801</u> | |
| Business Phone No. | <input type="checkbox"/> I own the proposed business or special event location. |
| <u>620-228 6905</u> | <input type="checkbox"/> I do not own the proposed business or event location. |
| Business Location Owner Name(s) | |
| <u>Nageeb Alhaj</u> | |

| | |
|---|---|
| SECTION 4 - APPLICANT QUALIFICATION | |
| I am a U.S. Citizen | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| I have been a resident of Kansas for at least one year prior to application. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| I have resided within the state of Kansas for <u>13</u> years. | |
| I am at least 21 years old. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| I have been a resident of this county for at least 6 months. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Within 2 years immediately preceding the date of this application, neither I nor my spouse ¹ has been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law. | <input type="checkbox"/> Yes Have <input checked="" type="checkbox"/> No Have Not |
| My spouse has previously held a CMB license. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| My spouse has never been convicted of one of the crimes mentioned above while licensed. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

**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 Ford

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 licenses premises.

SECTION 2 – APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required):

| | | |
|--------------------------|----------------------|-----------------|
| Name | Phone No. | Date of Birth |
| <u>Nageeb Alhaj</u> | <u>620-408-7710</u> | <u>01-01-68</u> |
| Residence Street Address | City | Zip Code |
| <u>3206 Gary Ave</u> | <u>Dodge City KS</u> | <u>67801</u> |

Applicant Spousal Information

| | | |
|--------------------------|----------------------|----------------|
| Spouse Name | Phone No. | Date of Birth |
| <u>Loira Alhaj</u> | <u>620-408-7710</u> | <u>7-10-83</u> |
| Residence Street Address | City | Zip Code |
| <u>3206 Gary Ave</u> | <u>Dodge City KS</u> | <u>67801</u> |

SECTION 3 – LICENSED PREMISE

| Licensed Premise (Business Location or Location of Special Event) | Mailing Address (If different from business address) |
|--|---|
| DBA Name <u>River Stop</u> | Name |
| Business Location Address <u>705 S. 14th Ave</u> | Address |
| City <u>Dodge City</u> State <u>KS</u> Zip <u>67801</u> | City State Zip |
| Business Phone No. <u>620 227-9511</u> | <input type="checkbox"/> I own the proposed business or special event location. <input type="checkbox"/> I do not own the proposed business or event location. |
| Business Location Owner Name(s) <u>Nageeb Alhaj</u> | |

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 13 years. Yes No

I am at least 21 years old. 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 spouse¹ 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
Have Have Not

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

Memorandum

*To: City Manager
City Commissioners*

*From: Ray Slattery, 
Director of Engineering
Services*

Date: July 26, 2016

*Subject: Ordinance 3632
2 Hr. Parking on 4th Ave.
Agenda Item: Ordinances and Resolutions*

Recommendation: Approve Ordinance No. 3632

Background: With the renovations to the old Municipal Building and the change to the Boot Hill Distillery it is likely an increase in traffic will be seen. This along with the historical monuments on top of Boot Hill add to the need to control parking during business hours. This area is included in the downtown zoning and the proposed parking time will be consistent with the other downtown area.

Justification: Adjusting the parking time will make this block consistent with other areas of the downtown area. This also allows for enforcement and can relieve some confusion by drivers.

Financial Considerations: The cost of the installation of 2 Hr. Parking Signage.

Purpose/Mission: The City has core values of Ongoing Improvement and Safety. With the renovation of the Municipal Building into the Boot Hill Distillery and along with the renovations of some of the historical monuments, it is likely traffic will increase. The 2 Hour Parking will safely allow for more of this come and go traffic.

Legal Considerations: N/A

Attachments: Ordinance 3632 and a map of the area.

ORDINANCE NO. 3632

AN ORDINANCE ESTABLISHING 2 HOUR PARKING FROM 9 AM TO 5PM ON THE WEST SIDE OF 4th AVENUE FROM SPRUCE ST., SOUTH TO THE ALLEY BETWEEN SPRUCE ST. AND FRONT ST. AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY:

Section 1: Two Hour parking spaces along the west curb line of 4th Avenue from Spruce St. south to the alley between Spruce St. & Front St. are hereby established.

Section 2: Any person convicted of the violation of the provisions of this ordinance shall be subject to penalties in accordance with the provisions of Article 20, of the Standard Traffic Ordinance for Kansas cities, prepared and published by the League of Kansas Municipalities Edition 2015, and adopted by the Governing Body of the City of Dodge City, and as set out in Section 14.101 of the Code of the City of Dodge City.

