

CITY COMMISSION AGENDA

City Hall Commission Chambers

Monday, August 19, 2013

7:00 p.m.

MEETING #4930

CALL TO ORDER

ROLL CALL

INVOCATION by Rev. Lance Carrithers of First United Methodist Church

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. 2014 Budget Hearing

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).

John Bogner, Dodge City Days Chairman

CONSENT CALENDAR

1. Approval of City Commission Work Session Minutes, August 5, 2013;
2. Approval of City Commission Meeting Minutes, August 5, 2013;
3. Appropriation Ordinance No. 16, August 19, 2013;
4. Approval of Grant Agreement with KDOT for Public Transportation Services. Report by Director of Parks & Recreation, Paul Lewis.

ORDINANCES & RESOLUTIONS

Ordinance No 3570: An Ordinance Regulating Traffic Within the Corporate Limits of the City of Dodge City, Kansas; Incorporating by Reference the “Standard Traffic Ordinance for Kansas Cities, Edition 2013” and Repealing Ordinance No. 3543. Report by City Clerk/Director of Finance, Nannette Pogue.

Ordinance No. 3571: An Ordinance Regulating Public Offenses within the Corporate Limits of the City of Dodge City, Kansas; Incorporating by Reference the “Uniform Public Offense Code for Kansas Cities, Edition 2013” and Repealing Ordinance No. 3544. Report by City Clerk/Director of Finance, Nannette Pogue.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of 2014 Budget. Report by City Clerk/Director of Finance, Nannette Pogue.
2. Approval of Agreement with Interfaith Housing for Goodnight House. Report by Assistant City Manager, Cherise Tieben.
3. Approval of YMCA’s planned program fee increase for the Fundays programming. Report by Assistant City Manager, Cherise Tieben.
4. Approval of Engineering Services for Wildlife Hazard Assessment at the Dodge City Municipal Airport. Report by Superintendant of Public Works, Corey Keller.
5. Approval of Modified Funding Sources for Airport Parking Lot. Report by Superintendant of Public Works, Corey Keller.
6. Approval of Bids for the 2013 Trail Street Asphalt Mill & Overlay. Report by Ray Slattery, Director of Engineering Services.

OTHER BUSINESS

ADJOURNMENT

NOTICE OF BUDGET HEARING

The Governing Body of the City of Dodge City will meet on the 19th day of August, 2013, at 7:00 p.m. at the City Commission meeting room, 806 2nd Avenue for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of Ad Valorem Tax.

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

BUDGET SUMMARY

Proposed Budget 2014 Expenditures and the Amount of current year estimate for 2013 Advalorem Tax establish the maximum limits of the 2014 budget. The Estimated Tax Rate is subject to change depending on final assessed valuation.

FUND	2012		2013		PROPOSED BUDGET FOR 2014		
	Prior Year Actual Expenditures	Actual Tax Rate	Current Year Estimate of Expenditures	Actual Tax Rate	Expenditures	Amount of 2013 Ad Valorem Tax	Est. Tax Rate
General Fund	13,742,751	23.496	13,918,376	30.486	15,855,450	3,616,308	25.577
Special Liability	694,007	4.845	872,825	3.685	914,995	669,265	4.734
Library	905,394	5.955	915,854	5.487	948,174	805,409	5.697
Library Employee Benefit	257,086	1.804	314,500	2.086	306,275	263,379	1.863
Building Fund	297,989	0.000	0	0.000	0	0	0.000
Bond and Interest	2,379,704	12.944	2,929,122	8.232	3,172,210	1,681,856	11.895
Capital Improvement Fund	555,611	1.936	485,000	1.851	531,020	290,514	2.055
Sales Tax - Special Projects	6,007,501		6,297,405		5,719,845		
ST Fund-Organization Funding	920,566		904,530		303,135		
Special Events Center Constructio	120,653		0		0		
Sales Tax-Dep & Replacement	7,682		1,748,000		0		
SEC Revenue Bond Fund	2,453,203						
Convention and Visitors	742,013		854,347		875,117		
Special Streets & Highways	518,023		714,805		889,780		
Special Parks & Recreation	181,019		90,000		90,000		
Special Alcohol & Drug	121,249		109,000		100,000		
Alcohol Drug & Safety Action	3,842		25,710		16,908		
Special Law Enforcement Trust	2,764						
All 4 Fun	33,399		35,000		75,000		
Underage Alcohol Abuse Program	5,493		15,000		15,000		
DARE	20,568		15,000		15,000		
Capital Equipment	462,227		531,150		470,790		
Grants	1,964,725						
Development & Growth Fund	605,516		950,000		950,000		
Street Reconstruction Projects	1,539,479						
Water & Wastewater Utility Fund	9,771,771		11,467,408		10,942,746		
2008 Temp Notes-Water	14,305						
2003 WWTP & Wtrl Imp Debt Ser	2,757,815						
2009 Wastewater Treatment Plant	2,712,990						
Sanitation	1,859,593		1,957,262		1,937,859		
Drainage Utility	106,024		177,260		428,625		
Utilities Administration	0		0		0		
Transportation	294,572		337,760		348,740		
Medical Self Insurance	2,151,614		2,275,300		2,200,000		
Hoover	0						
Economic Development Revolving	2,132						
SMPC Trust	0		20,000		30,000		
TOTALS	54,213,279	50.980	47,960,614	51.827	47,136,669	7,326,731	51.821
Less Transfers:	11,174,778		6,716,317		5,997,406		
Net Expenditures	43,038,501		41,244,297		41,139,263		
Total Tax Levied	6,613,021		7,006,277		7,326,731		
Assessed Valuation	129,801,963		135,191,105		141,386,354		

	Outstanding Indebtedness, January 1,		
	2011	2012	2013
G.O. Bonds	21,365,000	19,340,000	41,165,000
Revenue Bonds	56,095,000	54,475,000	38,660,000
Temporary Notes	6,765,000	8,445,000	630,000
Lease Purch Princ	0	307,207	232,938
KDHE Loans	14,349,974	23,710,764	23,340,729
Total	98,574,974	106,277,971	104,028,667

*Tax Rates are expressed in mills.

