

CITY COMMISSION AGENDA

City Hall Commission Chambers

Monday, February 4, 2013

7:00 p.m.

MEETING #4913

CALL TO ORDER

ROLL CALL

INVOCATION BY Marguerite Ferrell of Apostolic Faith Pentecostal Church

PLEDGE OF ALLEGIANCE Presentation of Colors - Boy Scouts

PETITIONS & PROCLAMATIONS

Boy Scout Week

PUBLIC HEARING

Issuance of a Tax Exempt Lease Purchase Agreement to be used to Finance the Construction of Hangar at the Dodge City Regional Airport.

VISITORS (Limit of five minutes per individual and fifteen minutes per topic. Final action may be deferred until the next City Commission meeting unless an emergency situation does exist).

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, January 22, 2013;
2. Appropriation Ordinance No. 3, February 4, 2013;
3. Cereal Malt Beverage License:
 - a. Gene's Heartland Foods, 1800 Central Avenue.

ORDINANCES & RESOLUTIONS

Ordinance No. 3551: An Ordinance Creating a New Planning Commission for the City of Dodge City, Establishing qualifications for Members, Terms of Office, Filling Vacancies and Repealing Ordinance No. 3210 and Ordinance No. 3211 and any other Ordinances of the City of

Dodge City in conflict with this Ordinance. Report by Development Services Director, Dennis Veatch.

Resolution No. 2013-02: A Resolution Amending Maple Grove Cemetery Regulations. Report by Director of Parks & Recreation, Paul Lewis.

Resolution No. 2013-03: A Resolution revising Appendix A of the Dodge City Municipal Code - Cemetery Fees. Report by Director of Parks & Recreation, Paul Lewis.

Resolution No. 2013-04: A Resolution authorizing an Application for use of Transportation Enhancement Funds for the Gunsmoke Trail Extension Project and authorizing the Director of Parks and Recreation to sign the Application. Report by Director of Parks & Recreation, Paul Lewis.

Resolution No. 2013-05: A Resolution to consider Establishing a Rural Housing Incentive District for Summerlon Phase III-S1 Project and Establishing a Public Hearing on Such Matter, and Providing for the Giving of Notice of Such Public Hearing. Report by Special Projects Asst. Leslie Lomas.

Resolution No. 2013-06: Approval of Resolution 2013-6 which requests support from our Federal Legislators in an effort to prevent the legislation desiring to make Municipal Bonds taxable. Report by Assistant City Manager, Cherise Tieben

Resolution No. 2013-07: A Resolution authorizing a Transportation Enhancement (TE) Application for Development and Stabilization of the Atchison, Topeka and Santa Fe (ATSF) Depot. Report by Project Development Coordinator, Melissa McCoy

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Appointments to Boards & Commission. Report by Director of Public Information, Jane Longmeyer.
2. Appoint 2 City Commissioners to Dodge City/Ford County Developmental Boards. Report by Assistant City Manager, Cherise Tieben.
3. Approval of bid from Conant Construction for the construction of the Barham Drainage Improvement Project in the amount of \$17,926.34. Report by Director of Engineering Services, Ray Slattery.
4. Authorize YMCA Exterior Signage at Sheridan. Report by Assistant City Manager, Cherise Tieben.

5. Approval of Supplemental Agreement with YMCA for operation of All for Fun. Report by Assistant City Manager, Cherise Tieben.

OTHER BUSINESS

ADJOURNMENT

SCOUT WEEK PROCLAMATION
FEBRUARY 3, 2013 - FEBRUARY 9, 2013

WHEREAS, the Boy Scouts of America was founded on February 8, 1910, and has grown to be a vital force in the development of our youth through its many programs which encourage its members to do things for themselves and others; and

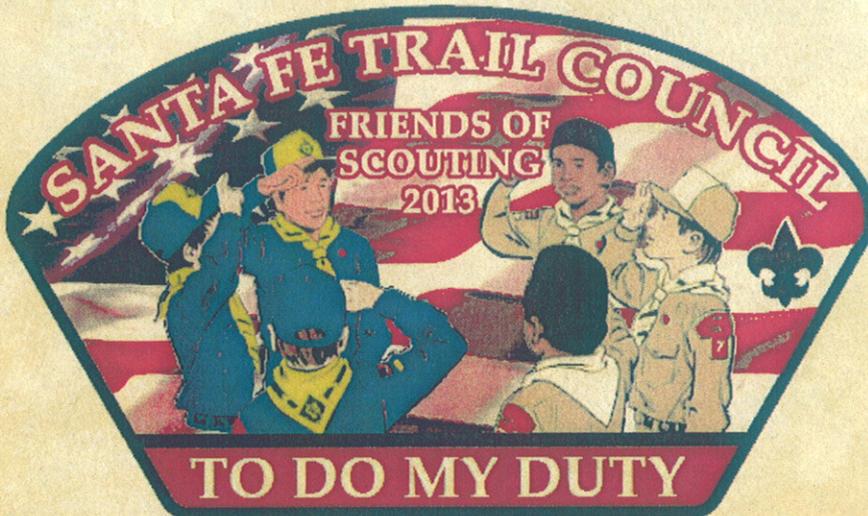
WHEREAS, The Boy Scouts of America serves many thousands of people through a wide variety of activities designed to compliment and implement the youth programs offered by churches, civic organizations and public schools; and,

WHEREAS, there are 55 churches, service and fraternal clubs, and other community organizations that have been chartered in our Council by the Boy Scouts of America to service the Scouting program; and,

WHEREAS, one of the major objectives in the Scouting program is to develop citizenship through community involvement, and in addition to working for Citizenship Merit Badges, Scouts are actively involved in numerous community service projects;

NOW, THEREFOR, BE IT RESOLVED, that I, Rick Sowers, Mayor of Dodge City, Kansas, do hereby designate February 3 through 9, 2013 as Scouting Anniversary Week and urge our citizens to join with me in expressing appreciation to the community organizations that sponsor Scouting; to the volunteers who serve with the partner organizations; and to the youth in the Santa Fe Trail Council of the Boy Scouts of America.

IN OFFICIAL RECOGNITION THEREOF, I hereby affix my signature, and cause to be affixed the official seal of the City of Dodge City, this 4th day of February, 2013.



Rick Sowers, Mayor

SEAL

Nannette Pogue, City Clerk

(To be published in the *Dodge City Daily Globe* on January 18, 2013)

NOTICE OF PUBLIC HEARING

The City of Dodge City, Kansas (the "City") will hold a public hearing on Monday, February 4, 2013, at 7:00 p.m. in the City Commission Meeting Room, 806 2nd Avenue, Dodge City, Kansas, regarding the proposed issuance of a tax exempt lease purchase agreement (the "Lease") in an aggregate principal amount of not to exceed \$500,000. The proceeds of the Lease will be used to finance the construction of a 12,000 square foot hangar at the Dodge City Regional Airport located at 100 Airport Road, Dodge City, Kansas to be owned by the City and operated by Crotts Aircraft Service (the "Project"). The hearing will be open to the public. Additional information regarding the Project can be found in the City Clerk's Office, 806 2nd Avenue, Dodge City, Kansas 67801.

Dated: January 15, 2013

Nannette Pogue
Director of Finance/City Clerk
City of Dodge City, Kansas

CITY COMMISSION MINUTES

City Hall Commission Chambers

Tuesday, January 22, 2013

7:00 p.m.

MEETING #4911

CALL TO ORDER

ROLL CALL: Mayor Rick Sowers, Commissioners, Joyce Warshaw, Jim Sherer, and Brian Delzeit present, Kent Smoll was absent.

INVOCATION by Pastor Anthony Beville of Dodge City Church of the Nazarene

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

VISITORS (Limit of five minutes per individual and fifteen minutes per topic. Final action may be deferred until the next City Commission meeting unless an emergency situation does exist).

Trish Martinez- Regarding Pit Bull Ban Ordinance

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, January 7, 2013;
2. Appropriation Ordinance No. 2, January 22, 2013;
3. Cereal Malt Beverage License
 - a. Tacos Jalisco, 410 E Wyatt Earp Blvd.
 - b. El Unico Restaurant, LLC, 1010 E Wyatt Earp Blvd
 - c. Walgreens #07817, 1801 N. 14th Avenue
4. Approval of Contract with the First Southern Baptist Church for Sewer Service.

Commissioner Joyce Warshaw moved to approve the Consent Calendar as presented;
Commissioner Brian Delziet seconded the motion. The motion carried 4 – 0.

Mayor Rick Sowers moved to amend the Agenda by removing two Resolutions and adding a New Business item. Jim Sherer seconded the motion. Motion carried 4 – 0.

ORDINANCES & RESOLUTIONS

NEW BUSINESS

1. The approval of Civic Center Plat was approved on a motion by Commissioner Joyce Warshaw, seconded by Commissioner Jim Sherer. The motion carried 4 – 0.

2. The Agreement for Transfer of Real Estate and Improvements between the City of Dodge City and USD #443 which will serve to transfer ownership of the Civic Center from the City to the School District was approved on a motion by Commissioner Brian Delzeit; motion was seconded by Commissioner Joyce Warshaw. The motion carried 4 - 0.
3. Approval of the Library Memorandum of Understanding was approved on a motion by Commissioner Jim Sherer; motion was seconded by Commissioner Joyce Warshaw. The motion carried 4 - 0.

OTHER BUSINESS

Ken Strobel:

- Have some Developers coming to town this week.

Joyce Warshaw:

- Impressed with collaboration between the City and School District regarding transfer of the Civic Center;
- Another impressive collaboration was the Grant received by YMCA and the School District.

Jim Sherer

- The Grant will allow young people a lot of opportunity with the after school program grant;
- Congratulations to Channel 6, Rocking M Radio and Kim Unruh for Kaleidoscope. Great crowd and great participation.

Brian Delzeit

- Echoed Joyce's comments;
- YMCA will be a great asset to Dodge City.

Rick Sowers

- Thanks to USD 443 Board for looking at Civic Center;
- Wants to have Staff look at Pit Bull Ordinance.