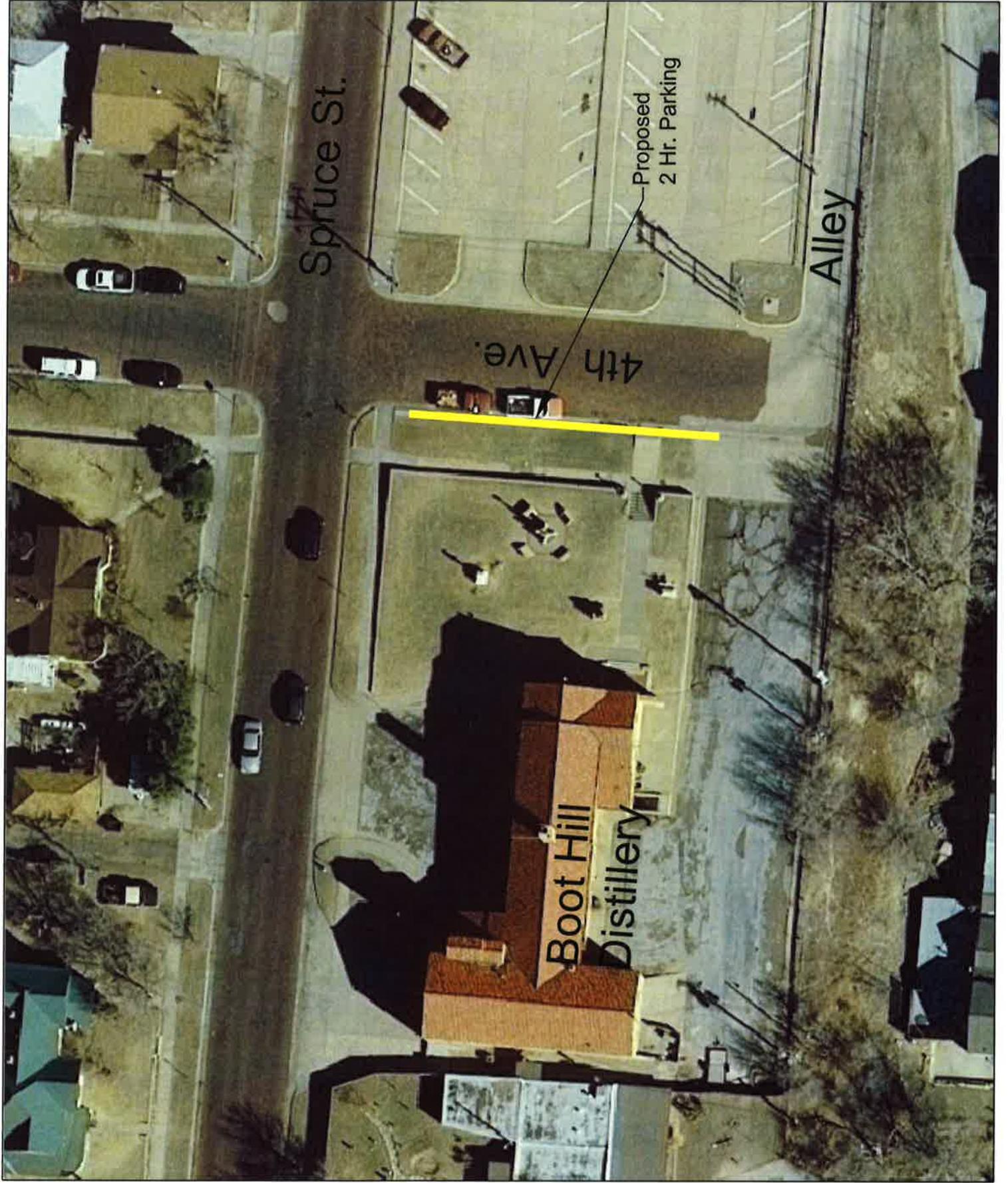
Section 3: This ordinance shall take effect following its publication in the official City newspaper as provided by law, and after the posting of appropriate signs advising the motoring public of the provisions of this ordinance.

Passed by the Governing Body of the City of Dodge City and approved by the Mayor, this 1st day of August, 2016.

Joyce Warshaw, Mayor

ATTEST:

Nannette Pogue, City Clerk



Spruce St.

4th Ave.

Alley

Proposed
2 Hr. Parking

Boot Hill
Distillery

Memorandum

*To: City Commissioners
City Manager*
From: Brad Ralph
Date: August 1, 2016
*Subject: Ordinance amending Municipal
Code regarding Court Costs*
Agenda Item: New Business

Recommendation: Staff recommends approval of an amendment to Section 9-111 of the City Code regarding Court Costs in Municipal Court.

Background: Court costs are assessed by the Municipal Judge in those cases where the defendant has been found guilty, plead guilty or plead no contest. Some costs are assessed at the direction of state statute and others are assessed at the discretion of the City. The Code was last amended in August of 2011.

Justification: The Court Costs are appropriately reviewed on an ongoing basis to ensure adequacy, consistency and fairness. The changes recommended will provide consistency between court costs assessed in this County as well as surrounding venues. This will also provide internal consistency and fairness.

Financial Considerations: We anticipate no financial impact considering the distribution of charges normally seen in the Municipal Court.

Purpose/Mission: Promoting open communications with the Community.

Legal Considerations: There are no significant legal considerations as this policy is in line with current State statute and the City Code.

Attachments: 1) Proposed Ordinance (redlined).

ORDINANCE NO. 3633

AN ORDINANCE AMENDING SECTION 9-111 OF ARTICLE 1, CHAPTER IX OF THE CODE OF THE CITY OF DODGE CITY AND REPEALING ORDINANCE NO. 3519; ASSESSING COSTS FOR THE ADMINISTRATION OF JUSTICE IN THE MUNICIPAL COURT

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS:

SECTION 1: Section 9-111 of Article 1, Chapter IX of the Code of the City of Dodge City is hereby amended to read as follows:

9-111. COURT COSTS. (a) In each case filed in Municipal Court, where there is a finding of guilty, a plea of guilty, a plea of no contest, forfeiture of bond or a diversion agreement filed, the defendant shall be assessed costs for the administration of justice as follows:

\$108 for any violation of any ordinance of the City regulating traffic on streets and highways as defined in subsection (c) of K.S.A. 8-2118 and amendments thereto, and any cigarette, tobacco or curfew infraction.

\$10 for any violation related to parking ordinances.

\$108 for all violations of the Uniform Public Offense Code adopted by the City; all violations of the Standard Traffic Ordinances adopted by the City which are punishable by both fine and imprisonment and all violations of the Code which are punishable by both fine and imprisonment.

(b) In addition to costs set forth in subsection (a) above, in each case filed in Municipal Court charging a drug or alcohol related offense, including but not necessarily limited to the following: driving under the influence of alcohol or drugs, transporting an open container of alcohol, pedestrian under the influence, minor in possession of alcohol or cereal malt beverage, possession of drug paraphernalia, possession of a controlled substance, and any drug or alcohol related offense, where there is a finding of guilty, or a plea of guilty, or a plea of no contest, forfeiture of bond or a diversion agreement filed, a sum in the amount of Ten Dollars (\$10.00) shall be assessed and such assessment shall be credited to a Project Fund as approved by the City Clerk that promotes drug and alcohol awareness and education.

(c) A Project Fund shall be established in the General Ledger of the City and the City Clerk shall, unless ordered otherwise by the Municipal Court Judge, credit to such fund all costs assessed in accordance with subsection (b) above.

