

# **CITY COMMISSION MEETING AGENDA**

City Hall Commission Chambers

Monday, February 6, 2017

7:00 p.m.

MEETING #5058

## **CALL TO ORDER**

## **ROLL CALL**

**INVOCATION BY** Assistant Pastor Raciél Quintana of First 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).

Girl Scout Cookie Month Proclamation

National School Counseling Week Proclamation

## **CONSENT CALENDAR**

1. Approval of City Commission Work Session Minutes, January 17, 2017,
2. Approval of City Commission Meeting Minutes, January 17; 2017;
3. Approval of City Commission Special Meeting Minutes, February 3, 2017;
4. Appropriation Ordinance No.3, February 6, 2017;
5. Cereal Malt Beverage License:
  - a. Water Sports Campground, 500 Cherry St.
  - b. Don Hector's, 208 S. 2<sup>nd</sup> Avenue.

## **ORDINANCES & RESOLUTIONS**

**Resolution No. 2017-04:** Approval of Commitment of City Funds for the US 50 & Fairway Drive Intersection Project. Report by Director of Engineering, Ray Slattery.

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

1. Approval of Bid for the 4<sup>th</sup> Avenue Reconstruction – Phase 2. Report by Tanner Rutschman, E.I. Civil Engineer.
2. Approval of Moderate Income Housing Program Grant Agreement. Report by Special Projects Coordinator, Mollea Wainscott.
3. Approval of Recommendations for Board & Commissions Appointments. Report by Director of Public Information, Jane Longmeyer.
4. Approval of Appointment of Members to Serve on the Dodge City/Ford County Board of Directors. Report by City Manager, Cherise Tieben.

## **OTHER BUSINESS**

## **EXECUTIVE SESSION**

Discussion of Non-Elected Personnel

## **ADJOURNMENT**

Office of the Mayor  
Dodge City, Kansas

## *Proclamation*

**WHEREAS**, Girl Scouts, the pre-eminent organization for girls in the United States and around the world, has been an active part of the Dodge City community; and

**WHEREAS**, through the Girl Scout Cookie Program, girls learn about business, goal-setting, the value of teamwork and money management, all of which helps them become leaders who are confident in themselves and their abilities, use their knowledge to effect change in their lives and in the lives of those around them; and

**WHEREAS**, through the support of generous donors and annual product-sale activities, such as the Girl Scout Cookie Sale, the Girl Scout organization is able to offer quality programs on a year-round basis to girls in all racial, ethnic, cultural, religious and socioeconomic groups; and

**WHEREAS**, the City of Dodge City is committed to supporting the programs provided by the Girl Scouts of Kansas Heartland and encourages our communities to support Girl Scouting and its annual money-earning activity- the annual Girl Scout Cookie Sale.

**NOW, THEREFORE, BE IT RESOLVED**, that I, Rick Sowers, Mayor of the City of Dodge City, Kansas, do hereby proclaim February 2017 as

### *Girl Scout Cookie Month*

and encourage all citizens to support the *Annual Girl Scout Cookie Sale* which begins February 11 and ends March 19, make an investment in the lives of girls and uphold the enterprising spirit of Girl Scouts to remain a self-sufficient organization.

*In witness whereof I have hereunto set my  
hand and the seal of the City of Dodge City,  
Kansas.*

\_\_\_\_\_  
Rick Sowers, Mayor

Attest: \_\_\_\_\_  
Nannette Pogue, City Clerk

Date: February 6, 2017

*Proclamation*  
*National School Counseling Week*

**WHEREAS**, school counselors are employed in public and private schools to help students reach their full potential; and

**WHEREAS**, school counselors are actively committed to helping students explore their abilities, strengths, interests, and talents as these traits relate to career awareness and development; and

**WHEREAS**, school counselors help parents focus on ways to further the educational, personal and social growth of their children; and

**WHEREAS**, school counselors work with teachers and other educators to help students explore their potential and set realistic goals for themselves; and

**WHEREAS**, school counselors seek to identify and utilize community resources that can enhance and complement comprehensive school counseling programs and help students become productive members of society; and

**WHEREAS**, comprehensive developmental school counseling programs are considered an integral part of the educational process that enables all students to achieve success in school.

**NOW, THEREFORE, BE IT RESOLVED** that February 6-10, 2017 be declared as

**National School Counseling Week**

to recognize the dedicated work of school counselors to help their students succeed.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the great seal of the City of Dodge City to be affixed, this 6th day of February, 2017.

\_\_\_\_\_  
Rick Sowers, Mayor

ATTEST

\_\_\_\_\_  
Nannette Pogue, City Clerk

**CITY COMMISSION WORK SESSION MINUTES**

City Hall Commission Chambers

Tuesday, January 17, 2017

6:00 p.m.

**ROLL CALL:** Mayor Brian Delzeit, Commissioners, Jan Scoggins, Joyce Warshaw, Kent Smoll, Rick Sowers.

**WORK SESSION**

Ray Slattery Director of Engineering and Tanner Rutschman, Civil Engineer, reported on the Street Program for 2017.

