

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Monday, September 15, 2014

7:00 p.m.

MEETING #4972

CALL TO ORDER

ROLL CALL

INVOCATION by Darrell Hendrickson of First Church of God

PLEDGE OF ALLEGIANCE

PUBLIC HEARING – Special Assessments, Candletree Addition #5

PETITIONS & PROCLAMATIONS

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

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, September 2, 2014;
2. Appropriation Ordinance No. 18, September 15, 2014;
3. Cereal Malt Beverage License:
 - (a) Dillon's Store, 1700 N. 14th Avenue
 - (b) Carter's Thriftway, 1800 Central Avenue

ORDINANCES & RESOLUTIONS

Ordinance No. 3586: An Ordinance Establishing Bus Zones in the Vicinity of a Public School, Repealing conflicting Ordinance and Providing Penalties for the Violation of the Provisions of this Ordinance. Report by Director of Engineering Services, Ray Slattery.

Ordinance No 3587: 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 2014" and Repealing Ordinance No. 3570. Report by City Clerk/Director of Finance, Nannette Pogue.

Ordinance No. 3588: 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 2014” and Repealing Ordinance No. 3571. Report by City Clerk/Director of Finance, Nannette Pogue.

Ordinance No. 3589: An Ordinance Levying Special Assessments on Certain Property to Pay the Costs of Internal Improvements in the City of Dodge City, Kansas, Heretofore Authorized by Resolution No. 2011-06 of the City; and Providing for the Collection of Such Special Assessments. Report by City Clerk/Director of Finance, Nannette Pogue.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of 2013 Audited Financial Statements. Report by City Clerk/Director of Finance, Nannette Pogue.
2. Approval to enter into an EAS Market Study Agreement with Sixel Consulting Group for Dodge City Regional Airport. Report by Public Works Director, Corey Keller.

OTHER BUSINESS

ADJOURNMENT

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Tuesday, September 2, 2014

7:00 p.m.

MEETING #4970

CALL TO ORDER

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

INVOCATION by Vernon Bogart.

PLEDGE OF ALLEGIANCE

Commissioner Rick Sowers moved to add item to New Business: Approval of Special Assessment Proceedings – Candletree Addition, Unit V. Commissioner Jan Scoggins seconded the motion. The motion carried 4-0.

PUBLIC HEARING

Vice Mayor Joyce Warshaw opened the Public Hearing on the matter to vacate the Utility Easement between 2315 & 2317 Kerri Drive. Report by Director of Developmental Services, Dennis Veatch. The Public Hearing was closed.

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).

Kevin Noll of A-Z Land Surveying –Dispute of billing on excavating of corner stone.

Neighbors in Waddell 3rd Sub-Division:

Louisa Chamberlain, Morrison Street, talked about Waddell Sub-Division between Grant and Market Streets. Feels like there is an ethical problem with the sub-division. There are some similar housing developments on Collar Street, Villa Manor, Glenridge Addition, Smith Street area, LaSalle, Hillcrest, Minneola Road, Colorado Road, and Johnson Ave. As you drive through those housing developments, they have deteriorated. No new housing has been built around those. Legally trailers as old as 1976 can be moved in and set. Plans are to put in 12 double wide trailers. As a City we can do better for South Dodge.

Dale Chamberlain, 801 Morrison Ave. The reason the homes in the neighborhood have increased in value is that they have maintained and upgraded the homes and yards. Thinks adding new homes will put stress on water and sewer lines. Detriment to the neighborhood because of the values of the homes.

Vernon Bogart, registered voter. He has concerns about finances in Dodge City. Bait and switch. The voters voted on Sales Tax Projects in 1997. A Water Park has been proposed. His concern is Dodge City Community College hooked up with Fort Hays State. Wants to know what it is going to cost taxpayers.

Joann Knight, Executive Director of Dodge City/Ford County Economic Development talked about a report put out about the economic strength of Ford County. She reported that 2,600 new jobs have been added in Ford County. Employment rate has been 3.1-4% consistently. She talked about a Policom report and how Dodge City rates 21 in Metropolitan Statistical Area in the US. November 13th the gentleman that puts out this report will be in town to make a presentation. The website to review the report is Policom.com

Bill Miller – It was great to hear the previous report. One more thing that can give Dodge City a boost is to extend Comanche Street from 14th Street to the Casino.

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, August 18, 2014;
2. Appropriation Ordinance No. 17, September 2, 2014;
3. Cereal Malt Beverage License:
 - (a) Boot Hill Museum, 500 W. Wyatt Earp Blvd.

Commissioner Kent Smoll moved to approve the Consent Calendar as presented; Commissioner Rick Sowers seconded the motion. The motion carried 4 – 0.

ORDINANCES & RESOLUTIONS

Ordinance No. 3585: An Ordinance Vacating the Utility Easement between 2315 & 2317 Kerri Drive was approved on a motion by Commissioner Rick Sowers, seconded by Commissioner Jan Scoggins. Motion carried 4-0.