- (d) Mileage, Witness and State Fees. In addition to the foregoing, the costs for witness fees and mileage set forth in K.S.A. 12-4411 and amendments thereto; and other costs for judicial training and other specified funds set forth in K.S.A. 12-4117, as amended, shall be assessed and disbursed or credited in accordance with said statutes.
- (e) Warrant Fees. A fee of Fifty Dollars (\$50.00) shall be assessed for each warrant issued, unless waived for good cause by the Municipal Court Judge.
- (f) Probation Fees. Unless waived or reduced for good cause by the Municipal Court Judge, a fee of One Hundred Twenty-Five Dollars (\$125.00) shall be assessed against a defendant placed on probation from a sentence of imprisonment imposed by the Municipal Court Judge.
- (g) Court-Appointed Attorney Fees. Unless waived or reduced for good cause by the Municipal Court Judge, court-appointed attorney fees shall be assessed against a defendant in each case in which the Municipal Court Judge appoints counsel for said defendant.
- (h) Miscellaneous Fees and Costs. Additional costs and fees may be assessed by the Municipal Court Judge for service of process, experts and depositions, commission on collections and credit/debit card transactions.
- (i) Except as provided herein, the Municipal Court Judge or Clerk of the Municipal Court shall remit at least monthly the appropriate assessments received pursuant to this section as required by state law, Kansas Supreme Court order or City ordinance.
- (j) For the purpose of determining the amounts to be assessed according to this section, if more than one complaint is filed against an individual arising out of the same incident, all such complaints shall be considered as one case.

SECTION 2: Ordinance No. 3519 is repealed.

SECTION 3: Except as amended herein, all other sections of Article 1, Chapter IX of the Code of the City of Dodge City shall remain in full force and effect.

SECTION 4: This Ordinance shall take effect on September 1, 2016 following adoption by the Governing Body and publication in the official city newspaper.

ADOPTED by the Governing Body of the City of Dodge City and approved by the Mayor this _____ day of _____, 2016.

Joyce Warshaw, Mayor

ATTEST:

Nannette Pogue, City Clerk

Memorandum

To: City Manager
City Commissioners
From: Mollea Wainscott
Special Projects/Housing
Date: 8/1/16
Subject: RHID
Agenda Item: Resolution No. 2016-19

Recommendation: Staff recommends adoption of Resolution 2016-19, which establishes a date and time for a public hearing as required by Kansas statute.

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 Rural Housing Incentive District (RHID) was identified as one of those programs. The RHID 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 an 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. 2016-19

RESOLUTION NO. 2016-19

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS DETERMINING THAT THE CITY IS CONSIDERING ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH PROPOSED DISTRICT; ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTER, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING. (REFLECTION LIVING)

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, the Governing Body of the City has heretofore adopted Resolution No. 2016-17 which made certain findings relating to the need for financial incentives relating to the construction of quality housing within the City, declared it advisable to establish a Rural Housing Incentive District pursuant to the Act and authorized the submission of such Resolution and a Housing Needs Analysis to the Kansas Department of Commerce in accordance with the provisions of the Act; and

WHEREAS, the Secretary, pursuant to a letter dated June 24, 2016, authorized the City to proceed with the establishment of a Rural Housing Incentive District pursuant to the Act (the “District”); and

WHEREAS, the City has caused to be prepared a plan for the development or redevelopment of housing and public facilities in the District in accordance with the provisions of the Act (the “Plan”); and

WHEREAS, the Plan includes:

1. The legal description and map required by subsection (a) of K.S.A. 12-5245;
2. The existing assessed valuation of the real estate in the proposed District, listing the land and improvement values separately;
3. A list of the names and addresses of the owners of record of all real estate parcels within the proposed District;
4. A description of the housing and public facilities project or projects that are proposed to be constructed or improved in the proposed District, and the location thereof;
5. A listing of the names, addresses and specific interests in real estate in the proposed District of the developers responsible for development of the housing and public facilities in the proposed District;
6. The contractual assurances, if any, the Governing Body has received from such developer or developers, guaranteeing the financial feasibility of specific housing tax incentive projects in the proposed District;
7. A comprehensive analysis of the feasibility of providing housing tax incentives in the proposed District as provided in the Act, which shows the public benefits derived from such District will exceed the costs, and that the income therefrom, together with all public and private sources of funding, will be sufficient to pay for the public improvements that may be undertaken in such District; and

WHEREAS, the Governing Body of the City proposes to continue proceedings necessary to create a Rural Housing Incentive District, in accordance with the provisions of the Act, and adopt the Plan, by the calling of a public hearing on such matters.

THEREFORE, BE IT RESOLVED by the Governing Body of the City of Dodge City, Kansas as follows:

Section 1. Proposed Rural Housing Incentive District. The Governing Body hereby declares an intent to establish within the City a Rural Housing Incentive District. The District is proposed to be formed within the boundaries of the real estate legally described in *Exhibit A* attached hereto, and shown on the map depicting the

existing parcels of land attached hereto as *Exhibit B*. A list of the names and addresses of the owners of record of all real estate parcels within the District and the existing assessed valuation of said real estate, listing the land and improvement values separately, is attached hereto as *Exhibit C*.

Section 2. Proposed Plan. The Governing Body hereby further declares an intent to adopt the Plan in substantially the form presented to the Governing Body on that date. A copy of the Plan shall be filed in the office of the City Clerk and be available for public inspection during normal business hours. A description of the housing and public facilities projects that are proposed to be constructed or improved in the District, and the location thereof are described in *Exhibit D* attached hereto. A summary of the contractual assurances by the developer and the comprehensive feasibility analysis is contained in *Exhibit E* attached hereto.

Section 3. Public Hearing. Notice is hereby given that a public hearing will be held by the Governing Body to consider the establishment of the District and adoption of the Plan on September 6, 2016, at the City Commission Meeting Room, City Hall, 806 N. Second Avenue, Dodge City, Kansas 67801; the public hearing to commence at 7:00 p.m. or as soon thereafter as the Governing Body can hear the matter. At the public hearing, the Governing Body will receive public comment on such matters, and may, after the conclusion of such public hearing, consider the findings necessary for establishment of the District and adoption of the Plan, all pursuant to the Act.