**ADJOURNMENT**

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Mayor

ATTEST:

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Nannette Pogue, City Clerk

# **CITY COMMISSION MEETING MINUTES**

City Hall Commission Chambers

Tuesday, January 17, 2017

7:00 p.m.

MEETING #5056

## **CALL TO ORDER**

**ROLL CALL:** Mayor Rick Sowers, Commissioners Jan Scoggins, Brian Delzeit, Kent Smoll and Joyce Warshaw.

**INVOCATION** by Chaplain Shannon Sanchez of Fort Dodge Chapel

## **PLEDGE OF ALLEGIANCE**

**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).**

Public Library Quarterly Report was given by Cathy Reeves, Librarian. Cathy thanked the City Commission for everything they have done for the library. Thanks, congratulations and a job well done was given to Cathy. This is her last report as she will be retiring on January 25.

## **CONSENT CALENDAR**

1. Approval of City Commission Meeting Minutes, January 3, 2017;
2. Appropriation Ordinance No.2, January 17, 2017;
3. Cereal Malt Beverage License:
  - a. Walgreens Store, 1800 N. 14<sup>th</sup> Avenue,
  - b. Tacos Jalisco, 412 E. Wyatt Earp Blvd.,
  - c. Taylor's Roadhouse, 2305 W. Wyatt Earp Blvd.,
4. Approval of Lease Agreement for Dodge City Area Chamber of Commerce and Dodge City/Ford County Development Corporation at Depot Building;
5. Approval of Lease Agreement with SER at Hennessey Hall.

Commissioner Brian Delzeit moved to approve the Consent Calendar as presented. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

## **ORDINANCES & RESOLUTIONS**

**Resolution No. 2017-01:** A Resolution of the Governing Body of the City of Dodge City Authorizing an Agreement to Cooperate with Other Municipalities to form a Group-Funded Pool Entitled Bylaws and Interlocal Cooperation Agreement for the Kansas Municipal Insurance Trust was approved on a motion by Commissioner Brian Delzeit. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

**Resolution No. 2017-02:** A Resolution Approving the ByLaws and Interlocal Cooperation Agreement for Midwest Public Risk Kansas was approved on a motion by Commissioner Brian Delzeit. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.

**Resolution No. 2017-03:** A Resolution Approving the Sister City Agreement between the City of Dodge City, Kansas and the Town of Beit Jann, Israel was approved on a motion by Commissioner Kent Smoll. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

#### **NEW BUSINESS**

1. Commissioner Jan Scoggins moved to approve the 2017 Street Program as presented. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.
2. Commissioner Kent Smoll moved to approve the Final Plat for Candletree #8. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

#### **OTHER BUSINESS**

City Manager, Cherise Tieben

- Commented on the ice storm that happened in the City over the weekend. Thank you to Victory Electric, Public Works, Park staff, Police and Fire for all of their continuous hard work. The generators were in place to keep the electricity on in the critical city areas. The City will continue to spend a significant time and dollars. The County is working on declaring the area a disaster for FEMA funding. Reiterate to all citizens to have patience as we work through this. Remind citizens that they can drop off their limbs at an area at the race track. Property owners can trim and take down their own trees, but if someone else does it, they will need to be a licensed arborist. On the city's website are guidelines. There has been a tremendous effort by everyone.
- There will be 3 retirement celebrations on Friday, January 20: Sandie Masden from the Convention and Visitors Department from 4:00 to 6:00 at the Military Plaza commons area; Mike Rees, Developmental Services Department, from 4:00 – 7:00 at the Cowtown; and Cathy Reeves, Librarian, from 2:30 – 5:30 at the Library with the program at 4:00 p.m.
- Next Monday I will be attending the Southwest Kansas night with the legislators in Topeka.
- Introduced Mark Cowell, who will be covering the City Attorney duties while Brad is in Topeka.

Commissioner, Kent Smoll

- Thanked all of the City and County staff for all of their efforts with the storm damage. Wished Victory Electric a lot of success and thanked them for their efforts in restoring electricity.

Commissioner, Jan Scoggins

- Congratulated Cathy Reeves and thanked her for all of her years of service at the Library.

- Thanked DCCC and the Salvation Army for serving the citizens during the storm and appreciated all of the long hours.

Commissioner, Joyce Warshaw

- Reiterated the other Commissioners comments and thanks for all of the workers during the storm.

Commissioner, Brian Delzeit

- Echoed the other Commissioners' thanks for all of the hard work of Victory Electric, City and County crews and all others who were involved in the storm fall out.
- Asked citizens to be cognizant of where they are piling their limbs, so they do not block walking areas, especially around the schools.

Mayor, Rick Sowers

- Has been listening to the scanner quite a bit lately since his wife has been riding with the ambulance crews. He has a great deal of appreciation for shift workers and all of the hard work that goes on.
- City crews have worked a couple of days cleaning up the storm damage. If you see your neighbor needs assistance, please help them.