ADJOURNMENT

Commissioner Jim Sherer moved to adjourn the meeting; Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

Rick Sowers, Mayor

ATTEST:

Nannette Pogue, City Clerk

SECTION 5 – MANAGER OR AGENT INFORMATION		
My place of business or special event will be conducted by a manager or agent.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the following:		
Manager/Agent Name MICHAEL CHARBONNEAU	Phone No. 620-482-0447	Date of Birth 9-14-54
Residence Street Address 3011 GARY AVE	City DODGE CITY	Zip Code 67801
Manager or Agent Spousal Information		
Spouse Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code

SECTION 6 – QUALIFICATIONS FOR LICENSURE	
<p>Within two years immediately preceding the date of this application, have any of the individuals identified in Sections 4 & 5 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.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>have not</i>
<p>Have any of the individuals identified in Sections 4 and 5 been 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.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>have not</i>
All of the individuals identified in Sections 4 & 5 are at least 21 years of age ¹ .	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

SECTION 7 – DURATION OF SPECIAL EVENT		
Start Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM
End Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM

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 *James E. Clasen* DATE 1/15/13

FOR CITY/COUNTY OFFICE USE ONLY:	
<input type="checkbox"/> License Fee Received Amount \$ _____ Date _____ (\$25 - \$50 for Off-Premise license or \$25-200 for On-Premise license)	
<input type="checkbox"/> \$25 CMB Stamp Fee Received Date _____	
<input type="checkbox"/> Background Investigation <input type="checkbox"/> Completed Date _____ <input type="checkbox"/> Qualified <input type="checkbox"/> Disqualified	
<input type="checkbox"/> New License Approved Valid From Date _____ to _____ By: _____	
<input type="checkbox"/> License Renewed Valid From Date _____ to _____ By: _____	
<input type="checkbox"/> Special Event Permit Approved 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)

Print Form

Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*

From: Dennis Veatch

Date: January 31, 2013

*Subject: Creating new Planning
Commission*

Agenda Item: Ordinances and Resolutions

Recommendation: City staff recommends approval of this ordinance to create a new Planning Commission with a seven member board and to also serve as the Board of Zoning Appeals.

Background: The City currently has two separate boards, one is the Zoning Board with five members and the other one is the Board of Zoning Appeals with five members. The Zoning Board is an advisory board that makes recommendations to the City Commission on rezoning requests, subdivision plats, amendments to the Zoning Regulations and Comprehensive Plan. The Board of Zoning Appeals reviews and approves conditional uses, variances and appeals. K.S.A. 12-759 allows the Planning Commission to also serve as the Board of Zoning Appeals.

Justification: Recently we have had difficulty finding volunteers to fill the required number of positions on these two boards. By reducing the number of board members from ten members for both boards to seven members for the combined Planning Commission should alleviate any problems with filling the required positions. This will also reduce the number of meetings that we have on a monthly basis.

Financial Considerations: None

Purpose/Mission: To promote development and provide overall growth to the community.

Legal Considerations: None

Attachments: Ordinance

ORDINANCE NO. 3551

AN ORDINANCE CREATING A NEW PLANNING COMMISSION FOR THE CITY OF DODGE CITY, ESTABLISHING QUALIFICATIONS FOR MEMBERS, TERMS OF OFFICE, FILLING VACANCIES AND REPEALING ORDINANCE NUMBER 3210 AND 3211 AND ANY OTHER ORDINANCES OF THE CITY OF DODGE CITY IN CONFLICT WITH THIS ORDINANCE.

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

Section 1: Authority. There is hereby created the City of Dodge City Planning Commission as authorized by K.S.A. 12-741 et seq.

Section 2: Composition and qualifications of members. The Dodge City Planning Commission shall consist of seven members. Members shall be residents of the City of Dodge City, and shall be appointed by the Mayor with the concurrence of the City Commission. Members shall serve without compensation, but may receive reimbursement for expenses incurred.

Section 3: Terms of Office. Planning Commission members shall serve for three year terms. The initial board shall have two members serve through January 31, 2013, two members serve through January 31, 2014 and three members serve through January 31, 2015.

Section 4: Vacancies. Vacancies on the Planning Commission for any reason shall be filled by the governing body for the unexpired term.

Section 5: Removal of Members: The governing body may remove any Planning Commission member who has three consecutive unexcused absences, or has six absences in any twelve month period for any reason, from Planning Commission meetings. The governing body may remove a member for participating in issues when a verified conflict of interest exists.

Section 6: The Planning Commission shall perform those duties and functions as set forth in the relevant State Statutes and the City Zoning Ordinance.

Section 7: Board of Zoning Appeals established. Pursuant to K.S.A. 12-759 the Dodge City Planning Commission will also serve as the Board of Zoning Appeals. All rules and regulation established and governing the Board of Zoning Appeals shall be adopted as set forth in Article X of the Dodge City Zoning Ordinance adopted in 2000.

Section 8: Conduct of business: The Planning Commission shall establish By-Laws setting forth rules for the conduct of their business.

Section 9: Repeal: Adoption of this ordinance repeals Ordinance Number 3210 and 3211 of the City of Dodge City, and any other ordinance in conflict herewith, to the extent of such conflict.

Section 10: Effective Date. This Ordinance shall take effect, from and following its publication in the official paper, as required by law.

PASSED BY THE CITY OF DODGE CITY GOVERNING BODY, IN REGULAR SESSION AND APPROVED BY THE MAYOR, THIS 4TH DAY OF FEBRUARY, 2013.

RICK SOWERS, MAYOR

ATTEST:

NANNETTE POGUE, CITY CLERK

Memorandum

To: City Manager
Assistant City Manager
City Commissioners

From: Paul Lewis 

Date: January 17, 2013

Subject: Revised Cemetery Regulations

Agenda Item: Ordinances and Resolutions

Recommendation: Staff recommends adopting Resolution 2013-02 amending the rules and regulations for Maple Grove Cemetery.

Background: Annually the Cemetery Advisory Board meets to review operations at Maple Grove Cemetery and consider revisions to rules and regulations. Based upon that meeting, the proposed revisions to Maple Grove Cemetery rules and regulations are recommended by the Board and staff.

Revisions for this year are minor in nature and are as follows:

- Adds language that approves Veteran's medallions that are now available to armed service personnel and specifies how and where they can be attached to headstones and markers.
- Limits the size of tents used for funeral services to not more than a double traditional funeral tent.
- Restricts the use of loud speaker systems in the cemetery for anything other than a community ceremony.
- Eliminates specific fees and charges information from the rules and regulations resolution and references the City Code location where that information is recorded.

Justification: The Veteran's Department is now making medallions available to those who have served in the Armed Forces. Maple Grove has always allowed Veteran's markers and this change clarifies the usage of government provided medallions.

The restriction on tent sizes is something of a preventative measure. There was an instance where a large tent was used for a service and both the funeral homes and staff became concerned with how that practice might infringe on other gravesites and so the proposed limitations were developed. The restriction on loud speaker systems was an offshoot of that concern. The recommendation was that activities in the cemetery should be restricted to graveside services and that other than public ceremonies, amplified voice and music should not be permitted in the cemetery.

Financial Considerations: N/A

Purpose/Mission: This action is consistent with the City's core value of Ongoing Improvement and Engaging the Community. Through soliciting input from other stakeholders in the operation of Maple Grove Cemetery, we are able to provide effective and consistent rules and regulations respective to all.

Legal Considerations: None

Attachments: Resolution No. 2013-02

RESOLUTION 2013-02

A RESOLUTION REPEALING RESOLUTION 2007-18 AND ALL OTHER RESOLUTIONS IN CONFLICT AND ESTABLISHING NEW RULES, REGULATIONS, AND FEES FOR MAPLE GROVE CEMETERY

WHEREAS, The City is the owner of Maple Grove Cemetery and is responsible for the maintenance and care of the property; and

WHEREAS, the creation of policies and regulations are necessary in order to provide for the efficient and effective operation of the cemetery; and

WHEREAS, The City desires to establish a reasonable and equitable schedule of fees and charges necessary to offset the cost of providing services at the cemetery; and

WHEREAS, the governing body of the City of Dodge City, Kansas, deems it necessary to adjust the Maple Grove Cemetery Rules and Regulations of Operation and Maintenance and to revise the fees and charges associated with cemetery operations.

NOW, THEREFORE, be it resolved by the governing body of the City of Dodge City, Kansas that the following rules, regulations, and fees be adopted for Maple Grove Cemetery:

Section 1: Internments

- A) Notice of Internments
 - 1) Request for grave opening and closing shall be made a minimum of 10 working hours prior to need.
 - 2) Internments will not be scheduled less than one hour apart without cemetery supervisor's approval.
 - 3) No internments will be scheduled Saturday afternoons, Sundays, or on city observed holidays except for the Friday after Thanksgiving.
- B) All information pertinent to the interment shall be provided to the cemetery supervisor or his/her designee to include but not limited to:
 - 1) Name and address of the lot owner
 - 2) Lot and block number on which burial is to be made
 - 3) Name of person applying for permission for interment
 - 4) Name and address of funeral home in charge of the body
- C) Only one traditional burial and one cremation, two cremations, or two baby internments shall be allowed in any one grave space with the exception of Garden of the Apostles which is specifically designed for double burials. Only human remains may be buried in Maple Grove Cemetery.
- D) All vaults and/or outside receptacles must be constructed of reinforced concrete or 12 gauge metal minimum. No vault shall be installed until the plans, specifications and location shall have been approved by the supervisor. No surface mausoleum or above ground vaults or crypts are allowed.

Section 2: Disinterment

- A) All information pertinent to the disinterment shall be provided to the cemetery supervisor or his/her designee to include but not limited to:
- 1) Name and address of person making/authorizing the request.
 - 2) The lot and block number of the grave to be disinterred.
 - 3) Name and address of the funeral home in charge of the disinterment arrangements.

Section 3: Monuments and Markers

- A) The purpose of these rules and regulations are to maintain uniformity and consistency with the installation and appearance of monuments and markers in Maple Grove Cemetery. These standards provide for a generally accepted appearance and ease of maintenance.
- B) All monuments shall be granite, bronze or marble. No other materials will be allowed.
- C) Except for the conditions listed below, only one monument or marker may be placed on a single grave space. The marker shall be placed at the head of the grave.
- 1) Veterans may be recognized with a Veterans marker or medallion provided by the U.S. Department of Veterans Affairs. If used as a second marker, the Veterans marker must be flush with the ground and placed at the foot of the grave. Medallions may be affixed to headstones in the headstone row or to the face of crypts and niches of mausoleum spaces.
 - 2) Family Blocks
 - (a) Family blocks are defined as a minimum of four contiguous grave spaces.
 - (b) Family blocks are permitted only in sections allowing upright monuments and must follow the regulations specified in Paragraph F below. Only one upright family monument per block will be permitted. Any additional monuments must be flush markers.
 - (c) Corner Stones – Family blocks may be marked with corner stones or granite not less than six inches dress on all sides and not less than ten inches deep, and shall not project above the level of the ground.
- D) Monument/Marker Foundations
- 1) All monuments and markers shall be located within the lot lines of each grave space. No part of the monument or marker shall protrude beyond the limits of the monument foundation.
 - 2) All monuments shall be placed on a foundation of either fresh poured or pre-cast concrete shall not exceed twenty-two inches (22") in width and not less than four inches in depth. Any foundation less than ten inches (10") in depth must be supported by post holes filled with freshly poured concrete two feet deep and approximately 6" in diameter. Post holes shall be equally spaced on the center line along the length of the foundation. Single monuments will be supported by two post holes and family or companion markers shall have three.
 - 3) The foundation shall be set level with the ground, at the head of the grave space on undisturbed ground, equal distance from the side boundaries. The center line of monuments and markers shall be set on the center line of the foundation.