Section 4. Notice of Public Hearing. The City Clerk is hereby authorized and directed to provide for notice of the public hearing by taking the following actions;

- a) A certified copy of this Resolution shall be delivered to:
 - i) the Board of County Commissioners of Ford County, Kansas;
 - ii) the Board of Education of U.S.D. No. 443; and
 - iii) the Planning Commission of the City.
- b) This Resolution, specifically including *Exhibit A* thru *E* attached hereto, shall be published at least once in the official newspaper of the City not less than one week nor more than two weeks preceding the date of the public hearing.

Section 5. Further Action. The Mayor, City Manager, City Clerk and the officials and employees of the City, including the City Attorney, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution.

Section 6. Effective Date. This Resolution shall take effect after its adoption by the Governing Body.

ADOPTED by the Governing Body of the City of Dodge City, Kansas, on August 1, 2016.

Joyce Warshaw, Mayor

ATTEST:

Nannette Pogue, City Clerk

EXHIBIT A

**LEGAL DESCRIPTION OF PROPOSED
RURAL HOUSING IMPROVEMENT DISTRICT BOUNDARIES
FOR REFLECTION LIVING PROJECT**

Lot 2, Block 1, Trinity Subdivision, Dodge City, Ford County, Kansas

EXHIBIT B

**MAP OF PROPOSED
RURAL HOUSING IMPROVEMENT DISTRICT BOUNDARIES
FOR REFLECTION LIVING PROJECT**



EXHIBIT D

DESCRIPTION OF THE HOUSING AND PUBLIC FACILITIES PROJECT OR PROJECTS THAT ARE PROPOSED TO BE CONSTRUCTED OR IMPROVED IN THE PROPOSED RURAL HOUSING INCENTIVE DISTRICT

Housing Facilities

The housing facility will be composed of one (1) twelve (12) unit resident senior living home licensed under the Kansas Department of aging as a HOME PLUS designation facility with a market value of not less than \$1,250,000.

Public Facilities

Public improvements will also include construction of infrastructure improvements located within the boundaries of the development, including water, sanitary sewer, storm sewer, storm water detention, streets and street lighting. The public improvements will be constructed as necessary to serve the Project as described above.

EXHIBIT E

**SUMMARY OF THE CONTRACTUAL ASSURANCES BY THE DEVELOPER
AND OF THE COMPREHENSIVE FEASIBILITY ANALYSIS**

Contractual Assurances.

The Governing Body of the City of Dodge City will enter into a development agreement with CKR Properties One, LLC. This agreement, as supplemented and amended, will include the project construction schedule, a description of projects to be constructed, financial obligations of the developer and financial and administrative support from the City of Dodge City.

Feasibility Study.

The City conducted a study to determine whether the public benefits derived from the District will exceed the costs and that the income from the District, together with other sources of revenue provided by the developer, would be sufficient to pay for the public improvements to be undertaken in the District. The analysis estimates the property tax revenues that will be generated from the development, less existing property taxes to determine the revenue stream available to support the costs of the public infrastructure. The estimates indicate that the revenue realized from the project would not be adequate to pay the costs of the public infrastructure. But, if more housing units are added, which is the plan, the revenue realized would be adequate to pay the costs of the public infrastructure.

Memorandum

To: Cherise Tieben City Manager
From: Nannette Pogue
Date: July 28, 2016
Subject: Resolution No. 2016-20

Agenda Item Ordinances and Resolutions

Recommendation: I recommend the approval of Resolution No. 2016-20

Background: A 6(a) petition has been submitted by Tim Volz for the City of Dodge City to make improvements in Candletree Addition Unit 7. The improvements are streets, water and sewer not to exceed \$1,512,000. Mr. Volz will be building single family units in the development and adding residential units to the housing stock in Dodge City. This area is also a part of a RHID. The proposed resolution authorizes the City to make the improvements in the benefit district and specially assess the costs of those improvements back to the property owner over a 15 year period. The City's current development policy allows special assessments as a financing tool for development projects.

There will be action items in the future relating to this project.

Justification: To assist the developer in residential development.

Financial Considerations: The City will issue bonds to cover the costs of the improvements and the bond payments will be made through special assessments to the benefit district.

Purpose/Mission: To increase residential development in Dodge City.

Attachments: Resolution No. 2016-20

RESOLUTION NO. 2016-20

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF DODGE CITY, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (VARIOUS INTERNAL IMPROVEMENTS/CANDLETREE ADDITION, UNIT 7).

WHEREAS, a petition (the "Petition") was filed with the City Clerk of the City of Dodge City, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements (collectively the "Improvements"):

The design, inspection, and construction of the sanitary sewer manholes, gravity sanitary sewer main, water main, water valves, fire hydrants, streets and curbs as necessary to serve the future Candletree Addition, Unit 7, an addition to the City of Dodge City, Ford County, Kansas.

(b) The estimated or probable cost of the Improvements is: \$1,512,000, to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this Resolution.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

A tract of land in the Northeast Quarter of Section 14, Township 26 South, Range 25 West of the Sixth Principal Meridian, Ford County, Kansas described as follows:

Beginning at the Northwest Corner Lot 1, Block 3, Candletree Addition, Unit 5, City of Dodge City, Ford County, Kansas; thence S00 26'13"W 301.14 feet to the Westerly Corner of Lot 4, Candletree Addition, Unit 5, City of Dodge City, Ford County, Kansas; thence S27 23'20"E 203.98 feet to the Southwest Corner of Lot 6, Candletree Addition, Unit 5 and the North Line of Candletree Addition #4, City of Dodge City, Ford County Kansas; thence N88 40'58"W 1002.23 feet along the North Line of Candletree Addition #4 to the West Line of the Northeast Quarter of said Section 14; thence N00 36'03"E 742.06 feet; thence S88 40'58"E 367.02 feet; thence S01 090'11"W 160.00 feet; thence S88 40'58"E 539.86 feet; thence S00 26'13"W 101.00 feet to the point of beginning, containing 13.65 acres. To be known as the future Candletree Addition, Unit 7, an addition to the City of Dodge City, Ford County, Kansas.