**ADJOURNMENT**

Commissioner Kent Smoll moved to adjourn the meeting. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

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Mayor

ATTEST:

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Nannette Pogue, City Clerk

# **CITY COMMISSION SPECIAL MEETING MINUTES**

City Hall Commission Chambers

Friday, February 3, 2017

8:00 a.m.

MEETING #5057

## **CALL TO ORDER**

**ROLL CALL:** Mayor Rick Sowers, Commissioners Jan Scoggins, Brian Delzeit, Kent Smoll and Joyce Warshaw

## **ROLL CALL**

## **ORDINANCES & RESOLUTIONS**

**Ordinance No. 3650:** An Ordinance of the Governing Body of the City of Dodge City, Kansas Adding Additional Property to the Existing Star Bond Project District within the City and Making Certain Findings in Conjunction Therewith and Approving an Amended Star Bond District Plan was approved on a motion by Commissioner Kent Smoll. The motion was seconded by Commissioner Brian Delzeit. The motion carried unanimously.

## **ADJOURNMENT**

Commissioner Jan Scoggins moved to adjourn the meeting, seconded by Commissioner Joyce Warshaw. The motion carried unanimously.

**INDIVIDUAL/SOLE PROPRIETOR  
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**

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

City or  County of \_\_\_\_\_

<b>SECTION 1 - LICENSE TYPE</b>	
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 licenses premises.	

<b>SECTION 2 - APPLICANT INFORMATION</b>		
Kansas Sales Tax Registration Number (required): 004-480-906-593 F01		
Name Morgison Family - Patricia Brandenburg	Phone No. 620-227-8178	Date of Birth 7-31-51
Residence Street Address 2008 Boley Drive	City Dodge City KS	Zip Code 67801
<b>Applicant Spousal Information</b>		
Spouse Name Eldon Brandenburg	Phone No. 620-227-8178	Date of Birth 9-26-50
Residence Street Address 2008 Boley Drive	City Dodge City KS	Zip Code 67801

<b>SECTION 3 - LICENSED PREMISE</b>			
<b>Licensed Premise</b> (Business Location or Location of Special Event)		<b>Mailing Address</b> (If different from business address)	
DBA Name Water Sports Campground	Name Morgison Family Patricia Brandenburg	Address 2008 Boley Drive	
Business Location Address 500 Cherry St	City Dodge City KS	State KS	Zip 67801
City Dodge City	State KS	Zip 67801	
Business Phone No. 620-225-8044	<input checked="" type="checkbox"/> I own the proposed business or special event location. <input type="checkbox"/> I do not own the proposed business or event location.		
Business Location Owner Name(s)			

<b>SECTION 4 - APPLICANT QUALIFICATION</b>	
I am a U.S. Citizen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of Kansas for at least one year prior to application.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have resided within the state of Kansas for <u>26</u> years.	
I am at least 21 years old.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of this county for at least 6 months.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse <sup>1</sup> has been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Have Have Not
My spouse has previously held a CMB license.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**INDIVIDUAL/SOLE PROPRIETOR  
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**

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

City or  County of \_\_\_\_\_

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

<b>SECTION 2 - APPLICANT INFORMATION</b>		
Kansas Sales Tax Registration Number (required):		
Name <i>Jaelyn Acosta</i>	Phone No. <i>(620) 430-2313</i>	Date of Birth <i>11-11-89</i>
Residence Street Address <i>11697 Lariat Way</i>	City <i>Dodge City KS</i>	Zip Code <i>67801</i>
<b>Applicant Spousal Information</b>		
Spouse Name _____	Phone No. _____	Date of Birth _____
Residence Street Address _____	City _____	Zip Code _____

<b>SECTION 3 - LICENSED PREMISE</b>		
<b>Licensed Premise</b> (Business Location or Location of Special Event)		<b>Mailing Address</b> (If different from business address)
DBA Name <i>DON Hector</i>		Name
Business Location Address <i>208 South 2nd Avenue</i>		Address
City <i>Dodge City</i>	State <i>KS</i>	Zip <i>67801</i>
Business Phone No. <i>(620) 430-2313</i>	<input type="checkbox"/> I own the proposed business or special event location. <input type="checkbox"/> I do not own the proposed business or event location.	
Business Location Owner Name(s) <i>Hector Acosta</i>		

<b>SECTION 4 - APPLICANT QUALIFICATION</b>	
I am a U.S. Citizen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of Kansas for at least one year prior to application.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have resided within the state of Kansas for <u>19</u> years.	
I am at least 21 years old.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of this county for at least 6 months.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse <sup>1</sup> has been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	<input type="checkbox"/> Yes Have <input checked="" type="checkbox"/> No Have Not
My spouse has previously held a CMB license.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