E) Permits for Monuments

- 1) Permits are required for the placement of any monument, marker, or headstone. Before a permit is issued the Cemetery Supervisor or his designee must first approve the monument for size, style, and location.
- 2) Permits may be obtained at the cemetery office.

F) Upright Monuments

- 1) A standard, upright tablet is recommended in those divisions where upright monuments are permitted. Any deviation from this standard must have prior approval from the Cemetery Advisory Board.
- 2) Monuments for single standard grave spaces shall not exceed three feet (3') in height, forty-two inches (42") in length and fourteen inches (14") in width. These maximum dimensions shall also pertain to any design that incorporates a base. A base must be a minimum of four inches (4") in height.
- 3) Family or companion monuments shall only be placed on a minimum of two (2) standard spaces, provided that such a monument shall not exceed four feet (4') in height; eighty-four inches (84") in length; and fourteen inches (14") in width. These maximum dimensions shall also pertain to any design that incorporates a base. A base must be a minimum of four inches (4") in height.
- 4) Flower Receptacles for cut and artificial flowers are permitted as long as the vase is incorporated into a monument base. In-ground receptacles are not permitted with upright monuments.

G) Flush Markers

- 1) Flush markers only are permitted in Divisions 11, 14, 17, 18, designated baby grave areas, and Divisions A, B, C, and Garden of the Apostles of Maple Grove West.
- 2) Maple Grove East
 - (a) Markers for single standard grave spaces shall not exceed forty-two inches (42") in length and fourteen inches (14") in width.
 - (b) Companion markers shall only be placed on a minimum of two (2) standard spaces, provided that such a marker shall not exceed seventy-two inches (72") in length and fourteen inches (14") in width.
- 3) Maple Grove West
 - (a) Markers for single standard grave spaces shall not exceed thirty-six inches (36") in length and fourteen inches (14") in width which shall include the foundation.
 - (b) Companion markers shall only be placed on a minimum of two (2) standard spaces, provided that such a marker shall not exceed sixty inches (60") in length and fourteen inches (14") in width which shall include the foundation.
 - (c) Markers in the Garden of the Apostles section shall not exceed twenty-four inches (24") in length and thirty-six inches (36") in width including the foundation.
 - (d) Skirts or flanges for markers in Maple Grove West are prohibited.
- 4) Baby Graves
 - (a) Markers for baby graves shall not exceed twenty four inches (24") in length and twelve inches (12") in width. Foundations shall not exceed 18" in width and 30" in length.
- 5) Flower Receptacles

- (a) In-ground or inverted receptacles for cut flowers are permitted if installed flush with the ground. The receptacle must be of a type that can be stored away below grade when not in use. Receptacles can be installed centered in front of the marker or at either end of the marker when incorporated with the overall length requirements.

Section 4: Grave Decorations, Ornaments and Embellishments

A) Permanent Decorations

- 1) Permanent decorations, ornaments, or embellishments of any kind, including, but not limited to, fences, wrought iron, benches, statues, and figurines are not permitted as these become hazardous and interfere with cemetery operations.
- 2) Adhering or attaching items such as, cards or pictures or decorative elements to memorials and monuments or to crypt fronts (other than vases provided by the City), is not allowed. These objects will be removed by cemetery management whenever found on a grave or at a crypt site.
- 3) Slabs or grave coverings other than turf are prohibited.

B) Temporary Decorations of Graves

- 1) Temporary decorations shall be confined to: artificial and real flower arrangements, wreaths, potted plants, flags, figurines not more than 18" in height; and hanging iron planters provided they are placed around the headstone as close to the foundation as possible.
- 2) In order to maintain a neat appearance and to facilitate cemetery maintenance, temporary decorations, other than cut and artificial flowers as described below, are permitted only the three days prior to and the six days after the following periods:
 - (a) Memorial Day
 - (b) Veterans Day
 - (c) Winter Holiday season (Begins December 1st through January 1st.)
 - (d) Date of Birth
 - (e) Anniversary of the date of passing
- 3) Cut/Artificial Flowers
 - (a) Cut and artificial flowers are allowed at any time as long as they are maintained in receptacles permitted under these regulations.
 - (b) The use of glass jars, bottles, tin cans, and the like for receptacles for artificial and cut flowers is strictly prohibited.
 - (c) Any withered and faded flowers or artificial flowers that become unsightly will be removed without notice.
- 4) Funeral designs and floral pieces shall be removed from new internments when they become wilted or unsightly. Persons desiring to retain any such piece must remove the same within forty-eight hours after interment.
- 5) The Cemetery Supervisor will remove decorations from any grave space outside of approved periods. Unless prior arrangements are made, cemetery staff will not be responsible for the return of any temporary decorations to the family.

Section 5: Work, Maintenance and Repairs in the Cemetery

- A) Ordinary maintenance shall be the responsibility of cemetery staff and shall include mowing, tree care, weeding, painting, and trimming of the grounds, repairs to graves, mausoleums, and crypts.
- B) Repairs to monuments and markers shall be the responsibility of the family. All such work shall be performed under the direction of the cemetery supervisor or his/her designee.
- C) Persons desiring to do work other than ordinary maintenance (i.e. mowing, trimming) on any lot or grave shall first secure permission from the cemetery supervisor or his/her designee.
- D) No one other than cemetery staff shall be allowed to spray any chemical agent including fertilizers, weed killers, herbicides, and ground sterilants at any time.

Section 6: Planting of Trees, Shrubs and Flowers

- A) All landscaping including planting of trees, shrubs, and flowers will be done by cemetery staff. Lot owners are urged to consult with the cemetery supervisor regarding matters pertaining to the general beautification, care, and maintenance of lots in the cemetery.
 - 1) Existing lot plantings may be removed by the City when they become unsightly, undesirable, or interfere with cemetery maintenance and may not be replaced.
 - 2) Any plantings, shrubs, or trees wrongfully placed will be removed by cemetery staff without notice.
- B) Memorial Trees and Plantings - The Cemetery will accept donation of trees and shrubs to be planted in a suitable area of the cemetery. The Cemetery Supervisor will make the decision of the location of the planting.

Section 7: Other Rules and Regulations

- A) Vehicle Restrictions
 - 1) No unauthorized vehicle shall be permitted to drive at any place within the cemetery except on defined roads. Driving on walkways, grass, alleys, or in vacant places etc. is prohibited.
 - 2) Violators - If any person or persons shall violate any of the provisions herein contained they shall be deemed guilty of a misdemeanor and shall upon conviction thereof be fined in an amount determined by city code.
- B) Funeral Service Equipment
 - 1) Tents for funeral services shall be limited to traditional funeral tents and shall not be larger than 12' x 24'.
 - 2) Amplified music and loud speaker systems are not permitted for individual services. Use of such equipment for community events and special recognitions must have the prior approval of the City Manager.

Section 8: Hours of Operation/Visitation

- A) Cemetery Maintenance/Office Hours - 7:00 a.m. to Noon and 1:00 p.m. to 4:00 p.m. Monday through Friday
- B) Hours of Visitation - 7:00 a.m. – Sunset.

- 1) Any unauthorized person found in the cemetery after hours may be prosecuted.

Section 9: Fees and Charges

- A) Fees and charges for grave spaces and associated cemetery services are established and recorded in Appendix A of the Dodge City Code. Those fees and charges may be amended from time to time by resolution upon recommendation from the Cemetery Advisory Committee, hereinafter established, and/or approval by the City Commission.

Section 10: Advisory Committee

- A) A cemetery advisory committee is established for the purpose of reviewing rules and regulations and any other matters pertaining to the operation of Maple Grove Cemetery and making recommendations to the City Commission.
- B) Members - The committee shall be comprised of one representative from each of the funeral homes in Dodge City and a representative of any local monument company along with the Director of Parks and Recreation or his designee.
- C) Meetings
 - 1) Annual Meetings - The committee shall meet annually at the date and time established by the Director of Parks and Recreation.
 - 2) Special Meetings - If necessary a special meeting may be called by the Director of Parks and Recreation who shall provide adequate notice of date and time.
- D) Reports - Reports of all meetings and any recommendations shall be provided to the City Manager and City Commission. The City Commission may or may not act on any recommendation presented or may refer it back to the Advisory Committee for additional consideration.
- E) **Section 11: BE IT FURTHER RESOLVED this resolution shall take effect following its adoption by the Governing Body.**

ADOPTED AND APPROVED by the Governing Body of the City of Dodge City this 22nd day of January, 2013.

RICK SOWERS, MAYOR

ATTEST:

NANNETTE POGUE, CITY CLERK

Memorandum

To: City Manager
Assistant City Manager
City Commissioners

From: Paul Lewis 

Date: January 17, 2013

Subject: Revised Cemetery Fees

Agenda Item: Ordinances and Resolutions

Recommendation: Staff recommends adopting Resolution 2013-03 revising Appendix A of the Dodge City Municipal Code - Cemetery Fees

Background: Annually the Cemetery Advisory Board meets to review operations at Maple Grove Cemetery and consider revisions to rules and regulations. Upon a recommendation from the Board, staff is presenting these proposed revisions to established fees and charges.

This change increases lot prices from \$450 to \$500 and disinterment fees from \$400 to \$1000 for traditional disinterment's and from \$150 to \$300 for cremations and baby graves.

Justification: Fees and charges at Maple Grove were last amended in 2011 and before that prior changes date back to 2007. One of the reasons brought forth by the Board for this revision for lot prices was to insure incremental adjustments. The last time lot prices were adjusted, the increase was near 100% and this represents closer to a 10% adjustment.

The change in disinterment fees was proposed by staff. That's not a service that is utilized often but what we have learned it can be a very time consuming operation. In order to perform the function safely and with necessary care, it can involve opening as many as three graves to access one interment. So based on City costs and the time involved, the recommendation was to increase those charges to the proposed levels.

Financial Considerations: At current levels, fees generated \$81,963 in 2012 which included two extraordinarily significant lot sales. Annual operating costs are budgeted at \$162,000 so fees offset something between 40% and 50% of the operations cost. The proposed fee revision helps maintain that ratio.