(d) The method of assessment is: 1 share 0per lot based on the future blocks and lots of Candletree Addition, Unit 7).

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in *Section 1* of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Ford County, Kansas.

ADOPTED by the governing body of the City on August 1, 2016.

(SEAL)

Mayor

ATTEST:

Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on April 16, 2012, as the same appears of record in my office.

DATED:

Clerk

Memorandum

*To: City Manager
City Commissioners*

From: Nathan Littrell

Date: August 1, 2016

Subject: Candletree Unit 7 Addition

Agenda Item: New Business

Recommendation: The Planning Commission met July 12, 2016 to review and recommend approval of this plat. This plat meets all of the requirements of the Dodge City Zoning Regulations and the Dodge City Subdivision Regulations.

Background: Tim Volz is planning to build a single-family housing development once this land is platted. This plat would accommodate developing 30 lots.

Justification: This property is zoned R-1, Residential Low Density and conforms to the Dodge City Subdivision Regulations, Dodge City Zoning Regulations and the City Comprehensive Plan.

Financial Considerations: None

Purpose/Mission: To provide additional residential development.

Legal Considerations: None

Attachments: Plat Approval Application, Candletree Unit 7 Plat

CITY OF DODGE CITY
APPLICATION FOR PLAT APPROVAL

Section No. 14
Township No. 26S
Range No. 25W

Subdivision Case No. 16-06
Date Filed 7/7/16

- I. Name of Subdivision Candletree Unit 7
- II. General Location West of Gary Avenue and North of Tanglewood Drive
- III. Name of Property Owner Zimmer Group, LLC
Address PO Box 442276, Lawrence, KS 66044
Phone _____
- IV. Name of Agent Tim Volz
Address 11170 Kliesen Street, Dodge City, KS 67801
Phone 620-225-3127
- V. Name of Surveyor SMH Consultants, Tim Sloan, PLS
Address 236 San Jose, Suite 127, Dodge City, KS 67801
Phone 620-255-1952
- VI. Subdivision Information:
A. Gross Acreage of Plat 14.27 (Ac.)
- B. Number of Lots:
- | | |
|----------------|-----------|
| 1. Residential | <u>30</u> |
| 2. Commercial | <u>0</u> |
| 3. Industrial | <u>0</u> |
| 4. Other | <u>0</u> |
- C. Minimum Lot Frontage 70 feet
- D. Minimum Lot Area 10,000 Square Feet
- E. Existing Zoning R-1
- F. Proposed Zoning NA
- G. Public Water Supply Yes X No _____
- H. Public Sanitary Sewers Yes X No _____

.....

This application was received at the office of the Secretary of the Dodge City Zoning Board at 4:00 (A.M.) (P.M.) on the 7th day of July, 20 16. It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 200.00.

Natasha Wittull
Name

Planning + Zoning Administrator
Title

N 1/4 COR. SEC. 14-T26S-R25W
 ORIGIN: A TO Z LAND SURVEYING
 1/2" REBAR
 N 1/4 COR. SEC. 14 IS
 6.10' S & 10.29' W OF
 ACT. COR.

NE COR. SEC. 14-T26S-R25W
 ORIGIN: A TO Z LAND SURVEYING
 1/2" REBAR
 NE COR. SEC. 14 IS 5.26' S
 & 7.54' W OF ACT. COR.

☉ CURVE DATA

| NO. | RADIUS | ARC | CHORD | DELTA | TANGENT | BEARING |
|-----|---------|---------|---------|-----------|---------|---------------|
| C1 | 90.00' | 48.51' | 47.92' | 30°52'48" | 24.86' | N 75°52'37" E |
| C2 | 150.00' | 35.96' | 35.87' | 13°44'02" | 18.06' | N 67°18'14" E |
| C3 | 150.00' | 42.59' | 42.44' | 16°15'58" | 21.44' | N 82°18'14" E |
| C4 | 120.00' | 82.84' | 81.20' | 39°33'11" | 43.15' | N 39°44'26" W |
| C5 | 120.00' | 127.07' | 121.21' | 60°40'12" | 70.22' | N 29°10'55" W |
| C6 | 120.00' | 82.18' | 80.59' | 39°14'22" | 42.78' | N 39°25'57" W |
| C7 | 120.00' | 128.09' | 120.37' | 60°12'19" | 69.57' | N 28°56'58" W |
| C8 | 120.00' | 64.68' | 63.90' | 30°52'48" | 33.14' | N 75°52'37" E |
| C9 | 120.00' | 19.91' | 19.89' | 09°30'18" | 9.98' | N 65°11'22" E |



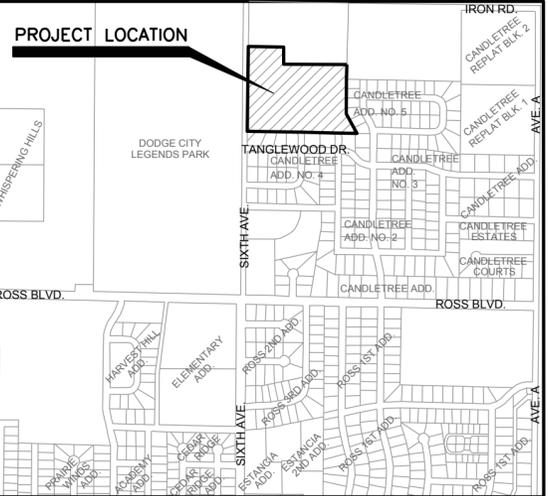
100' 50' 0' 100'
 SCALE: 1" = 100'