# *Memorandum*

*To: City Manager  
City Commissioners*

*From: Ray Slattery,  
Director of Engineering  
Services*

*Date: February 1, 2017*

*Subject: Resolution 2017-04  
Agenda Item: Ordinances and Resolutions*

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**Recommendation:** Approve Resolution 2017-04

**Background:** In May of 2014 the City applied for the construction of an intersection where US 50 and Fairway Dr. would intersect through the Geometric Improvement (GI) of City Connecting Links to KDOT. The previous 3 GI applications to KDOT for this intersection construction were denied. After some negotiations, KDOT awarded the project in later 2014 with a not to exceed funding from KDOT of \$600,000. PEC was chosen to do the design. Design started in early 2015. On January 18, 2017 KDOT opened bids for this project. APAC Kansas Inc., Shears Division of Hutchinson, Ks. submitted the only bid of \$1,064,419. The city is responsible for the cost of construction and construction engineering beyond KDOT's Share of \$600,000. Construction Inspection will be completed by PEC and KDOT Staff.

**Justification:** This Resolution will commit the City to fund the city's portion of the cost of construction and construction engineering of the Intersection Project. Funds were budgeted in 2016 for this. Some additional funds will need to be bonded year to cover the shortage.

**Financial Considerations:** The Resolution will authorize KDOT to proceed with the project and commit city funds to pay \$581,000 as shown on the KDOT invoice. This includes the City's share of the construction and construction engineering cost. The City had bonded \$750,000 for the design, construction and inspection of the project. The City had to also construct a portion of Fairway dr. to meet the new intersection. The cost of this work was \$251,215. The result is there is a shortage of \$175,000.

**Purpose/Mission:** Provide for the Ongoing Improvements of the City's Street System. It also increases Safety to this part of town.

**Legal Considerations:** N/A

**Attachments:** Resolution 2017-04 and Invoice from KDOT.

RESOLUTION NO. 2017-04  
**AUTHORITY TO AWARD CONTRACT**  
**COMMITMENT OF CITY FUNDS**

January 20, 2017

2 Copies to City  
 Project Number: 29 KA-4047-01  
 City of Dodge City  
 Ford County

WHEREAS bids were received at Topeka, Kansas on 1/18/2017 for the performance of work covered by plans on the above numbered project, and

WHEREAS the bidder and the low bid or bids on work covered by this project were:

CONTRACTOR	TYPE OF WORK	AMOUNT
APAC KANSAS INC SHEARS DIVISION  PO BOX 1605 HUTCHINSON, KS 67504-1605	Dodge City GI: US-50/Fairway Dr. Intersection	\$ 1,064,419.00

WHEREAS bids are considered satisfactory and have been recommended by the Secretary of Transportation of the State of Kansas, hereinafter referred to as the SECRETARY, for consideration and acceptance of the work on this project as covered by such bid or bids.

**A combination of the bid plus an estimated \$115,625 for construction engineering less \$600,000 of Maximum State Funds = \$581,000 matching City Funds.**

BE IT FURTHER RESOLVED that City funds in the amount of \$581,000 which are required for the matching of Maximum State Funds are hereby pledged by the City to be remitted to the Chief of Fiscal Services of the Department of Transportation of the State of Kansas on or before 3/9/2017 for use by the SECRETARY in making payments for construction work and engineering on the above designated project with final cost being determined upon completion and audit of the project.

The City certifies that no known or foreseeable legal impediments exist that would prohibit completion of the project and that the project complies with all applicable codes, standards and or/regulations required for completion.

Adopted this 6th day of February, 2017, at Dodge City, Kansas.

Recommended for Approval:

City of Dodge City

Ray Slattery  
 City Engineer

Rick Sowers, Mayor

Attest:

(Seal)

\_\_\_\_\_  
 City Clerk

**INVOICE**

**\*Keep for your Records\***

**Due On Or Before 3/9/2017**

PRELIMINARY STATEMENT OF COST  
29 KA-4047-01

Dodge City GI: US-50/Fairway Dr. Intersection

<b>Construction and CE Breakdown</b>	
Actual Bid	\$1,061,640
Water (for grading)	\$2,779
<b>Sub-Total Actual Bid Amount</b>	<b>\$1,064,419</b>
LPA CE Contract	\$115,625
<b>Sub-Total Construction and CE</b>	<b>\$1,180,044</b>
State-aid Non-Participating Const. Costs	\$2,001
State-aid Non-Participating CE	\$217
PE Costs	\$0
Railroad Costs	\$0
ROW Costs	\$0
Utility Costs	\$0
<b>State Participating Project Costs</b>	<b>\$1,177,825</b>
<b>Total Project Costs</b>	<b>\$1,180,044</b>

<b>CE Breakdown</b>	
Total LPA CE	\$115,625
State Non-Participating CE	\$217
State Participating CE	\$115,407