Resolution No. 2014-20: A Resolution modifying the schedule of fees for Contractors and Trades Licensing was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Rick Sowers. Motion carried 4-0.

Robin Bailey, Signature Signs, has a concern with the enforcement. Doesn't feel there is enough help to enforce the permit process for signs. She suggested that fines be applied to those who do not have permits.

Dan Schenkein thanked the City Commission to allow the conversation to take place about the increase in fees. Thanked Dennis for sending out letters in a timely manner. Asked for clarification about the renewal fees and how long the renewal fees remain. These fees remain in effect until a new resolution is put into place.

Resolution No. 2014-21: A Resolution in Support of an Application for Funding through the Moderate Income Housing Program offered through the Kansas Housing Resources Corporation to be utilized for the Abandoned Housing Program in Dodge City, Kansas. Commissioner Rick Sowers moved to approve a Commissioner Jan Scoggins seconded the motion. The motion carried 4-0.

Resolution No. 2014-22: A Resolution Delaying the Commencement of the Collection of a Community Improvement District Sales Tax from January 1, 2015 to January 1, 2016 was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Rick Sowers. The motion carried 4-0.

UNFINISHED BUSINESS

NEW BUSINESS

1. Joyce Warshaw, Jan Scoggins, Ernestor De La Rosa and Cherise Tieben were appointed as Delegates to the League of Kansas Municipalities. Commissioner Kent Smoll moved to approve and Commissioner Rick Sowers seconded the motion. Motion carried 4-0.
2. Commissioner Kent Smoll moved to approve the bid from Van-Wall Equipment, Inc. in the amount of \$52,028 for two Heavy Duty Utility Vehicles to be used at Cemetery and Parks Departments. Commissioner Rick Sowers seconded the motion. Motion carried 4-0.
3. Commissioner Rick Sowers moved to approve the bid from Lewis Chevrolet in the amount of \$25,998 for a full sized ½ ton 4x4 Pickup Truck that will be utilized by the Development Services Department. Commissioner Kent Smoll seconded the motion. Motion carried 4-0.
4. The proposal from Mid America Sports Construction in the amount \$341,575 including alternates for the installation of Artificial Turf at Cavalier Field was approved on a motion by Commissioner Rick Sowers, seconded by Commissioner Jan Scoggins. The motion carried 4-0.
5. Approval of proposal from JAG Construction Co. for the construction of the 14th Avenue Sidewalk Program and East Wyatt Earp Median in front of the Santa Fe Depot in the amount of \$55,050.00 was approved on a motion by Commissioner Jan Scoggins, seconded by Commissioner Kent Smoll. The motion carried 4-0.

6. Commissioner Kent Smoll moved to reject the bid from APAC-Kansas Division for the construction of the Infrastructure Improvements of Prairie Pointe Apartments in the amount of \$379,275.50. Commissioner Jan Scoggins seconded the motion. The motion carried. 4-0.

7. The Special Assessment Proceedings for Candletree Addition, Unit V which included:
 - a. Approve each of said documents;
 - b. Establish September 15, 2014 at 7:00 p.m. to meet for the purpose of hearing any and all written or oral objections to the respective assessments set forth therein;
 - c. Cause the City Clerk to publish Exhibit C in the official City newspaper not less than 10 days prior to such meeting date;
 - d. Mail Exhibit D to each and all owners of property affected by such assessments at their last known post office address on the same date as the publication of Exhibit C; and
 - e. File each of said documents of record in the office of the City Clerk and make the same available for Public Inspection,was approved on a motion by Commissioner Rick Sowers, seconded by Commissioner Kent Smoll. The motion carried 4-0.

OTHER BUSINESS

City Manager Cherise Tieben:

- Reminded the Commission of several meetings, October 11-13, League of Municipalities; October 13, Joint City/County Commission meeting. Congratulations to Ryan Reid who is a Grandpa to twin girls.

Commissioner Kent Smoll:

- Attended County Commission today. They will not try to put the water park on the ballot. They are still looking at the Community College issue. Has had complaints about trucks on Wyatt Earp again. Talked about the Policom report by Joann Knight reported on earlier in the meeting. That was on KSN news today. Chastised the staff for putting 11 items on the agenda for Joyce and she did a good job.

Commissioner, Jan Scoggins:

- Appreciated visitors who brought issues to the Commission.

Commissioner, Joyce Warshaw:

- Nice to see everyone in the audience.

Jane Longmeyer:

- Intersection at 4th and Trail closed as of today. September 11th memorial at 7:00 at Liberty Gardens. Lost Boys of Sudan presentation on September 13. The second weekend in September there will be a walk with your neighbor event.

ADJOURNMENT

Commissioner Rick Sowers moved to adjourn the meeting; Commissioner Kent Smoll seconded the motion. The motion carried 4-0.