LEGEND

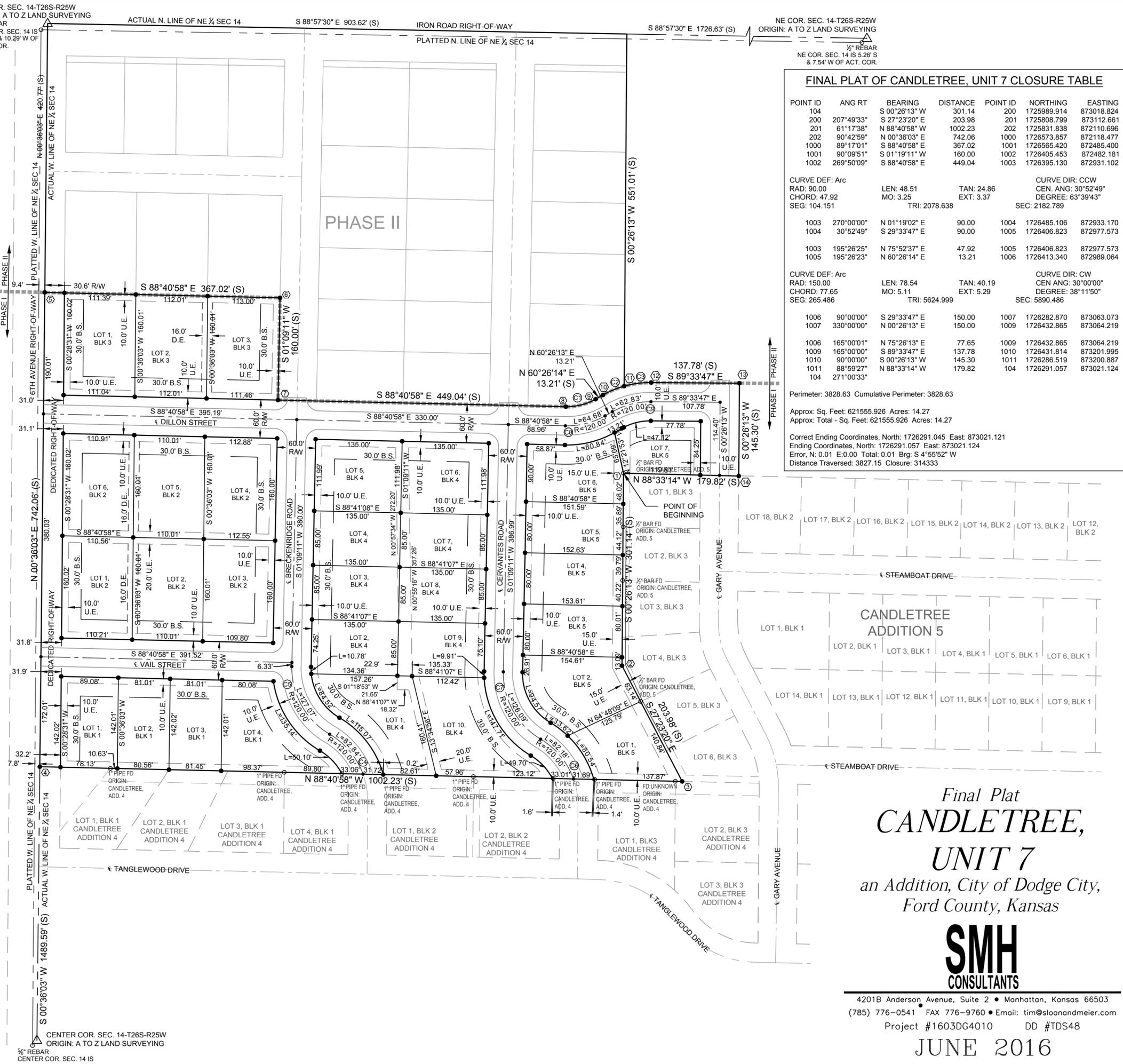
- MONUMENT FOUND (1/2" REBAR), ORIGIN: NOTED
- 1/2" X 24" REBAR W/CLS 66 CAP SET
- (P) PLAT DISTANCE
- (S) SURVEYED DISTANCE
- B.S. BUILDING SETBACK
- U.E. UTILITY EASEMENT

NOTES:
 No Fences can be built across the
 16.0' Drainage Easements.

BEARINGS USED FOR THIS SURVEY WERE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 14 - TOWNSHIP 26 SOUTH - RANGE 25 WEST, BEING ASSUMED S 88°57'30" E.



VICINITY MAP
 (NOT TO SCALE)



FINAL PLAT OF CANDLETREE, UNIT 7 CLOSURE TABLE

| POINT ID | ANG RT | BEARING | DISTANCE | POINT ID | NORTHING | EASTING |
|----------|------------|---------------|----------|----------|-------------|------------|
| 104 | | S 00°26'13" W | 301.14 | 200 | 1725989.914 | 873018.824 |
| 200 | 207°49'33" | S 27°23'20" E | 203.98 | 201 | 1725808.799 | 873112.661 |
| 201 | 61°17'38" | N 88°40'58" W | 1002.23 | 202 | 1725831.838 | 872110.696 |
| 202 | 90°42'59" | N 00°36'03" E | 742.06 | 1000 | 1726573.857 | 872118.477 |
| 1000 | 89°17'01" | S 88°40'58" E | 367.02 | 1001 | 1726565.420 | 872485.400 |
| 1001 | 90°09'51" | S 01°19'11" W | 160.00 | 1002 | 1726405.453 | 872482.181 |
| 1002 | 269°50'09" | S 88°40'58" E | 449.04 | 1003 | 1726395.130 | 872931.102 |

CURVE DEF: Arc
 RAD: 90.00
 CHORD: 47.92
 SEG: 104.151

LEN: 48.51
 MO: 3.25
 TRI: 2078.638

TAN: 24.86
 EXT: 3.37

CURVE DIR: CCW
 CEN. ANG: 30°52'49"
 DEGREE: 63°39'43"
 SEC: 2182.789

1003 270°00'00" N 01°19'02" E 90.00 1004 1726485.106 872933.170
 1004 30°52'49" S 29°33'47" E 90.00 1005 1726406.823 872977.573

1003 195°26'25" N 75°52'37" E 47.92 1005 1726406.823 872977.573
 1005 195°26'23" N 60°26'14" E 13.21 1006 1726413.340 872989.064