City Clerk

CITY COMMISSION WORK SESSION MINUTES

City Hall Commission Chambers

Monday, August 5, 2013

5:30 p.m.

MEETING #4928

CALL TO ORDER

ROLL CALL: Mayor Kent Smoll, Commissioners, Jim Lembright, Joyce Warshaw, Rick Sowers, and Brian Delzeit.

WORK SESSION

1. 2014 Budget was presented by City Clerk/Director of Finance, Nannette Pogue, along with discussion of the same.

ADJOURNMENT

Commissioner Jim Lembright moved to adjourn the meeting; Commissioner Rick Sowers seconded the motion. The motion carried unanimously.

Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Monday, August 5, 2013

7:00 p.m.

MEETING #4929

CALL TO ORDER

ROLL CALL: Mayor Kent Smoll, Commissioners, Jim Lembright, Joyce Warshaw, Rick Sowers, and Brian Delzeit.

INVOCATION by Rev. Lance Carrithers of First United Methodist Church

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

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

Summer Bates – discussed a new Park Area at Third Avenue and Spruce Street.

Gretchen Torres – Aquatic Task Force.

Jesse Rabe with Boothill Casino & Resort gave monthly report. Taste of the Wild West Event was held during Dodge City Days. Boot Hill Casino & Resort is moving forward with Group and Junket Tours.

Kent Smoll commented that a Resolution is forthcoming for the Aquatic Park.

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, July 15, 2013;
2. Appropriation Ordinance No. 15, August 5, 2013;
3. Cereal Malt Beverage License;
 - a. Lucky Stop, 500 E. Wyatt Earp Blvd;
 - b. Rostetter Stores, 302 S. 2nd Avenue;
 - c. Spee-D Stop, 2615 Gary Avenue;
 - d. River Stop, 705 S. 14th Avenue;
4. Approval of Change Order #2 for Santa Fe Depot Mortar Repairs Project.

Commissioner Brian Delzeit moved to approve the Consent Calendar as presented; Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.

ORDINANCES & RESOLUTIONS

Ordinance No. 3569: An Ordinance Designating U.S. Highway 50 within the City of Dodge City, Kansas as a Main Trafficway was approved on a motion by Commissioner Jim Lembright; motion was seconded by Commissioner Brian Delzeit. The motion carried unanimously.

Resolution No. 2013-26: A Resolution Authorizing the Improvement or Reimprovement of Certain Main Trafficways within the City of Dodge City, Kansas and Providing Forth the Payment of the Costs Thereof was approved on a motion by Commissioner Brian Delzeit; motion was seconded by Commissioner Joyce Warshaw. The motion carried unanimously.

UNFINISHED BUSINESS**NEW BUSINESS**

1. Approval of Transportation Enhancement (TE) Projects Request for Santa Fe (ATSF) Railway Depot and Gunsmoke Trail Extension projects was approved on a motion by Commissioner Rick Sowers; motion was seconded by Commissioner Jim Lembright. The motion carried unanimously.

OTHER BUSINESS

City Manager, Ken Strobel:

- Talked about Dodge City Days;
- August 22, Joint City/County Commission Meeting.

Assistant City Manager, Cherise Tieben;

- YMCA intends to keep Football Fee at \$60.00 - 65.00 + \$15.00 Equipment Fee.

Commissioner, Joyce Warshaw;

- Summer School is back in session – serves breakfast and lunch.

Commissioner, Rick Sowers;

- Thanked all the staff who helped during Dodge City Days and those who helped pick up trash and scooped poop in the parade.

Commissioner, Brian Delzeit;

- Spoke about local businesses supporting the local community and its programs;
- 98 local advertisers displayed at Rodeo;
- Locals support of the schools, etc.

Mayor, Kent Smoll:

- Thanks to Dan Schenkein for all the Chamber of Commerce’s hard work for Dodge City Days;
- Thanks to Dodge City Roundup for putting on another spectacular show.

ADJOURNMENT

At 7:40, Commissioner Rick Sowers moved to adjourn to Executive Session to discuss Non – Elected Personnel, discussion prior to acquisition of Real Estate and confidential data related to financial affairs or trade secrets of second parties and to include Assistant City Manager, Cherise Tieben, City Manager, Ken Strobel, and City Clerk/Finance Director Nannette Pogue, not to exceed 40 minutes, Commissioner Jim Lembright seconded the motion. Motion carried unanimously.

At 8:05 the Executive Session was adjourned on a motion by, Commissioner Jim Lembright, seconded by Commissioner Rick Sowers. Motion passed unanimously.

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk



Parks and Recreation

PO Box 880 • Dodge City KS 67801 • Phone: 620/225-8160 • Fax: 620/225-8144

Memorandum

To: City Manager
Assistant City Manager
City Commissioners

From: Paul Lewis, Parks & Recreation Director 

Cc: Kathy Denhardt, Mobility Manager

Date: August 1, 2013

Subject: KDOT Public Transportation Agreement

Agenda Item: Consent Calendar

Recommendation: Staff recommends authorizing City Staff to execute the agreement with Kansas Department of Transportation (KDOT) for operating funds for the city's public transportation program.