<b>Maximum Participating Funds</b>	
	<b>\$600,000</b>

<b>State/City Participation Summary</b>	
State Participating Project Costs	<b>\$1,177,825</b>
Sub-Total State Part. of Project Costs or Max.	<b>\$705,882</b>
85% State Part. Of Project Costs	\$600,000
15% City Part. Of Project Costs	\$105,882
100% City Funds Due to Max.	\$471,943
100% City Funds Due to Non-participating	\$2,218
Total Project Costs	<b>\$1,180,044</b>

<b>Totals</b>			
	<b>City Funds</b>	<b>State Funds</b>	<b>Total Funds</b>
State Non-Participating Construction	\$ 2,001	\$ -	\$ 2,001
State Non-Participating CE	\$ 217	\$ -	\$ 217
85% State Part. Of Project Costs	\$ -	\$ 600,000	\$ 600,000
15% City Part. Of Project Costs	\$ 105,882	\$ -	\$ 105,882
100% City Funds Due to Max.	\$ 471,943	\$ -	\$ 471,943
Total	<b>\$ 580,044</b>	<b>\$ 600,000</b>	<b>\$ 1,180,044</b>

<b>Amount to Bill City (Rounded up)</b>	<b>\$581,000</b>
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<b>Key</b>	
KDOT	- Kansas Department of Transportation
LPA	- Local Public Authority
CE	- Construction Engineering (Inspection)
Const.	- Construction

## Memorandum

*To: City Manager  
City Commissioners*

*From: Tanner Rutschman, E.I.  
Civil Engineer*

*Date: February 6, 2017*

*Subject: 4<sup>th</sup> Ave. Reconstruction - Phase 2  
(Water Park Entrance to Maple St.)  
ST 1507*

*Agenda Item: New Business*

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**Recommendation:** Approve the bid from Building Solutions, LLC. to reconstruct 4<sup>th</sup> Avenue from the Water Park Entrance to Vacated Maple St. The Engineer's Estimate for this reconstruction project was \$145,977.50 and the low bid for the project was \$98,939.75. The amount of \$150,000.00 was budgeted for this project from previously acquired GOB funds.

**Background:** With the construction of the Long Branch Lagoon and all the other development in the area, this street section is in need of reconstruction in order to tie into the new construction. This project is Phase 2 of the 4<sup>th</sup> Ave. Reconstruction. The first phase included the construction of the new water park table top entrance and the asphalt overlay to the south. This project will add 17 angle parking stalls on 4<sup>th</sup> Ave. just north of the Long Branch Lagoon where additional parking is needed as well as sidewalks.

**Justification:** This road is surrounded by new pavement and will be required to accommodate storm drainage with the removal of the vacated Maple St. pavement. The improvement to this road section will help complete the transformation of the development district as a whole.

**Financial Considerations:** This project will be funded through previously acquired General Obligation Bonds.

**Purpose/Mission:** The completion of this project would align with the City's core value of ongoing improvement.

**Legal Considerations:** By approving the bid from Building Solutions, LLC, the City will enter into a contract with Building Solutions, LLC, and be responsible to make payments to Building Solutions, LLC.

**Attachments:** Bid Tabulation which includes all the bidders for the project along with the Engineer's Estimate

CITY OF DODGE CITY, KANSAS  
 BID TABULATION

PROJECT: South 4th Ave Reconstruction - Phase 2

PROJECT #: ST 1507

BID DATE: 01/31/17

ENGINEER'S ESTIMATE

CONTRACTOR:  
 Building Solutions, LLC  
 ADDRESS:  
 11106 Saddle Rd.  
 CITY: Dodge City  
 STATE: Kansas  
 ZIP: 67801

CONTRACTOR:  
 A-1 Concrete & Construction  
 ADDRESS:  
 105 East Ave. A  
 CITY: Spearville  
 STATE: Kansas  
 ZIP: 67876

CONTRACTOR:  
 APAC Kansas Inc, Shears Div.  
 ADDRESS:  
 11188 S. 56 Bypass  
 CITY: Dodge City  
 STATE: Kansas  
 ZIP: 67801