Purpose/Mission: This action is consistent with the City's core value of Ongoing Improvement. As we continue to prepare for the City's future, it is necessary to evaluate the services provided and charge reasonable and appropriate fees in order that available tax dollars are utilized in a responsible manner.

Legal Considerations: None

Attachments: Resolution No. 2013-03

RESOLUTION 2013-03

A RESOLUTION AMENDING APPENDIX A of the DODGE CITY MUNICIPAL CODE AND REVISING FEES AND CHARGES FOR MAPLE GROVE CEMETERY

WHEREAS, The City desires to establish a reasonable and equitable schedule of fees and charges necessary to offset the cost of providing services at Maple Grove Cemetery; and

WHEREAS, the Cemetery Advisory Board has reviewed the proposed fees and has voted to recommend their approval to the City Commission; and

WHEREAS, the governing body of the City of Dodge City, Kansas, deems it necessary to revise the fees and charges associated with the sale of grave spaces, services, and other ancillary charges for Maple Grove Cemetery previously established in Resolution 2011-13.

NOW, THEREFORE, be it resolved by the governing body of the City of Dodge City, Kansas that the following fees be established for Maple Grove Cemetery:

Section 1: Fees and Charges

A) Appendix A – Cemetery Fees of the Dodge City Code is hereby amended as follows:

1) Grave Spaces

- (a) Standard single grave space \$500
- (b) Baby grave No Charge
 - (i) Space in the designated baby grave section is provided at no cost for residents of Ford County as space permits for infants less than one (1) year of age. Casket size shall not be more than 36 inches in length.

2) Maple Grove West Mausoleum

- (a) Top Row \$1,000
- (b) Middle Two Rows \$1,200
- (c) Bottom Row \$1,000

3) Scroggins Mausoleum Crypts

	Chapel Crypts (Inside)		Patio Crypts (Outside)	
	Side by Side	End to End	Side by Side	End to End
Level E	\$2,000.00	\$1,800.00	\$1,600.00	\$1,400.00
Level D	\$2,100.00	\$1,900.00	\$1,700.00	\$1,500.00
Level C	\$2,350.00	\$2,150.00	\$1,950.00	\$1,750.00
Level B	\$2,500.00	\$2,300.00	\$2,100.00	\$1,900.00
Level A	\$2,300.00	\$2,100.00	\$1,900.00	\$1,700.00

4) Scroggins Mausoleum Niches	
(a) Pedestal	\$1,000
(b) Foyer	\$750
(c) Glass	
(i) 12x12	\$900
(ii) 12x15	\$1,200
(iii) 12x24	\$1,200
5) Internments	
(a) Standard Grave Service	\$350
(b) Baby Grave Service	\$100
(c) Cremation Urns	\$150
6) Disinterment	
(a) Traditional grave	\$1000
(b) Cremations	\$300
7) Other Charges	
(a) Scroggins Chapel Rental	\$50
8) Monument Permits	
(a) Single headstone	\$15
(b) Double headstone	\$25

Section 2: BE IT FURTHER RESOLVED this resolution shall take effect following its adoption by the Governing Body.

ADOPTED AND APPROVED by the Governing Body of the City of Dodge City this 22nd day of January, 2013.

RICK SOWERS, MAYOR

ATTEST:

NANNETTE POGUE, CITY CLERK



City of Dodge City

806 N. Second Ave.
PO Box 880
Dodge City, KS 67801

Phone: 620-225-8100
FAX: 620-225-8144
www.dodgecity.org

Memorandum

To: City Manager
Assistant City Manager
City Commissioners

From: Paul Lewis, Parks & Recreation Director

Date: January 30, 2013

Subject: Gunsmoke Trail Extension Project

Agenda Item: Ordinances and Resolutions

Recommendation: Staff recommends adoption of Resolution 2013-04 authorizing a TE application for an extension to the Gunsmoke Trail bicycle/pedestrian trail.

Background: Resolution 2013-04 supports a Transportation Enhancement application to the Kansas Department of Transportation. This extension to the Gunsmoke Trail begins at Soule and Manor Drive running south through Chilton Park to Comanche. At Comanche, a spur will follow Comanche west to 14th Ave where the trail will connect with new path anticipated as part of the west Comanche reconstruction project. At Comanche and Manor Drive, A Hawk signal will be installed to connect the trail to an eight foot sidewalk in place on the south side of Comanche. When constructed, it will bring the total length of completed trail system to just over four miles.

Justification: The trail system has been a highly valued amenity the City has developed over the last several years. The first 3.25 miles are consistently utilized and are serving both recreational needs as well as providing individuals with alternative travel options to schools, retail centers and recreational facilities.

This segment is another important linkage in the City's overall master plan for a comprehensive trail system. The Gunsmoke Trail already provides connections to a major retail area, two recreational complexes, three senior living facilities and multiple neighborhoods.

Future phases will extend the trail to the downtown area and on into Wright Park. The west Comanche reconstruction anticipated to begin in late 2014 or early 2015 includes a trail component on the north side that will run all the way from 14th Ave. to Matt Down and Mariah Hills.

As part of this application process, a public meeting was held to unveil the plans for this project. All of the feedback received was positive and encouraged the City to move forward with the additional trail.

Financial Considerations: The cost estimate for this project is \$424,112. The TE program is a reimbursement program where KDOT reimburses 80% of eligible costs (construction and project administration) with the City responsible for the remaining 20% plus all preliminary design fees. After KDOT reimbursements plus design fees, the City's total outlay will be approximately \$99,000.

The project won't begin until 2014 at the earliest so that budget will need to include these expenditures. In the past, trail projects have been covered under the City's CIP program and staff would recommend this project be included there where funds are available.

Purpose/Mission: This project is consistent with the City's Core Purpose of "Making Dodge City the Best Place to Be" and our core value of Ongoing Improvement.

Legal Considerations: N/A

Attachments: Resolution 2013-04
Trail System Master Plan
Chilton Park Trail Extension Concept
Engineers Cost Estimate

RESOLUTION 2013-04

A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF DODGE CITY, KANSAS TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF TRANSPORTATION ENHANCEMENT FUNDS SET FORTH BY THE FEDERAL TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY FOR THE GUNSMOKE TRAIL EXTENSION PROJECT IN DODGE CITY AND AUTHORIZING THE DIRECTOR OF PARKS AND RECREATION TO SIGN THE APPLICATION.

WHEREAS, the City of Dodge City, Kansas, has the legal authority to apply for, receive, and administer federal, state, and other monies through Home Rule Power under the Constitution of the State of Kansas and authorized by K.S.A. 12-1662, regarding the expenditure of federal aid to public agencies; and

WHEREAS, the City of Dodge City, Kansas, desires to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, the City of Dodge City, Kansas, is participating in the Kansas Department of Transportation's Transportation Enhancement Program set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, Federal monies are available under a transportation enhancement program set forth by the Federal Transportation Equity Act for the 21st Century, administered by the State of Kansas, Department of Transportation, for the purpose of Historic, Scenic and Environmental, and Pedestrian and Bicycle projects; and

WHEREAS, After appropriate public input and due consideration, the Governing Body of the City of Dodge City, Kansas has recommended that an application be submitted to the State of Kansas for the Gunsmoke Trail Extension project.

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

SECTION 1. That the City of Dodge City, Kansas, does hereby authorize the Director of Parks and Recreation to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century on behalf of the citizens of the City of Dodge City, Kansas.

SECTION 2. That the City of Dodge City, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the construction of the Gunsmoke Trail Extension project is available.

SECTION 3. That the City of Dodge City, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the operation and maintenance of the Gunsmoke Trail Extension project will be available for the life of the project.

SECTION 4. That the City of Dodge City, Kansas, hereby assures the Kansas Department of Transportation that the City of Dodge City, Kansas, will have title or permanent easement to the Gunsmoke Trail Extension project by the time of project letting.

SECTION 5. That the Director of Parks and Recreation, is authorized to sign the application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century on behalf of the citizens of the City of Dodge City, Kansas. The Director of Parks and Recreation is also authorized to submit additional information as may be required and act as the official representative of the City of Dodge City in this and subsequent related activities.

SECTION 6. That the City of Dodge City Kansas, hereby assures the Kansas Department of Transportation that the City, is willing and able to, if the Gunsmoke Trail Extension project is selected for funding, administer the designing, letting and construction of the Gunsmoke Trail Extension project.

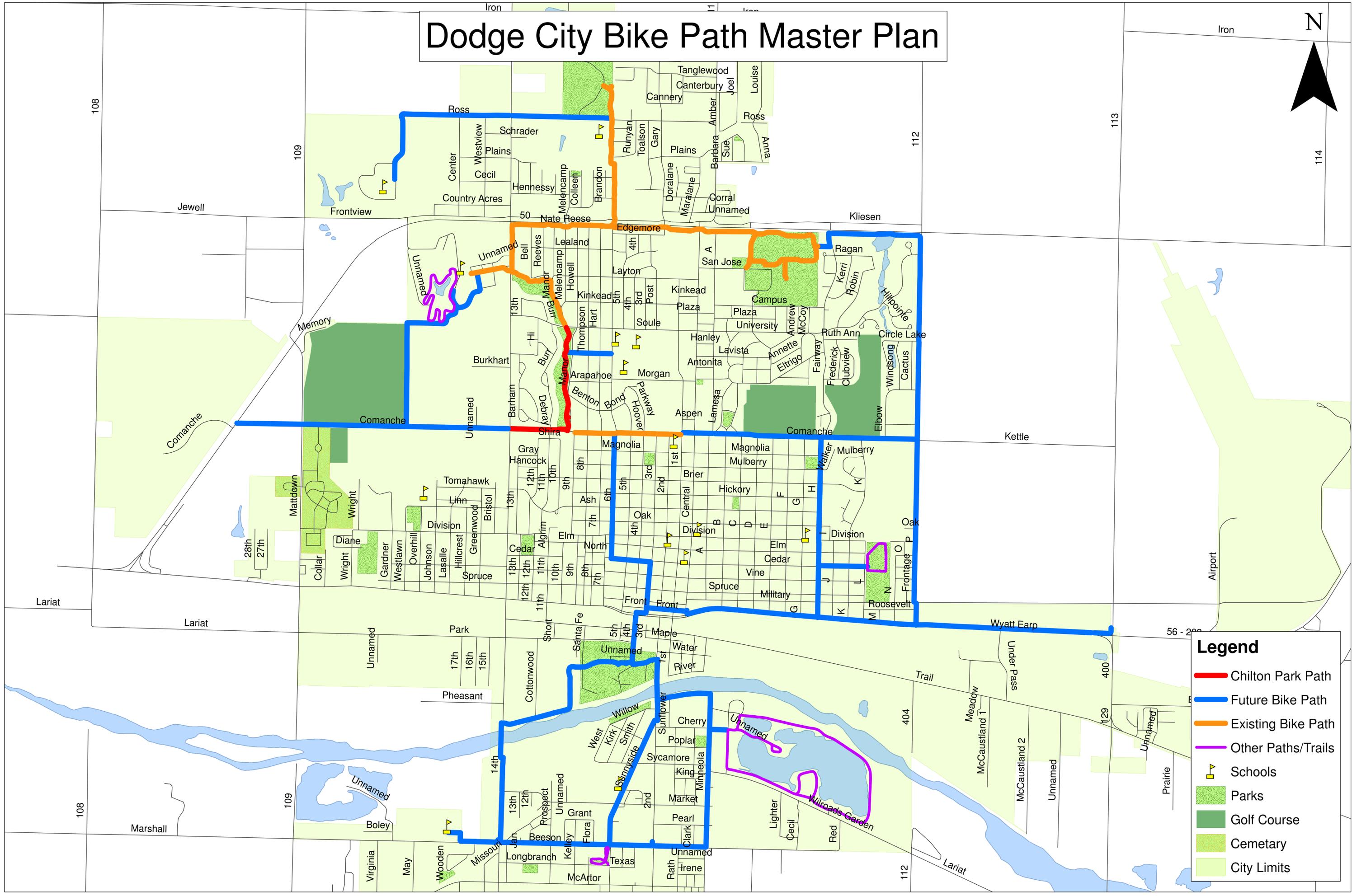
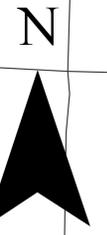
ADOPTED AND PASSED by the Governing Body of the City of Dodge City, Kansas, this 4th day of February, 2013.