Background: Late in 2012, the Commission authorized staff to submit an application to KDOT for operating funds for the public transportation program. That program continues our current Demand-Response system that operates three busses and provides door to door service in Dodge City and the two miles outside city limits. Based on that application, KDOT has agreed to fund a portion of the program expense and this agreement formalizes that arrangement.

Justification: Participation in the Public Transportation program has grown significantly and now provides above 1600 rides per month. Many of those rides are for the elderly and the financially disadvantaged.

Financial Considerations: Through KDOT and the Federal Transportation program they manage, this program is funded 70% with the City responsible for the remaining 30%. Without those funds it is questionable if the City would be able to continue this program.

Purpose/Mission: This purchase meets the City's Core Value of Making Dodge City the Best Place to Be by continuing to operate a public transportation service that is critical to many individuals in their everyday lives.

Legal Considerations: This agreement represents the standard form of agreement between KDOT and their Public Transportation partners.

Attachments: KDOT Agreement

Contractor: City of Dodge

Budget Year 7/13- 6/14

5316 Project Capital Budget

Vehicle Insurance	_____
Advertising	_____
Personnel Mobility Manager	70,000.00

Fuel	_____
Maintenance, Repair, Lube, Parts, Labor	_____
Storage (Paid)	_____
Contract Services	_____
Communications/Phone Costs	_____
Other (Specify) vehicle inspection	_____
Licenses and Tags	_____
KPTA Membership Dues	_____
KPTA Annual Meeting Expenses	_____
RTAP Driver Training	_____
RTAP Manager Training	_____
KCC Registration Fee	_____
Drivers Physical (as required by KCC/FMCSA regs.)	_____
Total Operating Cost	_____
Project Income	_____

	Capital Subtotal
	70,000.00
Local Match (20%)	14,000.00
5316 Reimbursement (80%)	56,000.00

AGREEMENT FOR 49 U.S.C. § 5316 CAPITAL FUNDS
BETWEEN
THE SECRETARY OF TRANSPORTATION OF THE STATE OF KANSAS
AND
CITY OF DODGE

THIS AGREEMENT made this 1st day of July, 2013, is between Michael S. King, Secretary of Transportation of the state of Kansas (the “Secretary”) and the City of Dodge, (the “Provider”).

RECITALS:

- A. Funds are available pursuant to 49 U.S.C. § 5316 for operating and capital grants to eligible applicants to assist them in providing transportation for the general public living in rural and Non-urbanized Areas to and from work in Urbanized Areas.
- B. The Secretary is authorized to allocate operating and capital funds for job access reverse commute services pursuant to 49 U.S.C. § 5316.
- C. The Secretary has delegated this authority to KDOT’s Bureau of Transportation Planning, Public Transportation Unit.
- D. The Secretary has selected the application submitted by the Provider for funds pursuant to 49 U.S.C. § 5316 for the hiring of a mobility manager to oversee the transportation needs of the citizens of the State of Kansas within the Provider’s geographic area, subject to the terms and provisions contained in this Agreement.

In consideration of the mutual covenants set forth herein, the Parties agree to the following terms and provisions.

ARTICLE I

DEFINITIONS: The following terms as used in this Agreement have the designated meanings:

- 1. **“Agreement”** means this written document, including all attachments and exhibits, evidencing the legally binding terms and conditions of the agreement between the Parties.
- 2. **“Effective Date”** means July 1, 2013.
- 3. **“Expiration Date”** means the date which is the end of one year (12 months) from the Notice to Proceed.
- 4. **“Federal Government”** means the United States of America and any executive department or agency thereof.
- 5. **“FTA”** means the Federal Transit Administration, a federal agency of the United States, with its principal place of business located at 1200 New Jersey Avenue, SE, Washington, DC 20590.

6. **“KDOT”** means the Kansas Department of Transportation, an agency of the state of Kansas, with its principal place of business located at 700 SW Harrison Street, Topeka, KS, 66603-3745.
7. **“Master Agreement”** means the official Master Agreement containing standard terms and conditions governing the administration of a project supported with Federal assistance awarded by FTA, located on the FTA website at www.fta.dot.gov.
8. **“Non-Urbanized Area”** means an area encompassing a population of less than 50,000 people.
9. **“Notice to Proceed”** means the written notification sent by the Secretary to the Provider following execution of the Agreement.
10. **“Parties”** means the Secretary and KDOT, individually and collectively, and the Provider.
11. **“Policy”** means the current version of KDOT’s “Policies for Public Transportation Program Grantees”, located on the KDOT website at www.ksdot.org.
12. **“Project”** means those reverse commute services to be provided as set forth in the Provider’s Project Application.
13. **“Project Application”** means the Provider’s Project application for funding submitted to the Secretary by the Provider for Federal funding, incorporated into this Agreement by this reference.
14. **“Project Budget”** means the budget in Appendix A, which sets forth the allowable Project Costs for the Project and establishes the amount the Secretary will reimburse the Provider for those costs, incorporated into this Agreement by this reference.
15. **“Project Costs”** means the allowable expenses for the Project to be incurred by the Provider.
16. **“Provider”** means City of Dodge, acting by and through Jane Graf, its duly authorized representative, whose office is located at 240 San Jose, Dodge City, KS 67801.
806 N. Second
17. **“Public Transportation Services”** has the same meaning set forth in the Coordinated Public Transportation Assistance Act, K.S.A. 75-5032 et seq. for “Public Transportation Services.”
18. **“Reimbursable Costs”** means the amount of Project Costs that are reimbursable by the Secretary from Federal funds as shown in the Project Budget.
19. **“Secretary”** means Michael S. King, in his official capacity as Secretary of Transportation of the state of Kansas, and his successors.
20. **“Term”** means the contract period beginning on the Effective Date and ending on the Expiration Date.