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
1	Mobilization	L.S.	1	\$12,500.00	\$ 12,500.00
2	Construction Staking	L.S.	1	\$1,750.00	\$ 1,750.00
3	Cleaning & Grubbing	L.S.	1	\$1,000.00	\$ 1,000.00
4	Unclassified Excavation (Includes Pavement Removal)	S.Y.	840	\$20.00	\$ 16,800.00
5	Removal of Existing Structures	L.S.	1	\$2,500.00	\$ 2,500.00
6	Sub-Grade Repair	C.Y.	25	\$40.00	\$ 1,000.00
7	Embankment (VRF = 1,15)	C.Y.	50	\$40.00	\$ 2,000.00
8	6" Sub-Grade Compaction	S.Y.	1005	\$2.50	\$ 2,512.50
9	7" (NRD,J) (AE) PCC Pavement	S.Y.	650	\$70.00	\$ 45,500.00
10	5" (AE) PCC w/Paver Inlay (Crosswalks)	S.Y.	15	\$150.00	\$ 2,250.00
11	6" PCC Pavement	S.Y.	190	\$55.00	\$ 10,450.00
12	6" PCC Sidewalk	S.Y.	72	\$55.00	\$ 3,960.00
13	ADA Sidewalk Ramp	Each	1	\$1,500.00	\$ 1,500.00
14	30" Valley Gutter	L.F.	116	\$30.00	\$ 3,480.00
15	30" Standard Curb & Gutter	L.F.	183	\$35.00	\$ 6,405.00
16	30" Reverse Curb & Gutter	L.F.	242	\$35.00	\$ 8,470.00
17	6" Barrier Curb	L.F.	6	\$25.00	\$ 150.00
18	Type-22 Curb Inlet Top, 6' x 4'	Each	2	\$1,250.00	\$ 2,500.00
19	Construct 4' x 4' Junction Box w/ Precast Top	L.S.	1	\$8,500.00	\$ 8,500.00
20	Connect to Existing Storm Sewer	L.S.	1	\$2,000.00	\$ 2,000.00
21	Adjustment of Sanitary Sewer Manhole	Each	1	\$750.00	\$ 750.00
22	Traffic Control	L.S.	1	\$5,000.00	\$ 5,000.00
23	Erosion & Sediment Control	L.S.	1	\$2,500.00	\$ 2,500.00
24	Pavement Markings	L.S.	1	\$2,500.00	\$ 2,500.00

TOTAL \$ 145,977.50

UNIT PRICE	CONTRACT AMOUNT
\$3,000.00	\$ 3,000.00
\$1,200.00	\$ 1,200.00
\$1,000.00	\$ 1,000.00
\$11.85	\$ 11,634.00
\$1,500.00	\$ 1,500.00
\$38.00	\$ 950.00
\$25.00	\$ 1,250.00
\$2.00	\$ 2,010.00
\$60.00	\$ 39,000.00
\$55.00	\$ 825.00
\$60.00	\$ 11,400.00
\$55.00	\$ 3,960.00
\$800.00	\$ 800.00
\$30.00	\$ 3,480.00
\$30.00	\$ 5,490.00
\$30.00	\$ 7,260.00
\$5,400.00	\$ 10,800.00
\$5,400.00	\$ 5,400.00
\$1,500.00	\$ 1,500.00
\$800.00	\$ 800.00
\$1,500.00	\$ 1,500.00
\$1,500.00	\$ 1,500.00
\$2,000.00	\$ 2,000.00

TOTAL \$ 137,239.00

UNIT PRICE	CONTRACT AMOUNT
\$21,450.00	\$ 21,450.00
\$2,500.00	\$ 2,500.00
\$8,600.00	\$ 8,600.00
\$10.00	\$ 8,400.00
\$4,825.00	\$ 4,825.00
\$50.00	\$ 1,250.00
\$39.00	\$ 1,950.00
\$8.90	\$ 8,944.50
\$60.00	\$ 39,000.00
\$160.00	\$ 2,400.00
\$46.00	\$ 8,740.00
\$40.00	\$ 2,960.00
\$1,500.00	\$ 1,500.00
\$30.00	\$ 3,480.00
\$12.00	\$ 2,196.00
\$12.00	\$ 2,904.00
\$50.00	\$ 300.00
\$2,900.00	\$ 5,800.00
\$2,700.00	\$ 2,700.00
\$3,200.00	\$ 3,200.00
\$1,325.00	\$ 1,325.00
\$4,500.00	\$ 4,500.00
\$720.00	\$ 720.00
\$350.00	\$ 350.00

TOTAL \$ 139,914.50

BID SECURITY 5%  
 START DATE 4/3/2017

BID SECURITY 5%  
 START DATE 4/5/2017

BID SECURITY 5%  
 START DATE 4/3/2017

## *Memorandum*

*To: City Manager  
City Commissioners*

*From: Mollea Wainscott  
Special Projects Coordinator*

*Date: 1/31/17*

*Subject: MIH Grant Agreement  
Agenda Item: New Business*

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**Recommendation:** Staff recommends the approval of the Moderate Income Housing Program Grant Agreement.

**Background:** The City of Dodge City submitted an application for the Moderate Income Housing grant through the Kansas Housing Resource Corporation for the Abandoned Housing Program. Our application was approved by KHRC for One Hundred Thousand Dollars (\$100,000). The funds will be used to build a new home on Mulberry Circle in partnership with the Dodge City Community College Building Trades Programs. Once complete the home will be sold to a moderate-income citizen with the proceeds of the sale going to the Community Housing Association of Dodge City.

**Justification:** Housing continues to be a constant challenge in the Dodge City area. The Abandoned Housing Program has been successful in creating new housing and rehabilitating vacant housing throughout Dodge City.

**Financial Considerations:** None at this time for the City. This is a pass thru and CHAD will provide the remainder of funds needed to complete the build.

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

**Legal Considerations:** None

**Attachments:** Grant Agreement

## GRANT AGREEMENT

**THIS GRANT AGREEMENT (“Agreement”)** is made by and between the City of Dodge City, Kansas, (“**Grantee**”), PO Box 880 Dodge City, Kansas 67801 and Kansas Housing Resources Corporation, 611 South Kansas Avenue, Suite 300, Topeka, Kansas 66603 (“**KHRC**”) this 4<sup>th</sup> day of January 2017.

**WHEREAS**, KHRC is a public corporation that administers Federal and State housing programs, as well as the State Housing Trust Fund (“**SHTF**”) which is used for funding housing programs and services.

**WHEREAS**, the Kansas Legislature passed and the Governor signed House Substitute for SENATE BILL No. 112 (“**Bill**”) which provided \$2 million for the State Housing Trust Fund (“**SHTF**”) to be used for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas (“**Eligible Activities**”).

**WHEREAS**, utilizing the funds provided under the Bill, KHRC issued a Kansas Moderate Income Housing (“**MIH**”) Request for Proposal (“**RFP**”) on June 1, 2016.

**WHEREAS**, Grantee requested MIH funds for proposed eligible activities by an application submitted on or about October 14, 2016 which is hereby incorporated by reference herein (“**Application**”), and which commitments and representations contained therein expressly remain a continuing obligation and responsibility of Grantee;

**WHEREAS**, KHRC’s Loans and Grants Committee approved a grant totaling \$100,000 for Grantee’s proposed eligible activities at its December 21, 2016 meeting;

**NOW THEREFORE**, the parties do mutually agree as follows:

1. **Grant Funds**. KHRC hereby grants Grantee up to \$100,000 (“**Funds**”) for Eligible Activities.
2. **Use of Grant Funds**. Grantee shall use the MIH Funds solely on the Eligible Activities proposed in Grantee’s Application and approved by KHRC, and in accordance with the following allocation:
  - a. Construction of one (1) single family home on a vacant lot located at 1521 Mulberry Circle, Dodge City, Kansas in a partnership with the Dodge City Community College building trades program with the proceeds of the sale of the home being placed in the Abandoned Housing program fund managed by the Community Housing Association of Dodge City (CHAD) to be used for construction of additional homes or the rehabilitation of single family homes as the association identifies them and sees fit

b. Construction shall begin by June 1, 2017 and be completed no later than June 1, 2018, unless a change is approved by KHRC.

3. **Leverage Commitment.** In addition to the Funds provided by KHRC, Grantee shall provide leveraged funds in accordance with its representations in its Application towards the costs of the Eligible Activities.
4. **Disbursement of Grant Funds.** Grantee commits to use its usual procurement processes for bidding out each portion of the approved Eligible Activities. As development costs are incurred, Grantee may make a lump sum or partial payment request from KHRC, providing documentation of such costs, as well as evidence that the leverage commitment in Grantee's Application is being used in the funded Eligible Activities. Requests for payment shall be accompanied by supporting documentation and made to the attention of Fred Bentley or James R. Behan, who may be reached as follows:

Fred Bentley, Director of Rental Development  
E-mail: fbentley@kshousingcorp.org  
Phone: 785-217-2029

James R. Behan, Director of Operations  
E-mail: jrbehan@kshousingcorp.org  
Phone: 785-217-2009

KHRC reserves the right to request additional documentation prior to disbursement of MIH Funds.

5. **Compliance with Regulations.** Grantee shall ensure compliance with all MIH rules and restrictions, as stated in the Bill and the MIH RFP, as well as other governing laws, **including the accessibility requirements of KSA 58-1401 et seq.** and the 2006 International Energy Conservation Code or Energy Star Program. If Grantee is using the Funds for single family housing development or assistance, Grantee shall also enact and monitor a recapture provision as explained in the RFP. Prior to making any modifications to the approved Eligible Activities from Grantee's funding Application, Grantee commits to obtain written approval from KHRC.
6. **Program Income.** Grantee commits to use any income derived from or generated by the approved Eligible Activities, regardless of when the income is received, solely for housing purposes in accordance with the RFP.
7. **Reporting.** Beginning with the first business day of the month following the award being made to an applicant and each month thereafter, the awardee shall submit in writing monthly status reports to KHRC until the entire project is completed and all funds have been expended. The status report should detail

the use of funds to date, along with a self-assessment comparing that use with the recipient's proposed use from its original application to KHRC. The status report should include an evaluation of the housing activities to date as well as the status of construction and the nature and reasons for any changes in the activities. A monthly status report should be filed even if there has been no progress or activity from the previous month.

When the project has been completed and all funds have been expended, awardees shall provide KHRC a final accounting of funds verified by an independent auditor, including the use of any income generated from the housing activities within 60 days of project completion.

8. **Compliance Monitoring.** When MIH funds are used in the development of rental housing, either directly or indirectly, it shall be required that tenants be initially qualified with gross incomes within the established MIH ranges as outlined in the RFP. Generally, the housing tax credit qualification procedures will be used to certify tenants and verify incomes but will use the higher MIH ranges. Tenants need not be recertified once they are initially qualified. This process will be used for the first five years following project completion whenever a new tenant enters the property. At the end of the fifth year, there shall be no further qualification procedures.

When MIH funding is used for home ownership opportunities, either directly or indirectly, an initial certification using the housing tax credit procedures will be required when the home is purchased. There will be no certification required for subsequent purchasers of the home when the first purchaser was qualified under the MIH guidelines. However, KHRC will require that the city or county receiving funding for homeownership purposes shall record a deed restriction on the property limiting the profit that can be achieved whenever such home is sold within a ten-year period of its initial occupancy. The restriction shall require a declining refund of any profit payable to the city or county in increments of 10 percent annually. If a home is sold within one year of its initial occupancy, 100 percent of the profit earned from such sale shall be paid to the city or county. This percentage shall decline 10 percent each year so that in the tenth year, if the home is sold, 10 percent of the profit shall be returned to the city or county. At the end of the tenth year of occupancy, the deed restriction shall be lifted and there shall be no restriction on the profit achieved by the sale of the home.

9. **Noncompliance.** Noncompliance with the MIH RFP, this Agreement, or other reasonable requirements of KHRC, shall result in penalties including but not limited to recapture of Funds and/or loss of eligibility for future funds.
10. **Rescission/Unavailability of Funds.** Grantee understands that the MIH RFP and Grantee's award is funded in whole or in part by State of Kansas funds provided through the Bill. In the event the State funds supporting this Agreement become unavailable, are reduced, or rescinded, KHRC may

**terminate or amend this Agreement without penalty and will not be obligated to pay the Grantee from any other sources, including KHRC, SHTF, or State of Kansas monies.**

11. **Miscellaneous.** The descriptive headings of this Agreement are for convenience only and shall not be deemed to affect the meaning of any provision. This Agreement may be modified only by the mutual written agreement of the parties. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this Agreement shall not be affected and each provision of this Agreement shall be enforced to the fullest extent permitted by law. The failure of KHRC to exercise any of its rights or responsibilities under the Bill or this Agreement shall not constitute a waiver of the right to exercise the same or any other option at any subsequent time in respect to the same or any other event. This Agreement constitutes the entire agreement of the parties and supersedes all other prior written or oral contracts between the parties with respect to the subject matter hereof.

**IN WITNESS WHEREOF**, the parties hereto have caused this instrument to be executed by their duly authorized official or officers on the date first indicated.

**GRANTEE: CITY OF DODGE CITY, KANSAS**

By: \_\_\_\_\_

Date: \_\_\_\_\_

**KANSAS HOUSING RESOURCES CORPORATION**

By: \_\_\_\_\_  
DENNIS L. MESA, EXECUTIVE DIRECTOR

Date: \_\_\_\_\_

# Memorandum

**To:** City Commission  
**CC:** City Manager Cherise Tieben  
**From:** Jane Longmeyer, Director of Public Information  
**Date:** 2/27/2016  
**Re:** Board and Commission Appointments

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The process of soliciting interested citizens to fill the expired/vacant positions on the city-appointed boards and commissions ended on January 30, 2017. Staff has reviewed the applications and supports the following Mayor's recommendations to the City Commission for appointment:

Airport Advisory Board – Dan Cammack, Kerry Zimmerman.

Building Board of Appeals – Alex Chavez, Esteban Gallegos, Ryan Scott, Leonard Bockelman

Convention & Visitors Bureau – Hospitality Kim Cunningham; At-large Hayes Kelman.

Cultural Relations Advisory Board – Greta Clark, Mary Marquez, Oliver Bland

Dodge City Planning Commission – Bill Pennington, Tom Taylor.

Golf Advisory Board – Rick Shirley

Historic Landmark Commission – Terry Lee, Kathie Bell

Housing Authority Board – Mollea Wainscott

Library Board – Hazel Mead, Pat McLaughlin

Recycling Advisory Board – Luke Schulte, Ron Hamm, Kennedy St. George

Santa Fe Trail Community Corrections – Peggy Cecil, Leslie Lima

Shade Tree Commission – Lyle Smith

## *Memorandum*

*To: City Commissioners*  
*From: Cherise Tieben*  
*Date: January 29, 2017*  
*Subject: Commission Appointments*  
*Agenda Item: New Business*

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**Recommendation:** The Commission should appoint two members of the Commission to serve on the Dodge City/Ford County Development Corporations Board of Directors.

**Background:** The bylaws of the Development Corporation provide for two Commissioners to be appointed annually to the Development Corporations Board. The Board meets on the third Thursday in the months of March, June, September and November at noon.

**Justification:** Due to the financial contribution provided by the City of Dodge City and the coordinated effort necessary to adequately address economic development efforts, the Commission is afforded the opportunity to be represented by two voting members of the Board.

**Financial Considerations:** None at this time.

**Purpose/Mission:** Together we value progress, growth and new possibilities by providing and preparing for the community's future.

**Legal Considerations:** None.