Rick Sowers, Mayor

ATTEST:

Nannette Pogue, City Clerk

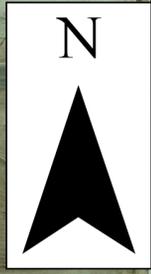
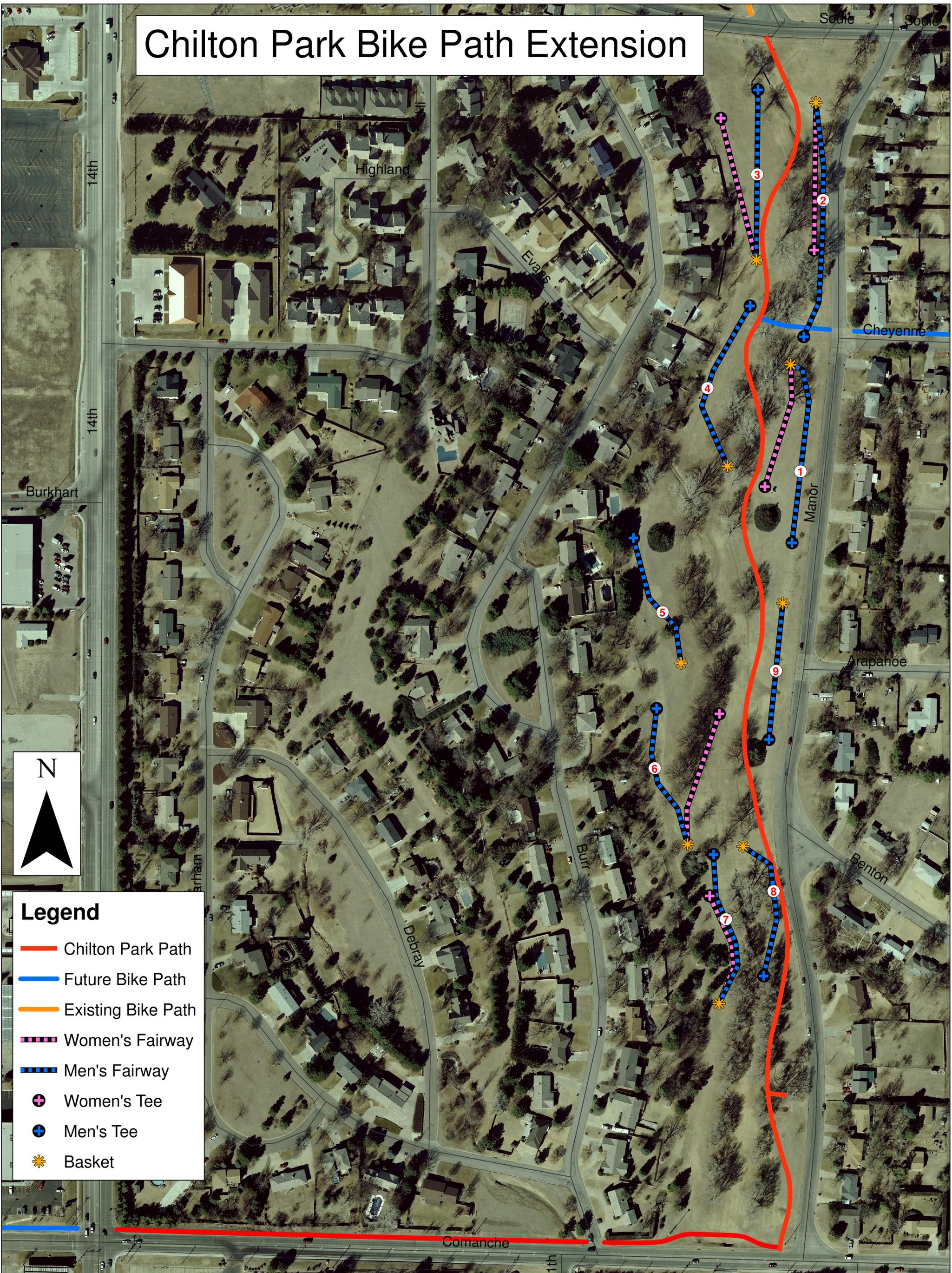
Dodge City Bike Path Master Plan



Legend

- Chilton Park Path
- Future Bike Path
- Existing Bike Path
- Other Paths/Trails
- Schools
- Parks
- Golf Course
- Cemetary
- City Limits

Chilton Park Bike Path Extension



Legend

- Chilton Park Path
- Future Bike Path
- Existing Bike Path
- Women's Fairway
- Men's Fairway
- Women's Tee
- Men's Tee
- Basket

CITY OF DODGE CITY, KANSAS
ENGINEER'S ESTIMATE

OPINION OF
PROBABLE COST

PROJECT: Chilton Park Bike/Pedestrian Trail

PROJECT #: PK 1000

ESTIMATE BY: RAS

DATE OF EST: 9/28/2010

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
1	Mobilization	L.S.	1	\$16,000.00	\$ 16,000.00
2	Clearing & Grubbing	L.S.	1	\$9,500.00	\$ 9,500.00
3	Grading	L.S.	1	\$32,000.00	\$ 32,000.00
4	Scarified & Compacted Sub-Grade (6")(95%)	S.Y.	4641	\$3.45	\$ 16,011.45
5	Concrete Curb & Gutter	LF	190	\$23.85	\$ 4,531.50
6	Concrete Pavement (6")	S.Y.	130	\$53.00	\$ 6,890.00
7	Concrete Sidewalk (4")	S.F.	41770	\$3.45	\$ 144,106.50
8	ADA Ramp (6")	S.F.	625	\$10.60	\$ 6,625.00
9	Collapsible Bollard	Each	5	\$1,272.00	\$ 6,360.00
10	Bike Rack	Each	1	\$1,272.00	\$ 1,272.00
11	Waste Receptacle	Each	3	\$1,484.00	\$ 4,452.00
12	Park Bench	Each	3	\$2,226.00	\$ 6,678.00
13	Curb Inlet (6'x6')	Each	1	\$4,876.00	\$ 4,876.00
14	15" Storm Pipe (HDPE)	L.F.	60	\$42.40	\$ 2,544.00
15	15" End Section (HDPE)	Each	1	\$371.00	\$ 371.00
16	18" Storm Pipe (HDPE)	L.F.	120	\$45.05	\$ 5,406.00
17	18" End Section (HDPE)	Each	7	\$397.50	\$ 2,782.50
18	RCB Extension	L.S.	1	\$3,500.00	\$ 3,500.00
19	Sediment & Erosion Control	L.S.	1	\$7,200.00	\$ 7,200.00
20	Seeding & Mulch	L.S.	1	\$9,600.00	\$ 9,600.00
21	Pavement Markings/Signing	L.S.	1	\$9,250.00	\$ 9,250.00
22	Landscaping	L.S.	1	\$10,800.00	\$ 10,800.00
23	Storm Outfall Slope Protection	S.F.	72	\$37.10	\$ 2,671.20
24	HAWK Cross Walks	Each	2	\$20,000.00	\$ 40,000.00

Total Construction \$ 353,427.15

Contingencies 10% \$ 35,342.72

Engineering Cost 10% \$ 35,342.72

Grand Total \$ 424,112.58

KDOT TE application* \$ 406,441.22

KDOT reimbursment 80% \$ 325,152.98

Local Match requirement 20% \$ 81,288.24

Design Engineering (1/2 of Engineering cost) 50% \$ 17,671.36

Total Local Costs \$ 98,959.60

* Construction + Contingency + Project Administration

Memorandum

*To: City Manager
City Commissioners*

*From: Leslie Lomas
Special Projects/Housing*

Date: 2/04/13

*Subject: Summerlon Phase III South 1
Agenda Item: Resolution No. 2013-05*

Recommendation: Staff recommends adoption of Resolution 2013-05 which states City's intent to establish a Rural Housing Incentive District (RHID) for the construction of the Summerlon Phase III South 1 single family housing development and establishes a date for a Public Hearing concerning the matter.

Background: In 2008, the City commissioned a Housing Needs Analysis which reflected a critical shortage of housing available in the community. In 2009, the City Commission adopted a Resolution providing for several incentive programs in order to encourage housing development in the City. The RHID was identified as one of those programs. The program has captured the attention of several developers, locally and statewide. In 2012, 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. Working with City Staff the group has prepared a development plan providing for 17 single family homes to be located in the Southeast corner of the Summerlon Addition.

Under the proposed RHID plan, the Summerlon Properties, L.L.C., has financed the infrastructure and will utilize multiple developers to construct 17 single family homes. The land developer is then reimbursed for a portion of the infrastructure costs through the incremental real estate taxes assessed against the completed improvements, which allows the developer to price the land at an affordable rate.

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: Infrastructure costs are paid by the incremental real estate tax resulting from the development.

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

Legal Considerations: The RHID is established under the statutory provisions authorizing city's of our size to provide incentives for housing development as approved by the State Department of Commerce.