4. **Headings.** All headings in this Agreement have been included for convenience of reference only and are not be deemed to control or affect the meaning or construction or the provisions herein.

5. **Revisions to Agreement.** Any proposed amendment to this Agreement must be submitted in writing to the Secretary for approval and is not valid and binding unless a written amendment is signed by the Secretary and the Provider.

6. **Master Agreement.** The Parties to this Agreement agree that the provisions found in the Master Agreement are hereby incorporated into and made a part of this Agreement.

7. **No Third Party Beneficiaries.** No third party beneficiaries are intended to be created by this Agreement and nothing in this Agreement authorizes third parties to maintain a suit for damages pursuant to the terms or provisions of this Agreement.

This document has important legal consequences; consultation with an attorney is encouraged with respect to its requirements or modification.

IN WITNESS WHEREOF: the Parties have caused this Agreement to be signed by their duly authorized officers to be effective on the day and year first above written.

CITY OF DODGE

**SECRETARY OF TRANSPORTATION
KANSAS DEPARTMENT OF TRANSPORTATION**

BY: _____
Print Name: _____

BY: _____
Print Name: _____

TITLE: _____

TITLE: State Multimodal Planner

Attest: _____

Attest: _____

Approved as to form:

CERTIFICATION OF COORDINATING PROVIDER

I hereby certify that I am the Project Manager and duly authorized representative of City of Dodge, whose address is 240 San Jose Dodge City, , KS 67801 and that neither I nor the above Provider I here represent has:

(a) employed or retained for the payment of a commission, percentage, brokerage, contingent fee, or other consideration, any person (other than a bona fide employee working solely for me or the above Provider) to solicit or secure this agreement.

(b) agreed, as an express or implied condition for obtaining this agreement, to employ or retain the services of any firm or person in connection with carrying out this agreement, or

(c) paid, or agreed to pay, to any firm, organization of persons (other than a bona fide employee working solely for me or the above Provider) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out this agreement;

except as here expressly stated (if any):

I acknowledge that this certificate is to be furnished to the Secretary of Transportation of the State of Kansas in connection with this agreement and is subject to State and Federal laws, both criminal and civil.

(Date)

(Signature)

Memorandum

*To: Ken Strobel, City Manager
Cherise Tieben, Assistant City Manager*

From: Nannette Pogue

Date: August 13, 2013

Subject: Ordinance No. 3570 and Ordinance No. 3571

Agenda Item: Ordinances and Resolutions

Recommendation: I recommend the approval of Ordinance No. 3570 and 3571

Background: Ordinance No. 3570 adopts the “2013 Edition of the Standard Traffic Ordinance” by reference. The changes made to this code during the 2012 legislature include the following:

Section 1. Definitions.

Section 25 Duty to give information and render aid.

Section 30 Driving under the Influence of intoxicating liquor or drugs;
penalties

Section 30.1 Driving commercial motor vehicle under the influence of
intoxicating liquor or drugs; penalties.

Section 30.2.1 Refusal to submit to alcohol or drug test

Section 30.3 Ignition interlock devices; tampering

Section 183. Head lamps.

Section 186 Stop lamps

Section 200 Motor vehicle liability insurance

Ordinance No. 3571 adopts the “2013 Edition of the Uniform Public Offense Code” by reference. The changes made to the Uniform Public Offense Code during the 2013 legislative session include the following:

Section 1.1 Definitions

Section 4.3. Selling sexual relations

Section 4.4 Promoting prostitution (deleted)

Section 4.5 Buying sexual relations

Section 6.1 Theft

Section 6.5 Criminal deprivation of property

Section 6.7 Criminal trespass

Section 7.2 Interference with a Law Enforcement Officer

Section 7.5 Falsely reporting an offense (deleted)

Section 10.1 Criminal use of weapons

Section 10.5 Unlawful discharge of a firearm

Section 10.15 Operating a vessel under the influence of intoxicating liquor or drugs; penalties

Justification: Each year the State Legislature passes numerous laws that affect the laws of the State as well as those of the individual cities. The League of Kansas Municipalities compiles a small booklet which incorporates all of the laws in Kansas that deal with public offenses and traffic offenses. These are the “Uniform Public Offense Code” and the “Standard Traffic Ordinance”. Cities are allowed to adopt these codes by reference, so the entire code is not included in the adopting ordinance and is not published in the local paper. Each employee that deals with any of these codes or ordinances is furnished a book to reference when necessary, to cite persons with violations of the ordinances. I have three of each of these books in my office for your review.

Financial Considerations: The cost of the booklets for the pertinent employees' use is approximately \$1,000.

Purpose/Mission: Ensure the City is up to date on all of the laws passed in the State of Kansas as well as make sure all employees have easy access to these laws.

Legal Considerations: None

Attachments: Ordinance Nos. 3570 and 3571. The Standard Traffic Ordinance and Uniform Public Offense Code booklets are available in my office if any one would like to review them.

ORDINANCE NO. 3570

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF DODGE CITY, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION 2013" AND REPEALING ORDINANCE NO. 3543

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

Section 1: INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by Reference for the purpose of regulating traffic within the corporate limits of the City of Dodge City, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2013, prepared and published in book form by the League of Kansas Municipalities, Topeka Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 3570" and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

Section 2: TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

- (a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118.
- (b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (a) of this section shall be considered traffic offenses.