Mayor

ATTEST:

Nannette Pogue, City Clerk

CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

City or County of _____ Dodge City

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

SECTION 2 – APPLICANT INFORMATION			
Kansas Sales Tax Registration Number (required):			
Name of Corporation Dillon Stores, Div of Dillon Companies, Inc		Principal Place of Business 2700 E. 4th., P.O. Box 1608	
Corporation Street Address 2700 E. 4th., P.O. Box 1608		Corporation City Hutchinson	State KS
			Zip Code 67501
Date of Incorporation 05/13/1921		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name		Phone No.	
Residence Street Address		City	State
			Zip Code

SECTION 3 – LICENSED PREMISE			
Licensed Premise (Business Location or Location of Special Event)		Mailing Address (If different from business address)	
DBA Name Dillon's #1		Name Kroger Business License Dept	
Business Location Address 1700 N 14th St		Address P.O. Box 305103	
City Dodge City, KS	State KS	City Nashville, TN	State TN
Zip 67801		Zip 37230-5103	
Business Phone No. 620-225-6130		<input type="checkbox"/> Applicant owns the proposed business or special event location. <input type="checkbox"/> Applicant does not own the proposed business or event location.	
Business Location Owner Name(s)			

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK List each person and their spouse, if applicable. Attach additional pages if necessary.				
Name		Position		Date of Birth
Residence Street Address		City	State	Zip Code
Spouse Name		Position		Date of Birth
Residence Street Address		City	State	Zip Code
Name		Position		Date of Birth
Residence Street Address		City	State	Zip Code
Spouse Name		Position		Age
Residence Street Address		City	State	Zip Code
Name		Position		Date of Birth
Residence Street Address		City	State	Zip Code
Spouse Name		Position		Age
Residence Street Address		City	State	Zip Code

CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

City or County of Dodge City

SECTION 1 – LICENSE TYPE

Check One: New License Renew License Special Event Permit

Check One:

License to sell cereal malt beverages for consumption on the premises.

License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.

SECTION 2 – APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required): 004-453053170F-03

Name of Corporation Carters LLC		Principal Place of Business Ulysses, KS 67880	
Corporation Street Address 119 E. Kansas Ave.		Corporation City Ulysses	State KS
			Zip Code 67880
Date of Incorporation 8/22/2011		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name Justin W. Carter		Phone No. 620-424-4327	
Residence Street Address 501 N. Joyce Street		City Ulysses	State KS
			Zip Code 67880

SECTION 3 – LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)			Mailing Address (If different from business address)		
DBA Name Carter's Thriftway			Name Carter's Thriftway		
Business Location Address 1800 Central Ave.			Address PO Box 401		
City Dodge City	State KS	Zip 67801	City Ulysses	State KS	Zip 67880
Business Phone No. 620-225-2981			<input checked="" type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location.		
Business Location Owner Name(s)					

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK

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

Name Justin W. Carter		Position Managing Member		Date of Birth 4/17/82
Residence Street Address 501 N. Joyce		City Ulysses	State KS	Zip Code 67880
Spouse Name Shala Carter		Position N/A		Date of Birth 11/13/86
Residence Street Address 501 N. Joyce		City Ulysses	State KS	Zip Code 67880
Name		Position		Date of Birth
Residence Street Address		City	State	Zip Code
Spouse Name		Position		Age
Residence Street Address		City	State	Zip Code
Name		Position		Date of Birth
Residence Street Address		City	State	Zip Code
Spouse Name		Position		Age
Residence Street Address		City	State	Zip Code

Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*

*From: Ray Slattery, 
Director of Engineering
Services*

Date: September 9, 2014

*Subject: Ordinance 3586
Bus Zone Extensions
around Miller School*

Agenda Item: Ordinances and Resolutions

Recommendation: Approve Ordinance No. 3586

Background: City Staff meet with the principle of Miller School about some signage issues and Bus Zones. The School District has moved where they load buses around Miller School. A majority of the busses load on the Ave. H location with one or two still using the Ave. G location. The Ave. H Bus Zone was previously only 40 feet in length, with the added busses additional area is needed. Likely wise since only one or two buses still use the Ave. G, this Bus Zone can be shortened. This will allow more parking spaces for parents to drop off and pick up students.

Justification: Adjusting the Bus Zones as to how they are being used allows for enforcement and can relieve some confusion by drivers around the school.

Financial Considerations: The cost of the installation and removal of Bus Zone Signage.

Purpose/Mission: One of the City's core values in Safety. The Bus Zone signage will provide a safe and secure loading area for the children of Miller School.

Legal Considerations: N/A

Attachments: Ordinance 3586 and a map of the area.

Ordinance No. 3586

AN ORDINANCE ESTABLISHING BUS ZONES IN THE VICINITY OF A PUBLIC SCHOOL, REPEALING CONFLICTING ORDINANCE AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

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

Section 1: REPEAL. Sections 2.3.7 & 2.3.8 SCHOOL BUS ZONES at MILLER SCHOOL of Ordinance 3501, adopted on the 6th day of December, 2010, is hereby repealed.

Section 2: The following traffic control measures are hereby established in the vicinity of MILLER SCHOOL.

- 2.3.7 A **SCHOOL BUS ZONE** is hereby established along the east curb line of Avenue G, starting at a point 24 feet south of the extension of the south curb line of Division Street and extending south for a distance of 75 feet.
- 2.3.8 A **SCHOOL BUS ZONE** is hereby established along the west curb line of Avenue H, starting 35 feet south of the extension of the south curb line of Oak Street and continuing south for 150 feet.

Section 3: This ordinance shall not repeal or alter the limits of any school zone, or school crossings.

Section 4: Any person convicted of a violation of the provisions of this ordinance shall be subject to penalties provided by Chapter I, Section 1-116 of the Code of the City of Dodge City.

Section 5: This ordinance shall take effect following its publication in the official City newspaper as provided by law, and after posting of the appropriate signs advising the motoring public of the provisions of this ordinance. In instances that signs cannot be posted, appropriate curb markings shall be used.

Passed by the Governing Body of the City of Dodge City and approved by the Mayor, this 15th day of September, 2014.

Brian Delzeit, Mayor

Attest:

Nannette Pogue, City Clerk

Oak St.

40' Exist. Bus Zone

150' Bus Zone

Miller School

75' Bus Zone

Remove 70' of Bus Zone

Ave. H

Elm St.

Ave. G

9/10/14



Memorandum

To: Cherise Tieben, City Manager
From: Nannette Pogue
Date: September 10, 2014
Subject: Ordinance No. 3570 and Ordinance No. 3571
Agenda Item: Ordinances and Resolutions

Recommendation: I recommend the approval of Ordinance No. 3587 and 3588

Background: **Ordinance No. 3587** adopts the “2014 Edition of the Standard Traffic Ordinance” by reference. The changes made to this code during the 2014 legislature include the following:

- Section 1. Definitions.
- Section 11 Manual and Specifications for Traffic Control Devices
- Section 13.1 Traffic Control Signal and Preemption Devices
- Section 23 Accident Involving Death or Personal Injuries; Penalties
- Section 24 Accident Involving Damage to Vehicle or Other Property (deleted)
- Section 25 Duty to give information and render aid.
- Section 27 Duty to Report Accidents (deleted)
- 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 30.3 Ignition Interlock Devices; Tampering
- Section 31 Fleeing or Attempting to Elude a Police Officer
- Section 41 When Passing on the Right is Permitted
- Section 43 Further Limitations on Driving on Left of Center of Roadway
- Section 54 Turning Movements and Required Signals
- Section 62 Highway Construction and Maintenance
- Section 85 Stopping, Standing or Parking Prohibited in Specified Places
- Section 106 Transportation of Alcoholic Beverage
- Section 111 Crossing Fire Hose

Section 124	Riding in House Trailer or Mobile or manufactured Home Prohibited
Section 133	Lamps and Other Equipment on Bicycles
Section 154	Visibility of Reflectors, Clearance Lamps, and marker Lamps
Section 170	School Buses
Section 171	Lighting Equipment and Warning Devices
Section 174	Horns and Warning Devices
Section 182.	Child Passenger Safety Restraining System
Section 193	Driver's License
Section 194	Driving While License Canceled, Suspended or Revoked; Penalty
Section 200	Motor vehicle liability insurance
Section 201	Penalties

Ordinance No. 3588 adopts the “2014 Edition of the Uniform Public Offense Code” by reference. The changes made to the Uniform Public Offense Code during the 2014 legislative session include the following:

Section 1.1	Definitions
Section 1.2	Liability for Offenses of Another
Section 1.3	Corporations; Criminal Responsibility; Individual Liability
Section 3.1	Battery
Section 3.2.1	Sexual Battery
Section 3.5	Unlawful Interference with Firefighter
Section 3.7	Mistreatment of Confined Person
Section 3.8	Violation of Protection from Abuse Order
Section 3.9	Criminal False Communication (name change)
Section 3.10	Eavesdropping (deleted)
Section 3.12	Breach of Privacy
Section 3.13	Stalking
Section 5.1	Contributing to a Child's Misconduct or Deprivation
Section 5.2	Furnishing Alcoholic Liquor or Cereal malt Beverage to a Minor
Section 5.3	Unlawfully Hosting Minors Consuming Alcoholic Liquor or Cereal Malt Beverage to a Minor
Section 5.4	Endangering a Child
Section 5.7	Selling, Giving or Furnishing cigarettes or Tobacco Products to a Minor.
Section 6.1	Theft
Section 6.2	Intent; Permanently Deprive
Section 6.6	Criminal Damage to Property

Section 6.7 Criminal trespass
Section 6.7.1 Trespassing on Railroad Property
Section 6.8 Littering. (deleted)
Section 6.9 Tampering with a Landmark
Section 6.10 Tampering with a Traffic Signal
Section 6.11 unlawful Manufacture or Disposal of False Tokens
Section 6.16 Giving a Worthless Check
Section 6.17 Criminal Use of a Financial Card
Section 6.18 Motor Vehicle Dealers; Selling Motor Vehicles Without a License
Section 6.19 Equity Skimming
Section 6.20 Unlawful Acts Concerning Computers (name change)
Section 6.21 Taking Wildlife Without Permission on Land Posted “By Written
Permission Only.” (name change)
Section 6.22 Criminal Hunting
Section 6.25 Unlawfully Buying Scrap Metal
Section 7.1 Compounding an Offense. (deleted)
Section 7.2 Interference with a Law Enforcement Officer
Section 7.3 Escape from Custody
Section 7.4 Interference with the Judicial Process (name change)
Section 7.10 False Signing of Petition
Section 7.12 Interference; Conduct, Public Business in Public Building
Section 7.14 Electioneering
Section 9.1 Disorderly conduct
Section 9.2 unlawful Assembly; Remaining at an Unlawful Assembly
Section 9.4 Riot
Section 9.7 Giving a False Alarm
Section 9.8 Criminal Desecration
Section 9.10 Harassment by Telecommunications Device
Section 9.11 Unlawful Public Demonstration at a Funeral (name change)
Section 9.13 Unlawful Posting of Political Picture and Political Advertisements
Section 10.1 Criminal use of weapons
Section 10.1.1 Criminal Carrying of a Weapon
Section 10.3 Criminal Disposal of Firearms
Section 10.3.1 Criminal Possession of a Firearm
Section 10.11 Creating a hazard
Section 10.12 Unlawful Failure to Report a Wound
Section 10.14 Operation of a Motorboat or Sailboat
Section 10.15 Operating a vessel under the influence of alcohol or drugs;
penalties (name change)

- Section 10.16 Throwing Objects
- Section 10.17 Tattooing or Body Piercing; Persons Under Age 18
- Section 10.20 Unlawfully Obtaining a Prescription-Only Drug
- Section 10.22 Alcohol Without Liquid Machine
- Section 10.24 Smoking Prohibited
- Section 11.1 Promoting Obscenity
- Section 11.2 Promoting Obscenity to Minors
- Section 11.7 Material Harmful to Minors
- Section 11.8 Gambling
- Section 11.9 Commercial Gambling (name change)
- Section 11.10 Possession of a Gambling Device
- Section 11.1 Cruelty to Animals
- Section 11.12 Cockfighting

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. 3587 and 3588. 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. 3587

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 2014" AND REPEALING ORDINANCE NO. 3570

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 2014, 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. 3587" 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. 3570 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 15th day of September, 2014.

Brian Delzeit, MAYOR

ATTEST:

Nannette Pogue, CITY CLERK

ORDINANCE NO. 3588

**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 2014 AND
REPEALING ORDINANCE NO. 3571**

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 2014, 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. 3588" 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. 3571 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 15th day of September, 2014.

Brian Delzeit, MAYOR

ATTEST

Nannette Pogue, CITY CLERK

Memorandum

To: Cherise Tieben, City Manager
From: Nannette Pogue
Date: September 11, 2014
Subject: Ordinance No. 3589
Agenda Item: Ordinances and Resolutions

Recommendation: Approve Ordinance No. 3589.

Background: At the September 2 City Commission meeting, the City Commission approved special assessment process for special assessments in Candletree Addition, Unit Five. The Public hearing will be held at Monday's meeting prior to considering Ordinance No. 3589. Based upon the notices sent and barring any objections during the public hearing, this ordinance will approve the levying of assessments for property in Candletree Addition, Unit Five at the amounts listed in the ordinance. This addition is in an RHID District, so the increment property tax will pay the amount of the special assessments. The property owners have been sent notice and will be sent another notice after this meeting. However, since the amounts collected by the increment tax will pay for the special assessments, the amounts assessed will not show up on the tax bill. The amounts will be assessed for 15 years and the interest rate used will be the amount we sell the General Obligation bond for that will be issued later in the year.

Justification: In order to levy special assessments on property, this ordinance will need to be approved.

Financial Considerations: none

Purpose/Mission: We strive for high service standards

Legal Considerations: All legal requirements of the bond procedures are met.

Attachments: Ordinance No. 3589.

ORDINANCE NO. 3589

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF DODGE CITY, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION No. 2012-17 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

WHEREAS, the City Commission of the City of Dodge City, Kansas (the "City") has heretofore authorized certain internal improvements (the "Improvements") to be constructed pursuant to K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the City Commission has heretofore conducted a public hearing in accordance with the Act and desires to levy assessments on certain property benefited by the construction of the Improvements.

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

SECTION 1. Levy of Assessments. For the purpose of paying the costs of the following described improvements:

Candletree Addition, Unit Five – Streets, Water and Sewer

Resolution No. 2011-06

Construct road and curb and gutters, water improvements, sewer improvements and associated engineering and design costs serving Lots 1 through 14, inclusive, Block 1, Lots 1 through 19, inclusive, Block 2, and Lots 1 through 6, inclusive, Block 3, all in Candletree Addition, Unit Five, an addition to the City of Dodge City, Ford County, Kansas.

There are hereby levied and assessed the amounts (with such clerical or administrative amendments thereto as may be approved by the City Attorney) against the property described on *Exhibit A* attached hereto.

SECTION 2. Payment of Assessments. The amounts so levied and assessed in *Section 1* of this Ordinance shall be due and payable from and after the date of publication of this Ordinance. Such amounts may be paid in whole or in part not later than October 20, 2014.

SECTION 3. Notification. The City Clerk shall notify the owners of the properties described in *Exhibit A* attached hereto insofar as known to said City Clerk, of the amounts of their respective assessments; and, said notice shall further state that unless such assessments are paid by October 20, 2014, bonds will be issued therefor, and the amount of such assessment will be collected in installments with interest.

SECTION 4. Certification. Any amount of special assessments not paid within the time prescribed in *Section 2* hereof shall be certified by the City Clerk to the Clerk of Ford

County, Kansas, in the same manner and at the same time as other taxes are certified and will be collected in fifteen (15) annual installments, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by the Act. Interest on the assessed amount remaining unpaid between the effective date of this Ordinance and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

SECTION 5. Effective Date. This Ordinance shall take effect and be in force from and after its passage, approval and publication once in the official City newspaper.

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PASSED by the governing body of the City on September 15, 2014. and signed by the Mayor.

Brian Delzeit, Mayor

(SEAL)

ATTEST:

City Clerk

EXHIBIT A

Lot 1	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 2	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 3	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 4	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 5	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 6	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 7	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 8	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 9	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 10	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 11	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 12	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 13	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 14	Block 1	Candletree Addition, Unit Five	15,143.48
Lot 1	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 2	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 3	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 4	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 5	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 6	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 7	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 8	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 9	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 10	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 11	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 12	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 13	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 14	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 15	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 16	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 17	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 18	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 19	Block 2	Candletree Addition, Unit Five	15,143.48
Lot 1	Block 3	Candletree Addition, Unit Five	15,143.48
Lot 2	Block 3	Candletree Addition, Unit Five	15,143.48
Lot 3	Block 3	Candletree Addition, Unit Five	15,143.48
Lot 4	Block 3	Candletree Addition, Unit Five	15,143.48
Lot 5	Block 3	Candletree Addition, Unit Five	15,143.48
Lot 6	Block 3	Candletree Addition, Unit Five	<u>15,143.48</u>
Total			590,595.80

Memorandum

To: Cherise Tieben, City Manager
From: Nannette Pogue
Date: September 11, 2014
Subject: Approval of 2013 Audited Financial Statements
Agenda Item: New Business

Recommendation: I recommend the City Commission formally accept the 2013 Audited Financial Statements

Background: The 2013 audited financial statements will be presented by John Hendrickson of Kennedy and McKee at the work session prior to the regular meeting. They will go through the highlights and give the City Commission a chance to ask any questions.

Justification: Annually the City is required to have their financial statements audited.

Financial Considerations: none

Purpose/Mission: We strive for high service standards

Legal Considerations: None

Attachments: A hard copy of the audit will be available to each of the City Commissioners. The scanned version is on the website.

Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*

From: Corey Keller/ Airport Manager

Date: September 11, 2014

*Subject: Approval of EAS Process
Support Marketing Study
Agreement*

Agenda Item: New Business

Recommendation: To enter into an EAS market study agreement with Sixel Consulting Group for the amount of \$5,900.00 and not to exceed a spending limit of \$20,000.00

Background: With the 2013 changes in the Federal Aviation Administration's (FAA) policies relating to pilots hours and flying for Part 139 air carriers has caused problems for regional airports such as ours trying to providing reliable air service to the community. Since these changes have occurred our enplanements in Dodge City have decreased dramatically. Every two years USDOT requests bids for commercial air service carriers and the number of these EAS carriers have decreased every year. Recently Dodge and Liberal have been in discussions with Sixel Consulting Group to assist us in recruiting other air carriers to submit bids for the next EAS air service bids in 2016. Studies such as this one has helped cities such as Garden City and Hays provide much better commercial air service for their communities.

Justification: The Sixel group has recently conducted the same market surveys with both Garden City and Hays. In speaking with the administration in both Cities they were very happy with the outcomes of the studies and recommended Sixel for our study. With the questionable future of EAS and the uncertainty of air carries bidding during that process it is very important that we use all the tools and resources available to us to keep a reliable air carrier in Dodge City.

Financial Considerations: The proposed contract is for increments of \$5,900 and we could expend up to \$20,000 but it is anticipated that we would only expend \$5,900 this year, plus travel. Additional costs would be for a True Market Study but this will only be conducted if it is requested by an air carrier. This is an unbudgeted item to be paid out of the Airports budget. Staff is also working to secure funding for this study from a few outside sources.

Attachments: EAS Process Support Agreement.

ESSENTIAL AIR SERVICE PROCESS SUPPORT AGREEMENT

between

Dodge City Regional Airport (DDC)

and



Sixel Consulting Group, Inc.
Air Transportation and Airport Consulting Services

1. PARTIES

Client: *Dodge City Regional Airport – Dodge City, Kansas*
Consultant: *Sixel Consulting Group, Inc. – Eugene, Oregon*

2. CONTACT INFORMATION

Client:

Corey Keller
Airport Manager
Dodge City Regional Airport
PO Box 880
Dodge City, Kansas 67801
coreyK@dodgecity.org
www.dodgecity.org
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Consultant:

Mark Sixel
President
Sixel Consulting Group, Inc.
497 Oakway Road, Suite 220
Eugene, Oregon 97401
mark@sixelconsulting.com
www.sixelconsulting.com
phone: 541.341.1601
fax: 541.341.1603

Project Lead:

Michael Mooney
Air Service Strategy and Development
Consultant
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phone: 303.842.9496
fax: 541.341.1603

3. BACKGROUND

Air service at the Dodge City Regional Airport is currently provided by Great Lakes Airlines service to Denver. The service is supported by federal subsidy provided under the Essential Air Service Program (EAS).

EAS service is typically provided via two-year contracts between the Department of Transportation (DOT) and the airline. The current contract for EAS service at Dodge City will expire in 2016. Dodge City's current EAS carrier is facing significant operational and

financial challenges which may impair or compromise the carrier's ability to provide Dodge City's EAS service under the current contract. Dodge City will have to navigate the EAS service process in order to assure that the best possible air service is preserved for the community and the region in 2015 and beyond.

Sixel Consulting Group, Inc. has extensive experience in assisting communities in navigating the EAS bid process and helping communities gain the best possible air service from the program.

4. SCOPE OF WORK

Specifically, Sixel Consulting Group, Inc. (Consultant) proposes to assist the Dodge City Regional Airport (Airport) as follows:

1. Provide assistance with an aggressive recruiting effort to inform selected airlines of the Dodge City market option for the next EAS bid cycle. This effort would include headquarters visits with airline representatives, if possible, and liaison with carriers as they consider the market option.
2. Liaison with the Essential Air Service office of the DOT on all matters related to the Airport's EAS. This will include advocacy with the DOT related to Dodge City's preference among competing bids and DOT's ultimate award decision.
3. Liaison with incumbent carrier, assisting the Airport as requested with ongoing discussions on carrier performance or market issues.
4. Attend community visits / town meetings, if necessary, to inform the local community on the current EAS bid process, facilitate discussion of bid options and/or aid the community in educating the public on any air service transition that may take place. An EAS service transition power point document can be developed to aid in informing residents of any change in air service.
5. Competing Bid Analysis in order to provide Dodge City with a full understanding of the relative merits of competing EAS bids, should there be competing bids worth

considering. Analysis would assist Dodge City in deciding among competing bids and communicating that preference to DOT.

6. Transition Airline Pricing Analysis, a complete review of any pricing strategy or tactical changes that may occur as part of an EAS service transition.
7. Transition Airline Schedule Analysis, a complete review of proposed schedules for any EAS carrier to ensure maximum connectivity for the community.

5. PRICING

Client will pay Consultant a retainer fee of \$5,900 within fifteen (15) business days of the execution of this agreement. Consultant will perform air service development assistance projects at the direction of the client, drawing on the retainer fee for compensation.

Consultant will bill for professional fees per service provided in the fee structure below, up to \$5,900. Any professional services fees for Consultant beyond \$5,900 will require additional payments by Client in increments of \$5,900. Consultant will not perform any work above the \$5,900 retainer fee without express written authorization from Client. The fee schedule below outlines the costs of various services that may be helpful to the EAS transition process.

Travel expenses incurred by Consultant will be billed to Client at cost. Any color printing that Client requests will be billed at \$.25 per page printed. Client is under no obligation to have printing done by Consultant.

Should Consultant not accumulate \$5,900 in fees and costs on completion of projects requested and authorized by Client, any surplus funds can be credited toward a project to be completed over the following twelve months.

PER PROJECT FEE SCHEDULE:

New carrier HQ meeting and document	\$5,000 (plus travel expenses)
Airline meeting at Conference	\$3,000 (1 st) \$1,500 (2 nd)
Liaison with DOT	\$150/hour / NTE \$1,500
Liaison with incumbent or new carrier	\$150/hour / NTE \$1,500
Assistance with new carrier recruiting	\$150/hour / NTE \$2,500
Community Visit / Town Meetings (each)	\$3,500 (plus travel expenses)
EAS Bid Comparison / Analysis (if two or more bids are attractive)	\$150/hour / NTE \$1,000
Transition Airline Pricing Analysis (analysis of airline pricing in transition)	\$150/hour / NTE \$5,000
Transition Airline Schedule Analysis (analysis of airline scheduling in transition)	\$150/hour / NTE \$5,000

6. ADDITIONAL SUPPORT PROJECTS / PRICING

True Market / Leakage Study	\$10,000
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True Market Study:

Approach: Consultant brands its leakage studies as "True Market Studies." This is an important differentiation as it drives our initial approach to the project. The term "leakage" refers to the amount of traffic in a subject airport's catchment area which uses an airport other than the subject airport. While it is critical for an airport to understand its leakage, that is typically only a portion of the air travel demand in a region. As such, we have re-branded our leakage studies as "True Market Studies," in an effort to ensure we provide a complete picture of the air travel demand in a region, including detailed data on both the passengers retained at the subject airport and those who leak to other locations.

Our True Market Studies also embody another key philosophy of Sixel Consulting Group: *our work is data driven*. The completed study will feature data very prominently throughout, as it is our goal to furnish our clients with useful facts, opinions and analyses based on solid data. As such, our report will not spend a great deal of time defining itself. Instead, it will be a thorough analysis of your market, reviewed from several different perspectives.

Data: To prepare the True Market Study, Sixel Consulting Group will first acquire data from several third parties. The data to be acquired and analyzed includes:

- DB1A Origin and Destination Traffic Survey – U.S. Department of Transportation
- Ticket Data – Airline Reporting Corporation (ARC)
- Airline Schedules – Official Airline Guides (OAG / UBM Aviation)
- Census Data – U.S. Census Bureau
- Regional Economic Data – U.S. Bureau of Economic Analysis

Methodology: Consultant will utilize a three-pronged approach to determine the size and characteristics of the Airport's catchment area and true market. The volume of traffic at the carrier and destination level currently captured at any airport is recorded in the Department of Transportation's Origin and Destination Survey. Sixel analyzes and corrects this data to account for sampling errors and carriers that do not participate in the survey. The characteristics of leaked traffic are then lifted from an analysis of tickets sold by airlines serving the region that make settlement transactions through the Airline Reporting Corporation (ARC). To eradicate any outliers, this data is then evaluated to determine its fitness for inclusion in a representative sample. The volume of leaked traffic is determined by analyzing demographic and socio-economic data in the catchment area relative to regional and national tendencies. This is done using a proprietary basis for disseminating and evaluating population, personal income, and gross domestic product for a defined catchment area.

Specific travel information is recorded on airline ticket stock retained by many airlines and sent to ARC for processing. Sixel Consulting Group collects customers' airline ticket data from ARC-reporting airlines serving the area by the zip codes which define the catchment area. The information collected includes: originating airports, destinations, connecting airports, purchase dates, departure and return dates, and airlines utilized. This data is analyzed to accomplish the objectives of the lifted ticket.

Proprietary analysis will be conducted to determine travel on low-cost carriers such as Southwest and Frontier. While ARC-reporting airlines continue to book a significant portion of travel, certain low-cost carriers' business models exclude reporting to ARC, therefore it is necessary for us to adjust the data to account for their impact.

For this study, Sixel Consulting Group will estimate leakage to other airports throughout the region. By combining the ARC ticket data with information provided by the airlines to the U.S. Department of Transportation, we will estimate the "true market" for the Airport's catchment area. The true market is the total number of air travelers, including those that use competing airports, in the geographic area served by the Airport. The "true market" estimate includes the size of the total market and can be used to provide estimated data for specific destinations from the area.

7. JOINT PROJECTS WITH LIBERAL

Liberal, Kansas, is near Dodge City and historically the two cities have been paired together by the EAS carrier of record to provide service synergies. Both Dodge City and Liberal might benefit from making joint efforts to recruit alternative air service. Sixel Consulting is willing to provide certain services to the two communities combined for joint presentation to airlines.

JOINT SERVICES FEE SCHEDULE:

New carrier HQ meeting and document	\$7,000 (plus travel expenses)
Conference carrier meeting and document	\$5,000 first, \$2,500 thereafter
Conference meeting sit-in, no document	\$1,050 per meeting
True Market Study	\$6,000 / airport, \$12,000 total
Community Meeting, both cities in same visit	\$5,000 combined

8. INTERNATIONAL DATA RESTRICTIONS

International data is restricted by the US DOT. In order to present this information as part of our analysis, it is necessary to be pre-cleared by the DOT and list Sixel Consulting Group, Inc. as an intermediary. This clearance needs to occur each year. If you have not completed this process please do so, or contact our office for the necessary forms and instructions.

9. SIGNATURES



Corey Keller, Airport Manager
Dodge City Regional Airport

Dated this 10 day of September, 2014

Mark Sixei, President
Sixel Consulting Group, Inc.

Dated this ____ day of _____, 2014