Attachments: Resolution No. 2013-05

RESOLUTION NO. 2013-05

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. (SUMMERLON PHASE III-S1 PROJECT)

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 40,000 located in a county with a population of less than 60,000, 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 approximately 28,000, is located in Ford County, Kansas, which has an estimated population of approximately 34,000, 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 9, 2012 (the “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. 2011-07 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 of the Kansas Department of Commerce, pursuant to a letter dated April 18, 2011, 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 proposed 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 proposed 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 this 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 proposed 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 of the City to consider the establishment of the District and adoption of the Plan on March 18, 2013, 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, Stifel Nicolaus & Company, Inc., Financial Advisors and Gilmore & Bell, P.C. and Bond Counsel 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.

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ADOPTED by the Governing Body of the City of Dodge City, Kansas, on February 4, 2013.

(SEAL)

Rick Sowers, Mayor

ATTEST:

Nannette Pogue, City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 2013-05 adopted by the Governing Body of the City on February 4, 2013 as the same appear of record in my office.

DATED: February 4, 2013

Nannette Pogue, City Clerk

EXHIBIT A

**LEGAL DESCRIPTION OF PROPOSED
RURAL HOUSING INCENTIVE DISTRICT BOUNDARIES
FOR SUMMERLON PHASE III-S1PROJECT**

Lot 33, 34, 35, 36, 37, 38, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65 and 66, Block 1 Summerlon Phase III an Addition to the City of Dodge City, Ford County, Kansas, according to the Plat recorded in Plat Book "E" at page 59-61.

EXHIBIT B

**MAP OF PROPOSED
RURAL HOUSING INCENTIVE DISTRICT BOUNDARIES
FOR SUMMERLON PHASE III-S1 PROJECT**

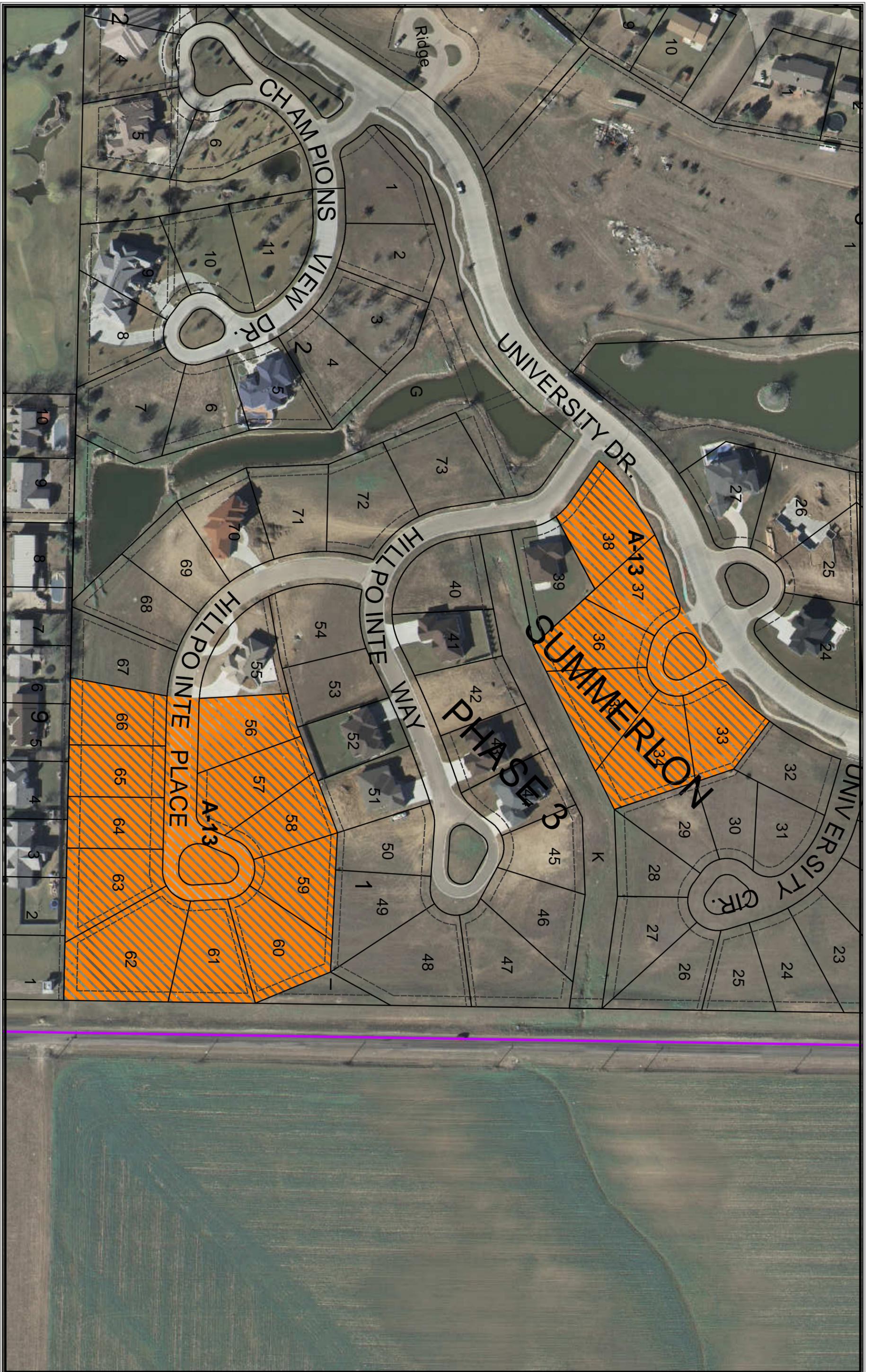


EXHIBIT C

**NAMES AND ADDRESSES OF THE OWNERS OF RECORD OF ALL REAL
ESTATE PARCELS WITHIN THE PROPOSED RURAL HOUSING INCENTIVE
DISTRICT AND THE EXISTING ASSESSED VALUATION OF SAID
REAL ESTATE PARCELS**

Owner of Record: Summerlon, Inc.
1902 Hi Street
Dodge City, KS 67801

Contract Purchaser: Summerlon Properties, L.L.C.
P.O. Box 608
Dodge City, KS 67801

Developer: Summerlon Properties, L.L.C.
P.O. Box 608
Dodge City, KS 67801

2012 Assessed Valuation: Land: \$11,508
Improvements: \$0 (vacant land)

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 facilities will be composed of seventeen (17) single family residences. The housing facilities will consist of a variety of 2 and 3 bedroom single and two story design. Each individual family unit will have laundry hook-ups, cable television hook-ups and garage parking.

Public Facilities

Public improvements include the extension of water and sewer by the City of Dodge City and electric distribution lines to the boundaries of the District by Victory Electric. These improvements have been previously constructed and have been included in the value of the land.

Public improvements will also include construction of infrastructure improvements located within the boundaries of the District, including water, sanitary sewer, storm sewer, storm water detention, streets, street lighting and fire services. These improvements have been previously constructed and have been included in the value of the land.

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 has entered into a development agreement with Summerlon Properties, L.L.C. This agreement, as supplemented and amended, includes 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 be adequate to pay the costs of the public infrastructure.

CERTIFICATE OF DELIVERY AND PUBLICATION

STATE OF KANSAS)
) §:
COUNTY OF FORD)

The undersigned, City Clerk of the City of Dodge City, Kansas (the “City”), does hereby certify, as follows:

- (a) On February ____, 2013, I caused a certified copy of Resolution No. 2013-05 with ***Exhibits A*** thru ***E*** attached (the “Resolution”), to be delivered to the following:
 - (1) the Board of County Commissioners of Ford County, Kansas;
 - (2) the Board of Education of U.S.D. No. 443; and
 - (3) the Planning Commission of the City.

- (b) I caused a copy of the Resolution to be published one time in ***The Dodge City Daily Globe***, the official newspaper of the City, on March ____, 2013, which date was not less than one week nor more than two weeks after preceding the date fixed for the public hearing. A true copy of the affidavit of publication of the Resolution is attached to this Certificate.

WITNESS my hand and seal on March _____, 2013.

(Seal)

Nannette Pogue, City Clerk

Memorandum

*To: City Manager
City Commissioners*

From: Cherise Tieben

Date: 2-1-13

Subject: Legislative Issue

Agenda Item: Resolution 2013-06

Recommendation: Staff recommends approval of Resolution 2013-06 which requests support from our Federal Legislators in an effort to prevent the legislation desiring to make municipal bonds taxable.

Background: Municipal Bonds have been purchased by the public as tax free investments for decades. By doing so, the financing costs are less for each project.

Justification: Making Municipal Bonds taxable will reduce the desirability of these bonds and will force an increase back to the cost of the project funded by such bonds. The City funds projects such as streets and other infrastructure with this type of financing tool.

Financial Considerations: Passage of the proposed legislation will result in additional expenses being borne by the local taxpayer due to increased costs of funding infrastructure type projects.

Purpose/Mission: Together, we promote open communications with our community members to improve quality of life and preserve our heritage to foster a better future.

Legal Considerations: None

Attachments: Resolution No. 2013-06

Resolution No. 2013 - 06

A resolution of the governing body of the City of Dodge City, Kansas, encouraging action by the Kansas congressional delegation to oppose the loss of tax exempt status for Municipal bonds.

Whereas, a Federal proposal has recently been made that the U.S. Congress adopt legislation deemed to be detrimental to tax-exempt bond financing; and;

Whereas, the City of Dodge City provides services to the citizens of the City of Dodge City that benefit from infrastructure financed by tax-exempt bonds, and:

Whereas, such recent proposal will specifically limit the extent to which holders of municipal bonds may receive the most favorable U.S. income tax treatment, and:

Whereas, state and local governments and municipally-owned and operated utilities, rely on Tax-exempt bonds to finance infrastructure improvements, and;

Whereas, loss or reduction of such favorable tax status would be detrimental to the financing of such infrastructure and would result in increased prices for such projects; and

Whereas, the increased price of such infrastructure projects will ultimately be borne by taxpayers on a local level instead of a highly distributed federal level.

Now therefore be it resolved by the governing body of the City of Dodge City, KS, that we desire the Congressional delegation of the great State of Kansas to oppose efforts to advance proposed legislation as described herein.

Adopted by the governing body and signed by the Mayor on this 4th day of February, 2013.

Rick Sowers, Mayor

ATTEST:

(Seal)

Nannette Pogue, City Clerk

City of Dodge City

806 N. Second Ave.
PO Box 880
Dodge City, KS 67801
Phone: 620-225-8100
FAX: 620-225-8144
www.dodgecity.org

Memorandum

To: City Manager
Assistant City Manager
City Commissioners

From: Melissa McCoy, Project Development Coordinator

Date: February 1, 2013

Subject: Depot Development and Stabilization
Agenda Item: Ordinances and Resolutions

Recommendation: Staff recommends adoption of Resolution 2013-07 authorizing a Transportation Enhancement (TE) Application for Development and Stabilization of the Atchison, Topeka and Santa Fe (ATSF) Depot.

Background: Resolution 2013-07 supports a Transportation Enhancement application to the Kansas Department of Transportation. The ATSF Development and Stabilization Project will repair and restore existing (North and East) windows, doors and soffits, provide for development of West End of the Facility into a boutique hotel and re-development of the kitchen and dining room into a fine dining restaurant.

The ATSF Railway Depot plays a significant role in the revitalization of Downtown and the expansion of Tourism for Dodge City. The proposed development of a historic, railroad inspired, boutique hotel and a fine dining restaurant would offer a unique experience for visitors and give them another reason to visit and stay longer in Dodge City. The project would also serve as a compatible tenant for the Depot Theater Company as travelers could experience history and Fred Harvey style fine dining while taking advantage of the world class entertainment that the Theater has to offer.

Justification: The Development and Stabilization of the ATSF Railway Depot will restore what was deemed in the Master Tourism Plan as one of the most historically significant buildings in Dodge City. The ATSF Depot is the largest Depot still standing between Kansas City and Albuquerque. Its size shows the historic importance of Dodge City to the railroad. The Depot reflects the rich history and heritage of Dodge City through Agriculture, the legacy of Fred Harvey and the Harvey Girls. The building also served as a gateway to the West and the last stop before a vast undeveloped area. Developing the Depot for its original purpose, the Harvey Hotel and Dining Room would re-ignite the history and legacy of Fred Harvey. The Dodge City/Ford County Tourism Task Force and the City of Dodge City have been working diligently on preservation and redevelopment plans to continue to turn the Depot into a major cultural, entertainment

and tourism destination for and the Southwest Kansas region. The Tourism Task Force is partnering with the Dodge City Dodge City/Ford County Development Corporation and Historic Hotels of America to actively seek a compatible tenant(s) for the facility to offer full service upscale dining and a historic hotel. This project would not only serve to preserve a historic structure and the legacy of Fred Harvey, but would also provide an additional cultural and entertainment anchor for Downtown Dodge City.

Community support for the development of the ATSF Railway Depot was confirmed recently through the Depot Feasibility Study. The purpose of the study was to determine how community members in the area felt about the ATSF Railway Depot and Depot Theater, its maintenance needs and the build-out of its second floor. The study consisted of 45 factors presented to 49 respondents. Overwhelmingly, the respondents supported the idea of a Fred Harvey Style Fine Dining Restaurant and a Historic Boutique Hotel.

In addition, a study was performed by the Kansas University School of Business to evaluate options for developing the West End of the ATSF Railway Depot. The two options were a boutique hotel and office space for business incubators. The Study found that the Boutique Hotel was a more financially feasible option and that the hotel supported the strategic vision for the downtown area while enhancing the tourism industry in Dodge City. It also stated that the project capitalized on a different aspect of local history (trains and Fred Harvey) and was a great tie-in with The Depot Theater Company.

Financial Considerations: The Cost estimate for the project is \$1,395,750.00. The TE program is a reimbursement program where KDOT reimburses 80 % of eligible costs (construction and project administration). The City will be responsible for the remaining 20 % plus all preliminary design fees. The City of Dodge City has also been approved to utilize Kansas State Historic Rehabilitation Tax Credits for the Window/Door Project. The City is also eligible and will apply for tax credits for architectural fees and constructions costs which will equal up to 25 percent of qualifying expenses incurred during the development project.

After KDOT's and the State Historic Tax Credits reimbursement plus design fees and design fees, the City's outlay will be approximately \$236,256.00.00.

The stabilization of the (North and East) windows/doors/soffits would begin in fall of 2013. The Development of the fine dining Fred Harvey style restaurant and boutique hotel would begin in 2014. In the past, the Tourism Task Force budget which is funded through the "Why Not Dodge" Sales Tax has been utilized for Depot Development and Stabilization. Staff would recommend that this fund be used for the 20 % match and for architectural fees.

Purpose/ Mission: The Project is consistent with the City's Core Purpose of "Making Dodge City the best place to be" and our core value of Ongoing Improvement.

Legal Considerations: N/A

Attachments:

Resolution 2013-07

ATSF Railway Depot Floor Plan

ATSF Railway Depot Cost Estimate for Development

Contractors Bid for Windows

RESOLUTION OF SUPPORT 2013-07

A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF DODGE CITY TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF TRANSPORTATION ENHANCEMENT FUNDS SET FORTH BY THE FEDERAL TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY FOR THE ATCHISON, TOPEKA AND SANTA FE DEPOT PROJECT IN City of Dodge City AND AUTHORIZING CITY MANAGER TO SIGN THE APPLICATION.

WHEREAS, the City of Dodge City, Kansas, has the legal authority to apply for, receive, and administer federal, state, and other monies through Home Rule Power under the Constitution of the State of Kansas and authorized by K.S.A. 12-1662, regarding the expenditure of federal aid to public agencies; and

WHEREAS, the City of Dodge City, Kansas, desires to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, the City of Dodge City, Kansas, is participating in the Kansas Department of Transportation's Transportation Enhancement Program set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, Federal monies are available under a transportation enhancement program set forth by the Federal Transportation Equity Act for the 21st Century, administered by the State of Kansas, Department of Transportation, for the purpose of Historic, Scenic and Environmental, and Pedestrian and Bicycle projects; and

WHEREAS, After appropriate public input and due consideration, the Governing Body of City of Dodge City, Kansas has recommended that an application be submitted to the State of Kansas for the Atchison, Topeka and Santa Fe Depot project.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE City of Dodge City, KANSAS:

SECTION 1. That the City of Dodge City, Kansas does hereby authorize the City Manager to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century on behalf of the citizens of City of Dodge City, Kansas.

SECTION 2. That the City of Dodge City, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the construction of the Atchison, Topeka and Santa Fe Depot project is available.

SECTION 3. That the City of Dodge City, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the operation and maintenance of the Atchison, Topeka and Santa Fe Depot project will be available for the life of the project.

SECTION 4. That the City of Dodge City, Kansas, hereby assures the Kansas Department of Transportation that the City of Dodge City, Kansas, will have title or permanent easement to the Atchison, Topeka and Santa Fe Depot project by the time of project letting.14

SECTION 5. That the City Manager of City of Dodge City, Kansas, is authorized to sign the application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century on behalf of the citizens of City of Dodge City, Kansas. The City Manager is also authorized to submit additional information as may be required and act as the official representative of the City of Dodge City in this and subsequent related activities.

SECTION 6. That the City of Dodge City, Kansas, hereby assures the Kansas Department of Transportation that the City of Dodge City, Kansas, is willing and able to, if the Atchison, Topeka and Santa Fe Depot project is selected for funding, administer the designing, letting and construction of the Atchison, Topeka and Santa Fe Depot project. ADOPTED AND PASSED by the Governing Body of the City of Dodge City, Kansas, this 4th day of February, 2013.

Rick Sowers, Mayor

ATTEST:

Nanette Pogue, City Clerk

REMODEL OF SANTA FE DEPOT BUILDING

Boutique Hotel - Option 1

6560 sf

SUMMARY OF PROBABLE COST

13-Dec-12

ITEM	UNIT OF MEASUR	QUANTITY	UNIT COST	LINE TOTAL	DIVISION TOTAL	COMMENTS
GENERAL CONDITIONS						
	mo	7	\$18,000.00	\$126,000.00	\$126,000.00	Cost to general contractor for on site costs i.e. construction personnel, utilities, trash, etc.
SITework						
CONCRETE WALKS	sf	5000	\$4.00	\$20,000.00		Some concrete walks may have to be modified and may include minor modifications to utilities
UTILITIES	ls			\$25,000.00		
DEMOLITION						
INTERIOR DEMO	sf	6560	\$4.00	\$26,240.00	\$26,240.00	Removal of interior walls, ceilings, etc
CONCRETE						
CONCRETE FLOOR PATCH	sf	500	\$6.00	\$3,000.00	\$4,500.00	In some areas there will be some floor patch to the concrete i.e. for new toilets
CONCRETE REINFORCEMENT	sf	500	\$3.00	\$1,500.00		
MASONRY						
MASONRY REPAIR/ REPLACE	sf	1500	\$10.00	\$15,000.00	\$15,000.00	There will be some interior minor masonry repair
STEEL						
STEEL STRUCTURE	ls			\$5,500.00	\$6,000.00	New steel angle/ beam supports at new openings
METAL FABRICATIONS	ls			\$500.00		
CARPENTRY						
ROUGH CARPENTRY	sf	6560	\$2.00	\$13,120.00	\$144,320.00	Wood 2x4 back up at doors cabinets, etc.
FINISH CARPENTRY	sf	6560	\$8.00	\$52,480.00		
ARCH WOODWORK	sf	6560	\$12.00	\$78,720.00		Wood Cabinets
THERMAL & MOISTURE PROTECTION						
INSULATION					\$17,900.00	
-BUILDING	sf	6560	\$2.50	\$16,400.00		Insulate hotel rooms, etc.
SEALANTS	ls			\$1,500.00		Caulking
DOORS AND WINDOWS						
					\$80,500.00	

PROJECT CONTIGENCY				8%	\$89,639.20		Cover costs not identified
TOTAL ESTIMATED PROJECT COSTS					\$1,254,948.80		

Santa Fe Depot Building Improvements
City of Dodge City
Dodge City, Kansas

BID FORM
PROJECT C AND PROJECT D

TO: City of Dodge City
Dodge City, Kansas

Pursuant to and in compliance with the Invitation to Bid and the proposed Contract Documents relating to construction of:

Santa Fe Depot Building Improvements, Dodge City, Kansas

including Addenda 1, 2, 3, 4 the undersigned, having become thoroughly familiar with the terms and conditions of the proposed Contract Documents and with local conditions affecting the performance and costs of the Work at the place where the Work is to be completed, and having fully inspected the site in all particulars, hereby proposes and agrees to fully perform the Work within the time stated and in strict accordance with the proposed Contract Documents, including furnishing of any and all labor and materials, and to do all of the work required to construct and complete said Work in accordance with the Contract Documents, for the following sum of money:

BASE BID - ALL WORK TO THE EXTERIOR WINDOWS, DOORS AND DOOR FRAMES ON THE SOUTH AND WEST ELEVATIONS OF THE BUILDING AND THE ENTIRE BUILDING SOFFIT, GUTTER, DOWNSPOUT, AND FASCIA TRIM (PROJECT C) AND ALL WORK TO THE EXTERIOR WINDOWS ON THE NORTH AND EAST BUILDING ELEVATIONS (PROJECT D):

All labor, material, services, and equipment necessary for completion of the Work shown on the Drawings and in the Specifications.

Two Hundred Ninety One Thousand, Two Hundred
Dollars (\$ 291,200.00)

ALTERNATE BID 1 - DAVIS-BACON WAGE RATES FOR PROJECT C AND PROJECT D:

(ADD) Eighteen Thousand, Eight Hundred
Dollars (\$ 18,800.00)

ALTERNATE BID 2 - DELETE ALL WORK TO THE EXTERIOR WINDOWS ON THE NORTH AND EAST BUILDING ELEVATIONS (PROJECT D):

(DELETE) One Hundred Twenty Six Thousand, Eight Hundred
Dollars (\$ 126,800.00)

a. (DEDUCT) 90 calendar days

Addendum 4, August 17, 2012

Santa Fe Depot Building Improvements
City of Dodge City
Dodge City, Kansas

ALTERNATE BID 3 - DAVID-BACON WAGE RATES FOR PROJECT C:

(ADD) Fourteen Thousand _____
Dollars (\$ 14,000.00)

UNIT PRICES:

	Unit of Measure	Unit Price Add
Window Frame/Sash	per lineal foot	\$ <u>9.00</u> _____

BID SECURITY:

Accompanying the Bid Proposal is a Bid Bond or Cashier's Check in the amount of:

Eight Thousand Seven Hundred Fifty & no/100-----Dollars
Dollars (\$ 8,750.00)

payable to City of Dodge City. Bid security shall be forfeited as liquidated damages in the event the Undersigned fails to enter into Contract Agreement with the Owner and furnish all other required documents within five days after receipt of Notice of Award.

COMPLETION TIME:

If awarded this Contract, the Undersigned will substantially complete the Base Bid (Project C and Project D) in 240 calendar days. Refer to Instructions to Bidders for liquidated damages description.

OWNER'S RESERVATION:

I understand that the Owner reserves the right to reject this Bid, but that this Bid shall remain open and shall not be withdrawn for a period of 45 days from the date prescribed for its opening.

CONTRACT EXECUTION:

If written notice of the acceptance of this Bid is mailed or delivered to the undersigned, within 45 days after the date set for the opening of this Bid, or at any other time thereafter before it is withdrawn, the undersigned will execute and deliver the Contract to the Owner in accordance with this Bid as accepted, and will also furnish and deliver to the Owner the Performance Bond, Labor and Material Payment Bond and Statutory Bond (in accordance with the Contract Documents and Bid as accepted), and proof of insurance coverage, all within 10 days after personal delivery or after deposit in the mails of the notification of acceptance of this Bid.

Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*

From: Jane Longmeyer

Date: January 31, 2013

Subject: Appt. to Boards/Commissions

Agenda Item: New Business

Recommendation: Approve the appointments to the various Boards and Commissions.

Background: The process of soliciting interested citizens to fill the expired/vacant positions on the city-appointed boards and commissions ended on January 29, 2013. Staff has reviewed the applications and supports the Mayor's recommendations to the City Commission for appointment:

Airport Advisory Board: Mitch Counce, Kerry Zimmerman, Dan Cammack and Anthony Lyons as ex-officio.

Convention & Visitors Bureau: hospitality - Connie Pantoje, attraction - Elaine Gall, At-Large - Rod Crick

Cultural Relations Advisory Board: Marilyn Treto of National Beef, Elva Dominguez of Mexican American Ministries, Debra Muylaert of Ministerial Alliance, Bria Black of Cargill, Erika Vasquez of Chamber of Commerce.

Golf Advisory Board: Jeff Hutton

Historic Landmark Commission: Matt Tuxhorn, Nancy Trauer

Housing Authority Board: Duane Ross

Library Board: Larry Burke, Hazel Mead

Recycling Advisory Board: David Grayson, Debbie Allen, Cheryl Koontz, Ron Hamm

Shade Tree Commission: Gary Musick, Nina Kliewer, Karla Durrant

Santa Fe Trail Community Corrections : Leslie Lima, Lisa Pierce

St. Mary of the Plains College Advisory Committee: Liz Demuth, Kent Stehlik, Dave Geist, Bonita Green, Mindy Burkhart

Zoning Board/Board of Zoning Appeals: Larry Daniels, Robert Durheim, Nick King, Bill Pennington, Jeff Turner, Frank Rose, Jeff Rydquist.

Justification: By ordinance of the various boards and commissions, members need to be appointed to fill required positions..

Financial Considerations: Not applicable.

Purpose/Mission: The boards and commissions serve to make city government reflective of the attitudes and beliefs of its residents..

Legal Considerations: Fulfills ordinance requirements

Attachments: None

Memorandum

To: City Manager
Assistant City Manager
City Commissioners

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

Date: February 4, 2013

Subject: Bids for Barham Drainage Improvement Project.

Agenda Item: New Business

Recommendation: Approve proposal from Conant Construction for the construction of the Barham Drainage Improvement Project in the amount of \$17,926.34.

Background: This drainage ditch is a platted 20' Drainage Way that extends between 14th Ave and Barham Blvd. Over the years, the City has made minor improvements to temporarily resolve the issues that have risen in this drainage way. The temporary solutions were a result of budget restrictions. Most recently, with the improvements to 14th Ave., flow has been redirected through underground pipes and has created erosion issues behind the existing paved ditch liner. This issue was addressed last year, but unfortunately, due to scheduling, daily maintenance projects, and emergencies, the issue could not be resolved permanently. The proposed project will widen the current ditch and put an end to the existing erosion problem. If approved, this project is scheduled to start no later than April 8th and be completed within 25 calendar days.

Justification: This project will solve the erosion issues that are occurring due to increased storm water flow velocities and increase the capacity of the drainage way in preparation for the future growth of the community.

Financial Considerations: The construction of the Barham Drainage Improvement Project will cost \$17,926.34. Funding of this project will be through the Drainage Utility Fund which has \$81,200 budgeted for capital improvements. The suggested proposal will allow for other necessary capital improvements later this year.

Purpose/Mission: The implementation of this project will improve the current drainage way by eliminating erosion issues and increasing capacity while providing and preparing for future development along the 14th Ave. corridor.

Legal Considerations: By approving the bid with Conant Construction, the City will enter into a contract with Conant Construction, and be responsible to make payments to Conant Construction for the completed work.

Attachments: The bid tabulation for Conant Construction, JAG Construction Co., Brak-Hard Concrete Construction Co., and PCi Roads which includes the Engineer's estimate.

Memorandum

*To: City Manager
City Commissioners*
From: Cherise Tieben
Date: 2-1-13
Subject: Outside Signage at YMCA
Agenda Item: New Business

Recommendation: Staff recommends approval of the outside signage as proposed by the YMCA.

Background: In accordance with the Management Agreement dated November 5, 2012, the City Commission must approve the outside signage proposed by the YMCA prior to the installation of such signage.

Justification: Compliance with Management Agreement.

Financial Considerations: None

Purpose/Mission:

Together we promote open communications with our community members to improve quality of life and preserve our heritage to foster a better future.

Legal Considerations: None

Attachments: Drawing of proposed signage and pictures of existing signage.

YMCA



Exit door

Y
M
Entrance

C
A
Entrance



Memorandum

*To: City Manager
City Commissioners*
From: Cherise Tieben
Date: 2-1-13
Subject: YMCA Supplemental #2
Agenda Item: New Business

Recommendation: Staff recommends the approval of the YMCA Supplemental Agreement #2 which permits use of the All4Fun location as a Recreational Facility under the Management Agreement.

Background: The City entered into a contract with YMCA to operate our Recreational Facilities on November 5, 2012. The City has an agreement to purchase over time the All4Fun facility located at 118 N. 14th. We have been unable to feasibly maintain an entertainment program for youth at this site and various other options have been considered such as a public works shop, recycle center or a transit hub. However, when the City was told that Hennessey Hall and the former St. Mary's chapel were no longer suitable for the operation of the Recreation programs due to life safety issues; it was decided to offer this facility to the YMCA for this type of programming as the gymnastics and cheerleading programs are incredibly popular.

Justification: The City location where the popular gymnastics and cheerleading programs were operating is no longer suitable due to life safety issues. The City desired to utilize this site; however, other operations did not fit together with the facility quite as well as the YMCA programming.

Financial Considerations: The YMCA will be responsible for the utilities at the site and the maintenance issues will be coordinated through the Management Agreement.

Purpose/Mission: Together we serve to make Dodge City the best place to be.

Legal Considerations: Supplemental Agreement #2 has been reviewed by Legal Counsel.

Attachments: Supplemental Agreement #2

Supplemental Agreement #2

This Supplemental Agreement is made and entered into by and between the City of Dodge City, KS and the Young Men's Christian Association of Southwest Kansas (collectively referred to as the "Parties") to supplement, clarify and establish procedures to implement certain provisions of the Management Agreement dated November 5, 2012 previously made and entered into between the Parties (the "Management Agreement");

Now Therefore, in consideration of the mutual covenants and agreements set forth herein and in furtherance of the goals, objectives and intent of the Management Agreement, the Parties agree as follows:

1. With regard to paragraph 1.a.(ii) the building commonly referred to as All4Fun, located at 118 N. 14th, Dodge City, Kansas will be added to the list of "Recreation Facilities" covered under the Management Agreement.
2. The City will make an immediate effort to dispose of the existing equipment in the main floor area of the facility. If the equipment cannot be disposed of within 30 days of signing the agreement, the equipment will be stored by the City.
3. The YMCA will be responsible to construct a waist wall between two support columns as authorized by the City Inspection Department.
4. The City will do the initial removal of snow on the sidewalk from the parking lot to the building entrance. The City will attempt to perform this in coordination with the opening times of the facility.
5. The second floor of the facility will remain locked and utilized by the City for storage of City equipment.
6. The YMCA will be permitted use within 30 days of signing of this supplemental agreement unless an earlier date is agreed to by all parties.
7. The City will attempt to remove or store the kitchen equipment within 90 days of the signing of the agreement. If removal exceeds this time frame, the City will board off the area.

This Supplemental Agreement shall be binding on the Parties hereto and their successors and assigns.

2/1/13

In Witness Whereof, the Parties have caused this Supplemental Agreement to be executed on the dates set forth below.

City of Dodge City, KS

Young Men's Christian Association
of Southwest Kansas

Rick Sowers, Mayor

Doug Keller, Corporate Board
President

Attest:

Date of Approval:

_____, 2013

Nannette Pogue, City Clerk

Date of Approval:

February _____, 2013