Section 3: REPEAL. Ordinance No. 3543 is hereby repealed.

Section 4: EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the governing body of the City of Dodge City, Kansas, and approved by the Mayor this 619th day of August, 2013.

Kent Smoll, MAYOR

ATTEST:

Nannette Pogue, CITY CLERK

ORDINANCE NO. 3571

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF DODGE CITY, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, EDITION 2013 AND REPEALING ORDINANCE NO. 3544

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

Section 1: INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by Reference for the purpose of regulating public offenses within the corporate limits of the City of Dodge City, Kansas, that certain code known as the "Uniform Public Offense Code, "Edition of 2013, prepared and published in book form by the League of Kansas Municipalities, Topeka Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 3571" and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

Section 2: REPEAL. Ordinance No. 3544 is hereby repealed.

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

Passed by the governing body of the City of Dodge City, Kansas, and approved by the Mayor this 19th day of August, 2013.

Kent Smoll, MAYOR

ATTEST

Nannette Pogue, CITY CLERK

Memorandum

*To: Ken Strobel, City Manager
Cherise Tieben, Assistant City Manager*

From: Nannette Pogue

Date August 15, 2013

Subject: Approval of 2014 Budget

Agenda Item: New Business

Recommendation: I recommend the approval of the 2014 Proposed Budget.

Background: The budget was presented to the City Commission on August 5. The publication was published in the Dodge City Daily Globe on August 9. The publication set the maximum expenditure and mill levy amounts for each fund of the City of Dodge City. The publication stated the public hearing will be held on August 19th at the regular City Commission meeting.

The budget as published includes a mill levy of 51.821.

Justification: Annually, the City Commission adopts a budget for the subsequent year. The State of Kansas requires that this budget is filed with the County Clerk by August 25th of each year. To accomplish this requirement, we have prepared and presented this budget for approval by the City Commission.

Financial Considerations: The annual expenditures set for the 2014 budget year.

Purpose/Mission: To fund essential operations of the City of Dodge City, provide for infrastructure investment and maintain a stable tax levy..

Legal Considerations: Satisfies State requirements to adopt an annual budget

Attachments: Updated Executive Summary for the 2014 budget, a copy of the Notice of Budget Hearing.

EXECUTIVE SUMMARY

2014 Budget

City of Dodge City

Submitted for the Governing Body's consideration and discussion are the proposed 2014 operating and capital budget for the City of Dodge City for the fiscal year beginning January 1, 2014. The budget proposal represents the ongoing commitment to manage the delicate balance between funding essential operations, providing for infrastructure investment, and maintaining a stable tax levy.

The proposed budget was developed with three primary objectives.

- 1). Continuation of our commitment to maintaining and improving our service delivery, through an emphasis on the importance of human resources.
- 2). Continuing our efforts to fund a Capital Improvement Program, and infrastructure programs in order to insure sound and viable City infrastructure, public works facilities, and overall service delivery capability.
- 3). Commit the resources needed to provide essential services for a growing community, as well as continue to provide programs and facilities that enhance quality of life for residents.

Budget Assumptions

During the budget preparation process we have made revenue forecasts based on national, state, and local economic trends, and state budget laws. Community needs, departmental program history, and general direction from the governing body were key factors used in projecting program costs for 2014. The budget as presented does not provide any increased services. It represents the same programming in the general fund as it did in 2013. Salary increases are also included.

Some assumptions used to develop this budget include:

- 1). The proposed budget requires a mill levy of 51.821 mills, which is flat from the 2013 levy of 51.827
- 2). Assessed Valuation of \$141,386,354. This is a 4.58% increase from 2013. In 2013, the increase was 4.15% over 2012. The impact of the machinery and equipment abatement for industry as a result of State of Kansas changes in taxation law has slowed. Dodge City has seen residential growth, mostly in the Rural Housing Incentive Districts. The assessed valuation increases are due to the commercial annexations, commercial growth and increased values.
- 3). Delinquent ad valorem tax at a rate of 5%

- 4). Salary increase of 2.5% (1% in January and 1.5% in July)
- 5). Continue to restore funding for the Capital Improvement Program
- 6). Approximately 100% of equipment and vehicle depreciation in the general fund for funding the Municipal Equipment Replacement Program.
- 7). No increase in Health Insurance premiums for 2014.
- 8). Continued loss of demand transfer funds from the State of Kansas.
- 9) Interest income on idle funds continues to be non existent
- 10) The YMCA assumed the recreation programs for the City of Dodge City as of January 1, 2013. The programming revenue and expense for the recreation programs, Sheridan Activity Center, and the swimming pool were all deleted. The City will continue to fund the full time employee's salaries and the second year; YMCA will reimburse 50% of those expenses, which is up from 25% the first year. Money was budgeted for maintenance, and continues to result in a reduction of expenses in the general fund.

Property Tax Funds

The Funds reflected in this budget which are supported by property tax assessment include the General Fund, Special Liability Fund, Library and Library Employee Benefit Funds, Bond & Interest Fund and Capital Improvement Fund. All other funds are supported by Special Revenue or User Fees.

This budget is presented by fund, with the revenue being listed first and the expenditures listed next and summarized by category. Reports are available that lists all the line items included in each fund as well as detail of most of the line items.