CURVE DEF: Arc
 RAD: 150.00
 CHORD: 77.65
 SEG: 265.486

LEN: 78.54
 MO: 5.11
 TRI: 5624.999

TAN: 40.19
 EXT: 5.29

CURVE DIR: CW
 CEN. ANG: 30°00'00"
 DEGREE: 38°11'50"
 SEC: 5890.486

1006 90°00'00" S 29°33'47" E 150.00 1007 1726282.870 873063.073
 1007 330°00'00" N 00°26'13" E 150.00 1009 1726432.865 873064.219

1006 165°00'01" N 75°26'13" E 77.65 1009 1726432.865 873064.219
 1009 165°00'00" S 89°33'47" E 137.78 1010 1726431.814 873201.995
 1010 90°00'00" S 00°26'13" W 145.30 1011 1726286.519 873200.887
 1011 88°59'27" N 88°33'14" W 179.82 104 1726291.057 873021.124
 104 271°00'33"

Perimeter: 3828.63 Cumulative Perimeter: 3828.63
 Approx. Sq. Feet: 621555.926 Acres: 14.27
 Approx. Total - Sq. Feet: 621555.926 Acres: 14.27

Correct Ending Coordinates, North: 1726291.045 East: 873021.121
 Ending Coordinates, North: 1726291.057 East: 873021.124
 Error, N: 0.01 E: 0.00 Total: 0.01 Brg: S 4°55'52" W
 Distance Traversed: 3827.15 Closure: 314333

Final Plat
CANDLETREE,
UNIT 7
 an Addition, City of Dodge City,
 Ford County, Kansas



4201B Anderson Avenue, Suite 2 • Manhattan, Kansas 66503
 (785) 776-0541 • FAX 776-9760 • Email: tim@sloanandmeier.com
 Project #1603DG4010 DD #TDS48

JUNE 2016

OWNERS CERTIFICATE:

THE UNDERSIGNED, TIMOTHY E. VOLZ AND JACKIE LEE VOLZ, HEREBY CERTIFIES THAT THEY ARE CAUSED TO BE LAID OUT AND PLATTED A TRACT OF LAND TO BE CALLED "FINAL PLAT OF CANDLETREE, UNIT 7" AN ADDITION TO THE CITY OF DODGE CITY, FORD COUNTY, KANSAS, WHICH INCLUDES PORTIONS OF THE FOLLOWING: A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 26 SOUTH, RANGE 25 WEST OF THE SIXTH PRINCIPAL MERIDIAN, FORD COUNTY, KANSAS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER LOT 1, BLOCK 3, CANDLETREE ADDITION, UNIT 5, CITY OF DODGE CITY, FORD COUNTY, KANSAS; THENCE S 00°26'13" W 301.14 FEET TO THE WESTERLY CORNER OF LOT 4, CANDLETREE ADDITION, UNIT 5, CITY OF DODGE CITY, FORD COUNTY, KANSAS; THENCE S 27°23'20" E 203.98 FEET TO THE SOUTHWEST CORNER OF LOT 6, CANDLETREE ADDITION, UNIT 5 AND THE NORTH LINE OF CANDLETREE ADDITION #4, CITY OF DODGE CITY, FORD COUNTY, KANSAS; THENCE N 88°40'58" W 1002.23 FEET ALONG THE NORTH LINE OF CANDLETREE ADDITION #4 TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14; THENCE N 00°36'03" E 742.06 FEET; THENCE S 88°40'58" E 367.02 FEET; THENCE S 01°09'11" W 160.00 FEET; THENCE S 88°40'58" E 449.04 FEET; THENCE ON A CURVE TO THE LEFT WITH A RADIUS OF 90.00 FEET, AN ARC DISTANCE OF 48.51 FEET, CHORD BEING N 75°52'37" E 47.92 FEET; THENCE N 60°26'14" E 13.21 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 150.00 FEET, AN ARC DISTANCE OF 78.54 FEET, CHORD BEING N 75°26'13" E 77.65 FEET; THENCE S 89°33'47" E 137.78 FEET; THENCE S 00°26'13" W 145.30 FEET; THENCE N 88°33'14" W 179.82 FEET TO THE POINT OF BEGINNING, CONTAINING 14.27 ACRES.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

THE UNDERSIGNED, AS SUCH OWNERS, DO HEREBY STATE THAT ALL STREET RIGHT-OF-WAYS AS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. AN EASEMENT AND LICENSE TO LOCATE, CONSTRUCT, OPERATE, INSPECT, REPLACE, AND MAINTAIN, OR AUTHORIZE THE LOCATION, CONSTRUCTION, OPERATION, INSPECTION, REPLACEMENT AND MAINTENANCE OF POLES, WIRES, CONDUITS, WATER, GAS, AND SEWER PIPES, REQUIRED DRAINAGE CHANNELS OR STRUCTURES; HARD AND IMPERVIOUS SURFACES; OR, OTHER STRUCTURES NECESSARY TO CARRY OUT THE FUNCTION OF THE EASEMENT, UPON THE AREA MARKED FOR EASEMENTS ON THIS PLAT, IS ALSO HEREBY DEDICATED TO THE PUBLIC. WHEN, AND IF, USED ON THIS PLAT, THE TERM "UTILITY" SHALL INCLUDE, BY WAY OF EXAMPLE, BUT NOT LIMITED TO, SEWER, WATER, GAS, ELECTRICITY, CABLE T.V. AND TELEPHONE. WHEN, AND IF, USED ON THIS PLAT, THE TERM "TRAVEL" SHALL INCLUDE ALL FORMS OF TRAVEL, BY WHATEVER MEANS, UNLESS THE TERM IS LIMITED BY OTHER WORDS OR PHRASES, SUCH AS, "PEDESTRIAN TRAVEL", ETC. THE UNDERSIGNED ACKNOWLEDGES THAT PURSUANT TO K.S.A. 12-406, THE DEDICATION OF RIGHT-OF-WAYS AND EASEMENTS TO THE PUBLIC CONSTITUTES A CONVEYANCE THEREOF TO THE CITY OF DODGE CITY, FORD COUNTY, KANSAS, IN TRUST, FOR THE USES NAMED, EXPRESSED OR INTENDED.

ZIMMER GROUP, LLC
PREVIOUS NAME: thezimmergroup, LLC

DON ZIMMER

STATE OF KANSAS
COUNTY OF FORD SS

BEFORE ME, A NOTARY PUBLIC, WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY KNOWN TO ME TO BE THE LEGAL PARTY WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SAID PARTY EXECUTED THE SAME AS A FREE AND VOLUNTARY ACT AND DEED FOR THE PURPOSES SET FORTH.

IN WITNESS WHEREOF, I HAVE HEREUNTO PUT MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC

DODGE CITY ZONING BOARD:

THIS PLAT OF "FINAL PLAT OF CANDLETREE, UNIT 7" HAS BEEN SUBMITTED TO AND APPROVED BY THE DODGE CITY ZONING BOARD THIS _____ DAY OF _____, 2016.

CHAIRMAN, FRANK ROSE

SECRETARY, NATHAN LITRELL

REGISTER OF DEEDS CERTIFICATE
STATE OF KANSAS
COUNTY OF FORD SS

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE OFFICE OF FORD COUNTY REGISTER OF DEEDS ON THIS _____ DAY OF _____, 2016 IN PLAT BOOK _____, PAGE _____, AND IS DULY RECORDED.

BRENDA POGUE, FORD COUNTY REGISTER OF DEEDS

TRANSFER RECORD CERTIFICATE:

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS ENTERED INTO THE TRANSFER RECORD ON THIS _____ DAY OF _____, 2016.

DEBBIE COX, FORD COUNTY CLERK

SURVEYOR:
SMH Consultants
Tim Sloan, P.S., President
2017 Vanesta Place, Suite 110,
Manhattan, KS 66503
PH: 785-776-0541

OWNER and SUB-DIVIDER:
Volz Builders
11170 Kliesen Street
Dodge City, Kansas 67801
Ph: 620-255-3127
Contact: Tim Volz

CITY APPROVAL
STATE OF KANSAS
CITY OF DODGE CITY

THE ABOVE AND FOREGOING DOCUMENT KNOWN AS "FINAL PLAT OF CANDLETREE, UNIT 7" TO THE CITY OF DODGE CITY, FORD COUNTY, KANSAS, HAVING BEEN SUBMITTED TO THE GOVERNING BODY OF THE CITY OF DODGE CITY, FORD COUNTY, KANSAS AT THE REGULAR MEETING HELD ON THE _____ DAY OF _____, 2016, HAS BEEN EXAMINED AND CONSIDERED AND THE SAME IS HEREBY APPROVED THIS _____ DAY OF _____, 2016.

THE CITY OF DODGE CITY, KANSAS

JOYCE WARSHAW, MAYOR

NANNETTE POGUE, CITY CLERK

CERTIFICATION BY COUNTY SURVEYOR
STATE OF KANSAS
COUNTY OF FORD SS

THIS PLAT HAS BEEN EXAMINED THIS _____ DAY OF _____, 2016 FOR COMPLIANCE WITH THE REQUIREMENTS OF THE ACT CONCERNING LAND SURVEYS IN THE STATE OF KANSAS, K.S.A. 58-2005.

SIGNATURE

PRINT

SURVEYOR CERTIFICATE:

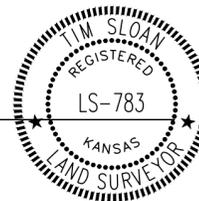
I, TIM SLOAN, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM, BY PROFESSION, A LAND SURVEYOR, AND THAT THE PLAT OF "CANDLETREE, UNIT 7", AN ADDITION TO THE CITY OF DODGE CITY, FORD COUNTY, KANSAS CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE _____ DAY OF _____, 2016, AND THAT ALL MONUMENTS SHOWN HEREIN ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN. THIS SURVEY MEETS THE KANSAS MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING OF A TRACT OF LAND WHICH INCLUDES PORTIONS OF THE FOLLOWING:

A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 26 SOUTH, RANGE 25 WEST OF THE SIXTH PRINCIPAL MERIDIAN, FORD COUNTY, KANSAS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER LOT 1, BLOCK 3, CANDLETREE ADDITION, UNIT 5, CITY OF DODGE CITY, FORD COUNTY, KANSAS; THENCE S 00°26'13" W 301.14 FEET TO THE WESTERLY CORNER OF LOT 4, CANDLETREE ADDITION, UNIT 5, CITY OF DODGE CITY, FORD COUNTY, KANSAS; THENCE S 27°23'20" E 203.98 FEET TO THE SOUTHWEST CORNER OF LOT 6, CANDLETREE ADDITION, UNIT 5 AND THE NORTH LINE OF CANDLETREE ADDITION #4, CITY OF DODGE CITY, FORD COUNTY, KANSAS; THENCE N 88°40'58" W 1002.23 FEET ALONG THE NORTH LINE OF CANDLETREE ADDITION #4 TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14; THENCE N 00°36'03" E 742.06 FEET; THENCE S 88°40'58" E 367.02 FEET; THENCE S 01°09'11" W 160.00 FEET; THENCE S 88°40'58" E 449.04 FEET; THENCE ON A CURVE TO THE LEFT WITH A RADIUS OF 90.00 FEET, AN ARC DISTANCE OF 48.51 FEET, CHORD BEING N 75°52'37" E 47.92 FEET; THENCE N 60°26'14" E 13.21 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 150.00 FEET, AN ARC DISTANCE OF 78.54 FEET, CHORD BEING N 75°26'13" E 77.65 FEET; THENCE S 89°33'47" E 137.78 FEET; THENCE S 00°26'13" W 145.30 FEET; THENCE N 88°33'14" W 179.82 FEET TO THE POINT OF BEGINNING, CONTAINING 14.27 ACRES.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

TIM SLOAN, P.S.
PRESIDENT



Final Plat
CANDLETREE,
UNIT 7
*an Addition, City of Dodge City,
Ford County, Kansas*



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Project #1603DG4010 DD #TDS48

JUNE 2016

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