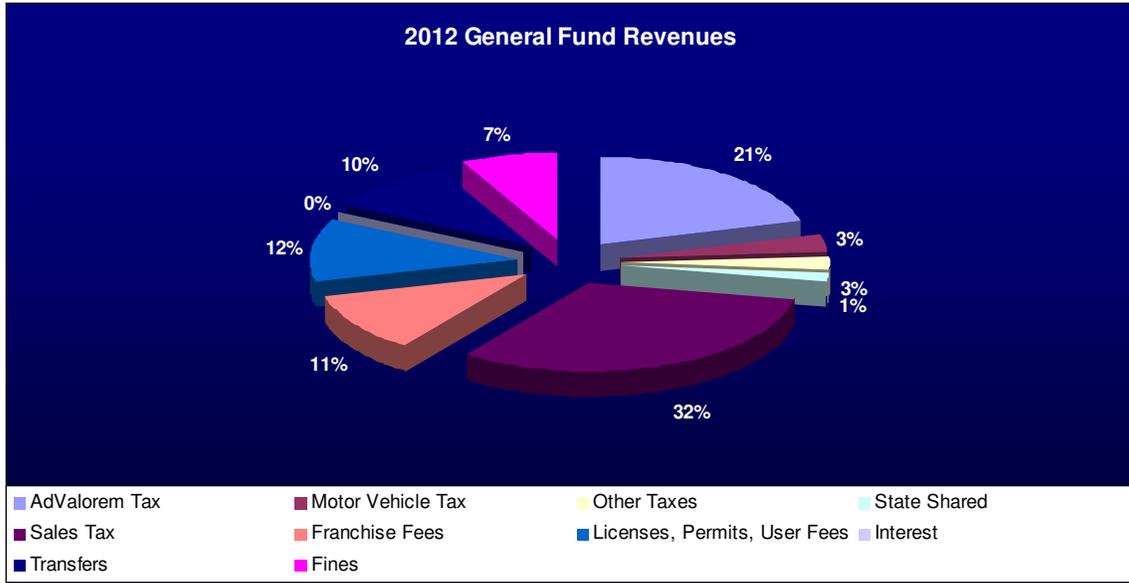
Revenue Projections

The sales tax revenue projection in 2013 is \$4,747,000 in the general fund. The same amount is projected as sales tax revenue in the Sales Tax Fund. This is a 2.5% increase over 2012 actual. To date, 2013 sales tax receipts are 2.6% ahead of the same time period in 2012. This revenue source continues to be strong. Sales tax is one of the non-property tax funding sources that is of great importance to the City as it represents approximately 30% of the total revenue stream for the General Fund budget.

Interest income is not a major source of income as it has been in the past. The interest rates for idle public funds are under .10%. This remains the lowest that I have ever seen it in my years of public service.

Municipal Court fine revenue had continues to decrease.

The following graph provides an overview of the 'General Fund Revenue Sources for the Budget Year 2012 (actual).



Cash Reserves

I have shown the Cash Reserve in the budget in the amount of 1,500,000. It is titled Transfer to Capital. This amount reflects 10.7% of the budgeted expenditures for 2013. The goal is to have 15 – 25% of the current year budgeted expenditures as cash reserve in the general fund.

Capital Improvement Program, Municipal Equipment Reserve Fund and Building Fund

Included in the 2014 Budget is the proposed Five-Year Capital Improvement Program. This will include any building projects that were previously funded by the Building Fund which is now combined with the Capital Improvement Fund. The items in this program have been prioritized by the City Department Heads. The requests recommended for 2014 total \$470,560.

The Municipal Equipment Reserve Fund is funded by the depreciation amount of the equipment (vehicles and other rolling equipment) in the general fund. This fund then supports the replacement or new equipment for departments in the general fund. The equipment in the other funds (Sales Tax Fund, Water, Sewer and Sanitation) are all listed in the Program, but funded in those individual funds. The Municipal Equipment Reserve Fund is being funded by \$444,981 depreciation in the proposed 2014 budget. This represents approximately 100% of the equipment depreciation in the general fund. There are purchases that are a high priority and mileage plus maintenance costs show that these

purchases need to be made in 2014. At the end of 2012, the fund had approximately \$361,046 in it. It is budgeted to spend approximately \$460,550 in 2013 and proposed \$483,786 in 2014. An additional fire truck was purchased in 2013 and was financed by a lease purchase agreement. We continue to evaluate the equipment regarding which equipment can be shared, the replacement schedules, etc. All of the department heads agree that it is important to continue funding the capital equipment fund at some level to maintain quality equipment.

Funding Considerations

The budget as submitted includes:

- 1) A 2.5% salary increase (1% in January and 1.5% in July) for full time personnel. The amount shown below reflects the salary increase plus the cost of increased benefits (social security and retirement)

	<u>Increase</u>
General Fund	140,131
Sales Tax Fund	2,615
Sales Tax Fund (Organizational Fund)	963
Special Liability Fund	636
Convention and Visitors Fund	3,898
Special Streets Fund	3,527
Water Fund	9,725
Wastewater Fund	3,725
Sanitation Fund	10,190
Drainage Fund	762
Utilities Administration	5,332
Vehicle Maintenance	<u>1,553</u>
Totals	185,791

- 2) The health insurance was placed with Blue Cross/Blue Shield in 2010. When the health insurance was bid and placed with BC/BS, the first year increase was minimal. Currently employees have 3 options for health insurance. Two of the options are fully paid for by the City. The third option, if chosen by the employee requires an employee contribution. Our experience in 2010 and 2011 was extremely good and we received a rebate. Our experience in 2012 was good, so there was a slight decrease in the employee premiums. In 2013, the experience has increased and the best guess is a 4-7% increase in premiums for 2014. We have not budgeted for this increase in the operating funds because there are adequate reserves in the Medical Insurance Fund to cover any increases.

- 3) No additional positions have been budgeted. There are some positions that had been funded in administration that will not be filled at this time or have not been budgeted. The duties have been assumed by other employees.
- 4) In the general fund, there were very few increases from last year. Utility and motor fuel costs have increased drastically over the last 2 years.
- 5) There is continued funding of the Health Savings Account and the Annual Bonus to employees.
- 6) The community promotions line item includes \$50,000. Requests to date are the Cowboy Band at \$18,500, The Alley at \$10,000, Dodge City Festivals at \$10,000, and the fireworks display at \$5,000, CASA at \$10,000 and Ford County Kids Count at \$25,000.
- 7) All 4 Fun building payment is in at \$75,000.

Other considerations include:

- 1) The lottery money is estimated at approximately \$600,000 per year. The revenue is being recorded in a Growth and Development Fund to be used to support infrastructure projects. It is proposed to use \$450,000 in both 2013 and 2014 to fund the Bond & Interest Fund. We are also using some of this money for Star Bond Project expenses.
- 2) The construction department is included in the general fund and includes salaries, benefits and other small purchases. The department also operates as a building maintenance department. It is anticipated to charge back some of the expenses in this fund to individual departments.
- 3) In 2013, we are projected to be in a better cash position than we have been in the previous 3 years.
- 4) The Water and Wastewater Fund is combined in 2013 to take advantage of the combined revenue and improve cash flow for operations, capital improvements and future debt payments. The debt payments for the New Water Reclamation Facility began in 2012 and are \$1,950,000 per year. Capital improvements in this fund have minimized. The revenues and expenditures will need to be watched very closely as not to create any deficit.
- 5) Capital improvements in the Sanitation Fund have been delayed as well to replenish cash in this fund.

Street GO Bond Program

As of this date, we only have authorized some small projects to bond for in 2013, in an amount of approximate \$1,000,000. Trail Street from 2nd to 14th, along with some right of way acquisition money will be bonded for later in the year. The temporary notes for Candletree #5 will mature in 2014 and bonds will need to be issued for that project. Other temporary notes projects may come up in the next few months, but none are on the drawing board yet. Any bonds issued in 2013, the first payments are due in 2014. Any bonds issued in 2014, the first payment due will be in 2015. In the proposed 2014 budget is new payments in the amount of \$610,000. In order to keep the mill levy down,

\$450,000 of lottery money is proposed to fund the principal and interest payments in 2014.

Library

The Dodge City Public Library submitted a budget proposal of \$948,174 for the general Library fund and \$306,275 for the Library Employee Benefit Fund for a total of \$1,254,449. Last year's approved budget was \$1,230,354. This request is under the 6 mills for the General Library Fund. The City Commission approved a mill levy cap of 6 mills for the Library General Fund in 2009.

Special Liability Fund

This funds the City's insurance premiums. This includes liability, property, workmen's compensation, airport liability, and police liability, and some miscellaneous liability and bonds. It is anticipated that the workmen's compensation, commercial property and liability premium will increase by 15-25%. We will not know the exact increases until later in the year, but this budget has been increased to account for some increases we may experience. Salary that had previously been budgeted in the City Manager's Department in the General Fund is being budgeted from this fund to account for any emphasis on workmen's comp and other insurance issues.

Water and Wastewater Funds

The Water and Wastewater Funds were combined in 2012 as the Water and Wastewater Utility Fund. There are three divisions: the water division, the wastewater collection division and the wastewater treatment division.

The water division budget reflects the operating costs for the distribution of water to the customers, and some capital improvement projects.

The wastewater collection division budget reflects the operating costs for the collection of the wastewater and taking that wastewater south of town to the wastewater treatment plant or north to the new wastewater treatment facility.

The wastewater treatment division reflects the contract costs for the operation of both treatment plants. The City of Dodge City has a contract with OMI to operate both plants. This budget also includes some operation costs not included in the contract and the debt service payment for the north wastewater treatment plant.

A revenue bond was issued for the improvements to the current wastewater treatment plant that included water wells and pumps in that area. These improvements were made in partnership with National Beef because of their expansion. As a result, National Beef pays 50% of the total bond payments for this project. This revenue bond was refinanced to General Obligation bonds in 2012 along with two temporary note issues for purchase

of water rights and development of 4 water wells and a water loan outstanding. All debt payments are shown in this fund.

The transfer to the general fund is shown both in the water division and wastewater division budgets. The amount from the water division has not changed and needs to be looked at in the future.

Sales Tax Fund

The Sales Tax Fund is the “Why Not Dodge” projects that were voted on in 1997. This budget includes operating budgets for the Racetrack, Athletic Fields, administration costs, “organizational funding”, United Wireless Arena and Magouirk Conference Center and Civic Center operating, and payments for the Revenue Bond issued in 2009 to fund the events center. The budget as presented is completed for the operation of the racetrack, athletic fields and administration costs. The operation of the Special Events Center is at \$565,000 plus monies for the maintenance of the grounds. The date for presentation of the Special Events Center budget by VenuWorks is not clarified in the management agreement, but October 15 has been talked about. This budget will need to be considered and approved by the CFAB and approved by the City and County Commissions.

Development and Growth Fund

This is the fund that the expanded lottery tax is being deposited into. The City Commission agreed that these monies be used to fund infrastructure. There is a transfer being made into the Bond and Interest Fund to make bond payments. At this time, all outstanding general obligation bonds have been issued for street and other infrastructure improvements. Also, costs associated with the Star Bond Project are being paid from this fund.

Special Revenue Funds

There are several other funds listed that are not mentioned in this summary. As previously stated, all of the funds are shown separately and each revenue and expenditure source is listed. If you have particular questions on any of these funds, please do not hesitate to contact Ken, Cherise or Nannette.

Memorandum

*To: City Manager
City Commissioners*

From: Cherise Tieben

Date: 08-15-13

Subject: Goodnight Property

Agenda Item: New Business

Recommendation: Staff recommends entering into a Memorandum of Understanding with Interfaith Housing Services, Inc. to rehabilitate the property located at 11028 Iron Road and to incorporate the property into the Abandoned Housing Program and to authorize the mayor to sign the Memorandum of Understanding once it is completed.

Background: The City acquired 11028 Iron Rd. through an agreement in which we acquired water rights and an estimated 300 acres to locate the Water Reclamation Project. The house has been rented intermittently; however, being a landlord is not the desire of the City.

Justification: The property now needs to have significant repairs to the roof, siding, windows and weatherization issues. By placing the property in the program with Interfaith Housing providing management services for the rental and having the financial ability to make the necessary repairs we are able to keep the site available for the community housing stock.

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: Memorandum of Understanding

Attachments: NA

Memorandum

*To: City Manager
City Commissioners*

From: Cherise Tieben

Date: 08-15-13

Subject: YMCA Program Fee

Agenda Item: New Business

Recommendation: Staff recommends approval of the YMCA's planned program fee increase for the Fundays programming.

Background: Our recreation department hosted a Schools Out program which is fundamentally similar in nature to the Fundays programming. The YMCA is expanding the program and providing some additional services. In accordance with the Management Agreement the City Commission must approve price increases for the similar programming.

Justification: Staff believes that the programming price is justified. If we would have operated this program again in 2013, we would have raised the price, without the expansion. Therefore, with the expansion the price increase is easily justified.

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: None

Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*

*From: Corey Keller Superintendent of
Public Works*

Date: August 15, 2013

*Subject: Approval of Engineering
Services for Wildlife Hazard
Assessment*

Agenda Item: New Business

Recommendation: The Dodge City Regional Airport received notification from the Federal Aviation Administration of a federal mandate to perform a Wildlife Hazard Assessment. It is the recommendation of airport staff and Airport Advisory Board to approve the professional engineering services with Burns and McDonnell to perform the Wildlife Hazard Assessment in the amount of \$99,500.00.

Background: Earlier this month The Dodge City Regional Airport was informed by FAA that we would have to perform a Wildlife Hazard Assessment in the year 2013. The purpose of the Wildlife Hazard Assessment (WHA) is to provide a comprehensive, detailed study and evaluation of factors contributing to wildlife hazards at and within a five-mile radius of DDC. The approach involves collecting systematic, quantitative data using on-site observations and wildlife surveys, and combining such information with relevant historical wildlife strike data and an evaluation of current operations, maintenance, and mitigation procedures in order to recommend and prioritize mitigation techniques, as appropriate. The WHA is a federal mandate to be performed at all Part 139 airports.

Justification: There are only 3 companies in the United States certified to perform this type of work for Airports. Burns and McDonnell is currently working with BASH Engineering certified by FAA to provide this service for our airport.

Financial Considerations: The Airport does have \$302,597.00 of entitlement moneys for the year 2013 to perform this project. This project will be 95% federally funded with a 5% local match. This is an unbudgeted project for the Airport. However there are funds available in the airport budget to cover the \$4,975.00

Total Project Cost	\$99,500.00
95% Federal Funds	<u>\$94,525.00</u>
5% Local Match	\$ 4,975.00

Legal Considerations: Compliance with the grant assurances and conditions contained in the grant.

Attachment:

Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*

*From: Corey Keller Superintendent of
Public Works*

Date: August 15, 2013

*Subject: Approval of Modified Funding
Sources for Airport Parking
Lot*

Agenda Item: New Business

Recommendation: With the addition of the Wildlife Hazard Assessment and a shortfall in funds available to the City through FAA funding. Airport Staff and the Airport advisory board recommend authorization to use City funds in the amount of \$146,727.65 to cover the remaining amount that will not be paid for through entitlement moneys for the airport parking lot project.

Background: Since the start of the parking lot project FAA has now mandated us to complete a Wildlife Hazard Assessment which is regulated by the FAA Safety section. Since the WHA relates to safety it is of a higher priority than our parking lot. Therefore the funds available to us from our entitlement money will need to be used for the WHA. The remaining money then can be used for the parking lot. Originally FAA told us we had an amount of \$364,347.00 of entitlement money bank rolled for the years 2012 and 2013. They have since retracted that amount and say we only have an amount of \$302,597.00 available. They will still be allowing us to use 2014 and 2015 money for a total of \$602,597.00 as originally projected. There is also a possibility we can get an additional \$18,000.00 in the year 2016. We are also researching the possibilities for additional funds that could be available through KDOT. Based on the price of the WHA \$99,500.00 and the shortfall in moneys originally told to us by FAA the City will need to pay out of pocket \$146,727.65 to fund both projects.

Justification: Staff is currently working on other means to fund the shortfall amount in entitlement money through other sources of funding. Although if no other funding can be obtained the City will need to cover the remaining balance.

Financial Considerations: There is \$150,000.00 available in the airports budget for this project.

Legal Considerations: Compliance with the grant assurances and conditions contained in the grant

Attachment: