

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Monday, November 6, 2017

7:00 p.m.

MEETING #5082

CALL TO ORDER

ROLL CALL

INVOCATION BY Pastor Justin Hayes of Church of Nazarene

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

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

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, October 16, 2017;
2. Approval of Special City Commission Meeting Minutes, October 27, 2017;
3. Appropriation Ordinance No. 21, November 6, 2017;
4. Cereal Malt Beverage License:
 - a. Murphy USA, 1907 N. 14th Avenue.

ORDINANCES & RESOLUTIONS

Resolution No. 2017-31: A Resolution of the Governing Body of the City of Dodge City, Kansas Authorizing the Sale and Conveyance of Certain Property to Kimbroy's Properties LLC. Report by Finance Director/City Clerk, Nannette Pogue.

Resolution No. 2017-32: A Resolution Designating the Fidelity State Bank and Trust Company, Dodge City, Kansas as an Official Depository Bank, and Stating the Official signers on the Accounts. Report by Finance Director/City Clerk, Nannette Pogue.

Resolution No. 2017-33: A Resolution Cancelling the Commencement of the Collection of a Community Improvement District Sales Tax for the Santa Fe Plaza CID. Report by Finance Director/City Clerk, Nannette Pogue.

Resolution No. 2017-34: A Resolution of the Governing Body of the City of Dodge City, Kansas Giving Notice of a Public Hearing on the Advisability of Creating a Community Improvement District. Report by Finance Director/City Clerk, Nannette Pogue.

NEW BUSINESS

1. Approval of the Submission of the 5311 Public Transportation Grant and Approval of the Local Match. Report by Assistant to Finance Director, Nichole May.
2. Approval of the Bid for the Heritage District Sign. Report by Director of Parks and Recreation, Paul Lewis.

OTHER BUSINESS

ADJOURNMENT

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Monday, October 16, 2017

7:00 p.m.

MEETING #5080

CALL TO ORDER

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

INVOCATION

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

Senior Vice President, Luke Schulte read the Proclamation and on behalf of staff, board of directors, coaches, volunteers, sponsors and athletes we appreciate the proclamation. Dodge City has a rich history and is a true shining example of what a Special Olympic program can be. Spoke about the community that supports the Special Olympics Kansas through special events and competitions. 2018 will mark the 50th anniversary of the Special Olympics.

Local Director of Special Olympics, Ron Just also spoke. Ron was awarded "Making a Difference Coach of the Year" for the Special Olympics. We have athletes from all over Kansas. There are 82 athletes around this area. We appreciate the support from the community.

Mayor Rick Sowers proclaimed October 21st as Special Olympics Kansas Day and ask residents to show support to Special Olympics as they compete in their events.

Various participants were recognized and honored.

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 Joint City/County Commission Meeting Minutes, October 2, 2017;
2. Approval of City Commission Meeting Minutes, October 2, 2017;
3. Appropriation Ordinance No. 20, October 16, 2017;
4. Cereal Malt Beverage License:
 - a. Kate's, 305 E. Trail St.

5. Approval of Change Order No. 1 for 6th Avenue Rough Grading.

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

ORDINANCES & RESOLUTIONS

Resolution No. 2017-30: A Resolution Determining the Advisability of the Making of Certain Internal Improvements in the City of Dodge City, Kansas; Making Certain Findings with Respect Thereto; and Authorizing and Providing for the Making of the Improvements in Accordance with Such Findings (Various Internal Improvements/Wagon Wheel Addition, Unit 2 was approved on a motion by Commissioner Kent Smoll. Commissioner Jan Scoggins seconded the motion. The motion carried 4 - 0.

NEW BUSINESS

1. Commissioner Joyce Warshaw moved to approve the Quote from Klotz Sand Co. in the amount of \$774,888.47 for Infrastructure Improvements for Wagon Wheel 2, Commissioner Kent Smoll seconded the motion. The motion carried 4 - 0.

Joyce wanted to emphasize on how important the RHID is to Dodge City. We have been able to pay them off within 2-3 years ahead of time when they have been used.

2. Commissioner Kent Smoll moved to approve the Bid from Mayer in the amount of \$97,502 for a Pipeline Inspection Trailer System which will be used by the City's' Waste Water Department to inspect the City's' underground sewer system. Commissioner Joyce Warshaw seconded the motion. The motion carried 4 - 0.
3. Commissioner Jan Scoggins moved to approve the Consulting Service Agreement with SMH Consultants pending review by City Attorney and not to exceed the amount of \$49,972 for Soule Street and North 14th Avenue Extension of Water and Sewer Design. Commissioner Joyce Warshaw seconded the motion. The motion carried 4 - 0.
4. Commissioner Rick Sowers moved to approve the Consultant Agreement in the amount of \$58,000 with Terri McLain for the Mid-level Medical College Facilitation Consultant for the USDA Rural Business Development Grant. Funding of \$40,000 which will be made from the USDA Rural Business Development Grant funds and \$23,000 in matching funds from the City of Dodge City and the Dodge City/Ford County Development Corporation. Commissioner Joyce Warshaw seconded the motion. The motion carried 4 - 0.

OTHER BUSINESS

Melissa McCoy – Reminders:

- Tomorrow Dodge City Community College Board of Trustees Candidate Forum at DC3 in the little Theatre from 7:00 – 8:30 pm;
- October 18th City Commission Forum at the Dodge City Public Library from 7:00 to 8:30 pm.;
- October 28th, Main Street Down Town Trick or Treat hamburger feed;
- November 1st, State of the County;
- November 2nd, WSU Outlook Conference.
- December 4th Joint City/County Commission Meeting.

Commissioner, Kent Smoll

- Encourage everyone to shop local and shop often.

Commissioner, Jan Scoggins

- Community does a good job with all the help they give with all the things we offer in our community.
- Ice Skating is available now, there are discounts on passes;
- Want to congratulate the Public library on a wonderful fund raiser they had. They had a good speaker and the Community works so well together to bring in good speakers.

Commissioner, Joyce Warshaw

- Remind everyone that the United Wireless Arena will be featuring the musicians, Kansas; this Friday night. It’s a great venue.

Mayor, Rick Sowers

- Encourage everyone to get out and vote. Gain some knowledge of the candidates, get out to the interview forums.

ADJOURNMENT

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

ATTEST:

Mayor

City Clerk, Nannette Pogue

SPECIAL CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Friday, October 27, 2017

8:00 a.m.

MEETING #5081

CALL TO ORDER

ROLL CALL: Mayor Rick Sowers and Commissioner Brian Delzeit, present at the City Hall Commission Chambers; Present by phone: Commissioner Kent Smoll in New York, NY, Commissioner Jan Scoggins in Denver, CO and Commissioner Joyce Warshaw in Wichita, KS

NEW BUSINESS

1. The Third Amendment to Leisure Development, LLC, Development Agreement was approved on a motion by Commissioner Brian Delzeit, seconded by Commissioner Jan Scoggins. The motion carried 5-0.
2. The Amended Assignment and Assumption of Leisure Development, LLC, Development Agreement was approved on a motion by Commissioner Brian Delzeit, seconded by Commissioner Jan Scoggins. The motion carried 5-0.

ADJOURNMENT: Commissioner Brian Delzeit moved to adjourn the meeting. The motion was seconded by Commissioner Jan Scoggins. The motion carried 5-0.

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

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		Principal Place of Business	
<u>Murphy Oil USA, Inc</u>		<u>Murphy USA # 7483</u>	
Corporation Street Address		Corporation City	State
<u>200 Peach St. El Dorado</u>		<u>El Dorado</u>	<u>AR</u>
Date of Incorporation		Articles of Incorporation are on file with the Secretary of State.	
<u>09-28-1992</u>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name		Phone No.	
<u>The Corporation Name</u>		<u>(870) 881-6657</u>	
Residence Street Address		City	State
<u>515 Kansas Ave</u>		<u>Topeka</u>	<u>KS</u>
		Zip Code	
		<u>66603</u>	

SECTION 3 – LICENSED PREMISE			
Licensed Premise (Business Location or Location of Special Event)		Mailing Address (If different from business address)	
DBA Name		Name	
<u>Murphy USA # 7483</u>		<u>Permits Department</u>	
Business Location Address		Address	
<u>1907 North 14th Ave</u>		<u>PO Box 7300</u>	
City	State	City	State
<u>Dodge City</u>	<u>KS</u>	<u>El Dorado</u>	<u>AR</u>
Zip	Zip		Zip
<u>67801</u>			<u>71731</u>
Business Phone No.		<input checked="" type="checkbox"/> Applicant owns the proposed business location.	
<u>(620) 227-5228</u>		<input type="checkbox"/> Applicant does not own the proposed business location.	
Business Location Owner Name(s)			
<u>Murphy Oil USA, Inc.</u>			

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	
<u>See attached</u>			
Residence Street Address		City	State
			Zip Code
Spouse Name		Position	
Residence Street Address		City	State
			Zip Code
Name		Position	
Residence Street Address		City	State
			Zip Code
Spouse Name		Position	
Residence Street Address		City	State
			Zip Code
Name		Position	
Residence Street Address		City	State
			Zip Code
Spouse Name		Position	
Residence Street Address		City	State
			Zip Code

City of Dodge City

City of Dodge City
806 N. Second Ave.
67801

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

Memorandum

To: Cherise Tieben, City Manager
From: Nannette Pogue
Date: November 3, 2017
Subject: Resolution No. 2017-31
Agenda Item: Resolutions

Recommendation: I recommend the City Commission adopt Resolution No. 2017-31.

Background: The City of Dodge City previously issued IRBs for Kimbroy's Properties, L.L.C. for the construction of the Best Western Inn and Suites on Wyatt Earp. When IRBs are issued, the City holds the title to the property until the Industrial Revenue Bonds have been paid off. Those IRB's have been paid in full by Kimbroy's Properties LLC and they have sent a letter to the City exercising the option to purchase the property. The resolution authorizes the Mayor and City Clerk to execute a Special Warranty Deed, Bill of Sale and Release of Lease.

Justification: These actions are a requirement after full payment of the IRBs to release the property back to the owner which is Kimbroy's Properties.

Financial Considerations: none with these actions

Purpose/Mission: To promote business in our community and improve the quality of life in Dodge City and Ford County.

Legal Considerations: All legal actions are met with the Resolution and documents for the City to sign. These documents have been prepared by Gilmore and Bell.

Attachments: Resolution No. 2017-31.

RESOLUTION NO. 2017-31

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF
DODGE CITY, KANSAS AUTHORIZING THE SALE AND
CONVEYANCE OF CERTAIN PROPERTY TO KIMBROY'S
PROPERTIES L.L.C.**

WHEREAS, pursuant to Ordinance No. 3443 and the Bond Agreement dated as of October 24, 2007, the City of Dodge City, Kansas (the "Issuer") has previously issued its Taxable Industrial Revenue Bonds, Series 2007 (Kimbro's Properties, L.L.C.) in the original aggregate principal amount of \$2,970,000 (the "Bonds") to finance the cost of acquiring, constructing, furnishing and equipping a hotel facility to be used for commercial purposes (the "Project"), such Project having been leased to Kimbro's Properties L.L.C., a Kansas limited liability company (the "Tenant") pursuant to a Lease dated as of October 24, 2007 between the City and the Tenant (the "Lease"); and

WHEREAS, the Tenant desires to exercise its option to purchase the Project under Section 17.1 of the Lease and is not in default under the Lease; and

WHEREAS, the Tenant had made all the payments of Basic Rent and Additional Rent pursuant to the Lease and all principal and interest on the Bonds has been paid or payment has been provided for; and

WHEREAS, Legacy Bank, Wichita, Kansas, as fiscal and paying agent for the Bonds, has certified that no Bonds remain outstanding; and

WHEREAS, the Tenant has provided the City written notice of its intent to exercise its option to purchase the Project;

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

Section 1. The Mayor and Clerk are authorized and directed to execute a special warranty deed, a bill of sale and a Release of Lease, in substantially the forms submitted to the Governing Body concurrently with the adoption of this Resolution. The Clerk is directed to deliver the executed special warranty deed, a bill of sale and a release of lease to the Tenant.

Section 2. The Mayor and Clerk are hereby further authorized and directed to sign such other instruments and certificates as shall be necessary and desirable in connection with this Resolution, and are hereby further authorized to take such further actions as may be necessary to accomplish the purposes of this Resolution.

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ADOPTED by the governing body of the City of Dodge City, Kansas on November 6, 2017.

CITY OF DODGE CITY, KANSAS

Mayor

[SEAL]

Attest:

By: _____
Clerk

Memorandum

To: Cherise Tieben City Manager
From: Nannette Pogue
Date: November 2, 2017
Subject: Resolution No. 20-32
Agenda Item Ordinances and Resolutions

Recommendation: I recommend the approval of Resolution No. 2017-32

Background: The City currently uses Fidelity State Bank as our official depository. We will renew the signature cards for the City's accounts at the bank to add Nicole May. The resolution authorizes Fidelity State Bank as an official depository and authorizes all of the accounts that the City currently has established there.

Justification: It is required by the bank to have City Commission authorization via a Resolution of the City to add names to and reiterate the names currently authorized to sign on the accounts.

Financial Considerations: None

Purpose/Mission: To promote open communications, honesty and integrity.

Legal Considerations: None

Attachments: Resolution No. 2017-32

RESOLUTION NO. 2017-32

A RESOLUTION DESIGNATING THE FIDELITY STATE BANK AND TRUST COMPANY, DODGE CITY, KANSAS, AS AN OFFICIAL DEPOSITORY BANK, AND STATING THE OFFICIAL SIGNERS ON THE ACCOUNTS

WHEREAS, K.S.A. 9-1401 requires the Governing Body of the City of Dodge City designated by official action, the financial institutions which shall serve as depositories of City Funds;

AND WHEREAS, the Governing Body has voted to designate The Fidelity State Bank and Trust Company, 510 N. Second Avenue, Dodge City, Kansas as an official depository for City funds.

NOW THEREFORE, be it resolved by the Governing Body of the City of Dodge City that The Fidelity State Bank and Trust Company, Dodge City, Kansas is designated as a depository for the City of Dodge City funds.

BE IT FURTHER RESOLVED that the following accounts are hereby authorized and all checks, drafts, notes or orders drawn against the stated accounts must be signed as shall be certified to The Fidelity State Bank and Trust Company, Dodge City, Kansas and no checks, drafts, notes or orders drawn against said accounts shall be valid unless signed as certified. The authorized signers on each account are stated below.

- A. City of Dodge City, General Funds – Account Number 02-200-4.
Authorized signers: Cherise Tieben, Nannette Pogue, Dot Sumaya, and Nicole May
- B. City of Dodge City, Department of Parks and Recreation – Account Number 02-205-3. Authorized signers: Caitlyn Alvarado, Paul Lewis, Nannette Pogue, Nicole May and Dot Sumaya
- C. City of Dodge City, Revolving Account – Account Number 02-210-3.
Authorized signers: Cherise Tieben, Nannette Pogue, Dot Sumaya, and Nicole May
- D. City of Dodge City, HSA Funding Account – Account Number 02-215-2.
Authorized signers: Cherise Tieben, Nannette Pogue, Dot Sumaya, and Nicole May
- E. City of Dodge City, Employee Flexible Spending Account – Account Number 02-220-2. Authorized signers: Cherise Tieben, Nannette Pogue, Dot Sumaya, and Nicole May
- F. City of Dodge City, Long Branch Lagoon – Account Number 108174.
Authorized signers: Cherise Tieben, Nannette Pogue, Dot Sumaya, and Nicole May

- G. City of Dodge City, Medical Self Insurance – Account Number 107571. Authorized signers: Cherise Tieben, Nannette Pogue, Dot Sumaya, and Nicole May
- H. City of Dodge City, Credit Card Receipt Account – Account Number 108012. Authorized signers: Cherise Tieben, Nannette Pogue, Dot Sumaya, and Nicole May
- I. Dodge City Municipal Band – Account Number 29-862-0. Authorized signatures: Bettye Young, Joan Welchel, Nicole May

BE IT FURTHER RESOLVED that certification of persons authorized to sign on the above stated accounts shall also be provided to The Fidelity State Bank and Trust Company, Dodge City, Kansas by the City Manager of Dodge City and the City Clerk.

BE IT FURTHER RESOLVED that this resolution shall continue to have effect until express written notice of its rescission or modification has been received by the Fidelity State Bank and Trust Company, Dodge City, Kansas.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its passage.

DATED this _____ day of _____, 2017.

Mayor

ATTEST:

Nannette Pogue, City Clerk

City of Dodge City
806 N. Second Ave.
67801

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

Memorandum

To: Cherise Tieben, City Manager
From: Nannette Pogue
Date: November 3, 2017
Subject: Resolution No. 2017-33
Agenda Item: Ordinances and Resolutions

Recommendation: I recommend the approval of Resolution No. 2017-33, thereby cancelling the collection date of the CID sales tax for the Santa Fe Plaza project.

Background: Ordinance No. 3492 provided that the district would begin the collection of the CID sales tax on January 1, 2011. Since that time the owners have filed petitions each year to extend the CID by a year and the City Commission have approved Resolutions delaying the collection of the CID, the most recent being delayed until January 1, 2018. The developer of the Santa Fe Plaza stated that there is no date set for construction of this development. So, he has asked that this CID be cancelled at this time and if at a future date, plans materialize we can revisit the CID on this property if it is appropriate. Resolution No. 2017-33 will accomplish that cancellation.

Justification: The developer does not expect to have retail development on the property in the near future.

Financial Considerations: none

Purpose/Mission: Together we strive to achieve high performance and service standards set by us and expected by the community.

Legal Considerations: This resolution will satisfy the legal requirements.

Attachments: Resolution No. 2017-33

RESOLUTION NO. 2017-33

A RESOLUTION CANCELLING THE COMMENCEMENT OF THE COLLECTION OF A COMMUNITY IMPROVEMENT DISTRICT SALES TAX FOR THE SANTA FE PLAZA CID

WHEREAS, on June 7, 2010, the Governing Body of the City of Dodge City, Kansas (the “City”) passed Ordinance No. 3492 making findings as to the advisability of and creating a community improvement district more particularly described therein (the “Santa Fe Plaza CID”), authorizing certain projects relating thereto, approving the estimated cost of such projects, authorizing the imposition of a community improvement district sales tax within the community improvement district, and providing the proposed method and amount of financing; and

WHEREAS, Section 6 of Ordinance No. 3492 provided that the community improvement district sales tax would commence on January 1, 2011 or any other effective date the City may approve by resolution if a change in the effective date was requested by the party that petitioned to create such community improvement district (the “Petitioner”); and

WHEREAS, the City has received a Request for Delay of Community Improvement District Sales Tax each year delaying it for one year. The most recent delay was Resolution No. 2016-24 delaying the effective date to January 1, 2018.

WHEREAS, on November 1, the developer of the Santa Fe Plaza stated that the plans for this development have not yet materialized and there is no start date for those plans.

WHEREAS, the City hereby finds that it is appropriate to cancel the effective date of the collection of community improvement district sales tax within the Santa Fe Plaza CID based on the notification of the developer that construction has not started and there is no date set for construction or development of the Santa Fe Plaza

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

SECTION 1. The collection of the community improvement district sales tax within the Santa Fe Plaza CID shall be cancelled.

SECTION 2. Upon approval, a certified copy of this resolution shall be delivered to the state director of taxation in accordance with the Kansas Community Improvement District Act, K.S.A. § 12-6a26, *et seq.*

APPROVED by the Governing Body on this 6th day of November, 2017.

Mayor

ATTEST:

Nannette Pogue, City Clerk

[Type here]

City of Dodge City

City of Dodge City
806 N. Second Ave.
67801

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www.dodgecity.org

Memorandum

To: Cherise Tieben, City Manager
From: Nannette Pogue
Date: November 3, 2017
Subject: Resolution No. 2017-34
Agenda Item: Ordinances and Resolutions

Recommendation: I recommend the approval of Resolution No. 2017-34

Background: Sutherlands High Plains LLC has forwarded a petition to the City of Dodge City to create the Sutherlands Development Community Improvement District and authorize the proposed CID project. The request would add an additional 1% sales tax to sales at the Sutherlands store to commence on January 1, 2019.

The resolution sets a public hearing for December 4, 2017 and provides for notice of the public hearing. The resolution also restates the general nature of the proposed project, the estimated cost of the project, the proposed methods of financing, and a proposed 1% CID sales tax.

Justification: The Community Improvement District is an economic development tool authorized by the State of Kansas that allows eligible construction costs to be reimbursed to the developer. The additional sales tax collected in the improvement district will be paid to the City to reimburse the costs of road, driveway and drainage improvements.

Financial Considerations: none

Purpose/Mission: We value progress and business growth for the community.

Legal Considerations: All will be met upon the passage of the Resolution.

Attachments: Resolution No. 2017-34 and Petition

RESOLUTION NO. 2017-34

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS GIVING NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF CREATING A COMMUNITY IMPROVEMENT DISTRICT.

WHEREAS, pursuant to the provisions of the Community Improvement District Act, K.S.A. 12-6a26 *et seq.* (the “Act”), cities are authorized to establish community improvement districts, to authorize the performance of community improvement district projects, and to authorize the financing of such projects from the imposition of a community improvement district sales tax to be levied on the sale of tangible personal property or rendering or furnishing of taxable services within the proposed community improvement district in accordance with the Act; and,

WHEREAS, the Governing Body of the City of Dodge City, Kansas (the “City”) has determined to consider the advisability of creating a community improvement district as described in a petition (the “Petition”) filed for the establishment of a community improvement district in accordance with the Act, a copy of which is attached hereto as *Exhibit A*; and,

WHEREAS, the City desires to call and conduct a public hearing under the provisions of the Act in order to determine whether it is advisable to create a community improvement district within the City and approve the project and method of financing the project as requested in the Petition pursuant to the Act.

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

Section 1. Time and Place of Hearing. Notice is hereby given that a public hearing will be held by the Governing Body of the City of Dodge City, Kansas to consider the advisability of creating a community improvement district as described in the Petition on December 4, 2017 at City Hall, located at 806 N. Second Avenue, Dodge City, Kansas, the public hearing to commence at 7:00 p.m. or as soon thereafter as the Governing Body can hear the matter. At the public hearing, the Governing Body will receive public comment on the foregoing matters.

Section 2. The General Nature of the Proposed Project. The proposed project to be performed within the proposed community improvement district is described in *Exhibit B*, attached hereto and incorporated herein by reference.

Section 3. The Estimated Cost of the Project. The estimated cost of the proposed project is eight million five hundred and twenty-five thousand dollars (\$8,525,000)

Section 4. The Proposed Method of Financing the Project. The proposed method of financing for the proposed community improvement district is by reimbursement of costs on a “pay-as-you-go” basis.

Section 5. The Proposed Amount of Community Improvement District Sales Tax. A one-half percent (1%) community improvement district sales tax is proposed to be levied within the proposed community improvement district in accordance with the Act on the sale of tangible personal property or rendering or furnishing of taxable services within the proposed community improvement district.

Section 6. Legal Description and Map Exhibit. A legal description and map exhibit of the proposed community improvement district are attached hereto as *Exhibit C* and *Exhibit D*, respectively, and incorporated herein by reference.

Section 7. Notice of Public Hearing. The City Clerk is hereby authorized and directed to provide for notice of the public hearing by taking the following actions:

(a) A copy of this resolution must be mailed by United States certified mail, return-receipt requested, at least ten (10) days prior to December 4, 2017, to each owner of real property within the proposed community improvement district.

(b) This resolution, including all exhibits attached hereto, must be published in the official City newspaper once each week for two (2) consecutive weeks; the second publication must occur at least seven (7) days prior to December 4, 2017.

Section 8. Effective Date. This resolution will be effective upon its adoption by the Governing Body of the City of Dodge City, Kansas.

ADOPTED by the Governing Body of the City of Dodge City, Kansas on this 6thth day of November, 2017.

Mayor

Attest:

Nanette Pogue, City Clerk

Brad Ralph, City Attorney

EXHIBIT A

Community Improvement District Petition

[Petition on file with City Clerk]

EXHIBIT B

Proposed Project

The general nature of the proposed projects (the "**Projects**") is to promote the development of a new, approximately 110,000 square foot commercial building and other potential commercial buildings along a portion of north Fourteenth Avenue, as is more particularly described herein, by providing community improvement district financing in accordance with this Petition and with the Act to finance the construction, maintenance, and procurement of certain improvements, costs, and services within the District, including, but not limited to: land acquisition, infrastructure-related items, sidewalks, parking lots, buildings tenant improvements, utilities, landscaping, lighting, signage, marketing and advertisement, cleaning and maintenance, security, soft costs of the Projects, and the City and the petitioner's administrative costs in establishing and maintaining the District, and any other items permitted to be financed within the District under the Act.

EXHIBIT C

Legal Description

A tract of land in Lots 4 and 5 14th and Soule Subdivision and the Northeast Quarter of Section 22, Township 26 South, Range 25 West of the Sixth Principal Meridian, City of Dodge City, Ford County, Kansas described as follows:

Beginning at a point that is N89 55'11"W 70.01 feet from the Southeast Corner of said Lot 5, 14th and Soule Subdivision said point being on the South Line of said Lot 5; thence N89 55'11"W 606.8 feet; thence N00 33'49"E 566.29 feet; thence N71 10'41"E 202.41 feet to the Northwest Corner of the First Assembly of God Church of Dodge City, Kansas tract recorded in Book 138, page 583 in the Ford County Register of Deeds Office; thence S89 54'55"E 401.70 feet; thence S00 42'01"E 631.87 feet to the point of beginning, containing 8.55 acres. .

**PETITION FOR THE CREATION OF A
COMMUNITY IMPROVEMENT DISTRICT**

TO: The Governing Body,
City of Dodge City, Kansas

The undersigned, being the owner of record, whether resident or not, of the following:

1. More than fifty-five percent (55%) of the land area contained within the hereinafter described community improvement district; and
2. More than fifty-five percent (55%) by assessed value of the land area contained within the hereinafter described community improvement district.

hereby petitions the City of Dodge City, Kansas (the “City”) to create a community improvement district and authorize the proposed projects hereinafter set forth, all in the manner provided by K.S.A § 12-6a26, *et seq.* (the “Act”). In furtherance of such request, the petitioner states as follows:

1. MAP AND LEGAL DESCRIPTION OF THE PROPOSED DISTRICT

A map generally depicting the proposed community improvement district (the “District”) is attached hereto as **EXHIBIT “A”**.

The legal description of the District is attached hereto as **EXHIBIT “B”**.

2. GENERAL NATURE OF THE PROJECTS

The general nature of the proposed projects (the “Projects”) is to promote the development of a new, approximately 110,000± square foot commercial building and other potential commercial buildings along a portion of North Fourteen Avenue, as is more particularly described herein, by providing community improvement district financing in accordance with this Petition and with the Act to finance the construction, maintenance, and procurement of certain improvements, costs, and services within the District, including, but not limited to: land acquisition, infrastructure-related items, sidewalks, parking lots, buildings, tenant improvements, utilities, landscaping, lighting, signage, marketing and advertisement, cleaning and maintenance, security, soft costs of the Projects, and the City and the petitioner’s administrative costs in establishing and maintaining the District, and any other items permitted to be financed within the District under the Act.

3. ESTIMATED COST

The estimated or probable cost of the Projects is \$8,525,000. See the attached **EXHIBIT “C”** for a detailed budget.

4. PROPOSED METHOD OF FINANCING

It is proposed that the Projects be financed through a combination of private equity, private debt, community improvement district financing, and other public sources. It is proposed that community improvement district revenue will be made available to finance the cost of the Projects through pay-as-you-go financing, as defined in the Act, the issuance of special obligation bonds/notes, or a combination of these two methods.

5. PROPOSED METHOD AND AMOUNT OF ASSESSMENT

It is not being proposed that the Projects be financed through the levying of assessments.

6. PROPOSED AMOUNT OF SALES TAX

It is being proposed that the Projects be financed in part through the levying of a 1% add-on sales tax as authorized by the Act with such add-on sales tax to commence on January 1, 2019, or any other effective date requested by the petitioner in writing.

7. NOTICE TO PETITION SIGNATORY

Names may not be withdrawn from this Petition by the signatory hereto after the City commences consideration of this Petition, or later than seven (7) days after the filing hereof with the City Clerk, whichever occurs first.

EXHIBIT "B"

LEGAL DESCRIPTION OF DISTRICT

Description:

A tract of land in Lots 4 and 5, 14th and Soule Subdivision and the Northeast Quarter of Section 22, Township 26 South, Range 25 West of the Sixth Principal Meridian, City of Dodge City, Ford County, Kansas described as follows:

Beginning at a point that is N89°55'11"W 70.01 feet from the Southeast Corner of said Lot 5, 14th and Soule Subdivision said point being on the South Line of said Lot 5; thence N89°55'11"W 606.8 feet; thence N00°33'49"E 566.29 feet; thence N71°10'41"E 202.41 feet to the Northwest Corner of the First Assembly of God Church of Dodge City, Kansas tract recorded in Book 138, page 583 in the Ford County Register of Deeds Office; thence S89°54'55"E 401.70 feet; thence S00°42'01"E 631.87 feet to the point of beginning, containing 8.55 acres.

EXHIBIT "C"

ESTIMATED PROBABLE COST OF PROJECTS

Site Work

Prepare an approximate 8 acre parcel in order to construct a retail home improvement center. The work would include: \$2,450,000

- Grading
- Utility extension
- Parking lot, islands, drives, lighting and striping
- Building pad
- Landscaping
- Water detention pond or similar

Building

Construct an approximate 75,000 sf new retail home improvement center and approximate 35,000 sf adjoining garden center \$5,500,000

Signage

Façade, street and monument signage \$175,000

Professional Services

Legal, Architectural and engineering \$400,000

Total

\$8,525,000



Parks and Recreation

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

Memorandum

To: City Manager, Cherise Tieben
City Commissioners

From: Nicole May
Paul Lewis

Date: November 3, 2017

Subject: Public Transportation Grant Letters

Agenda Item: New Business

Recommendation: Staff recommends the City Commission approve the submission of applications for 5311 public transportation grant including local match financial commitment letters as follows:

1. U.S.C. 49-5311 Public Transportation Operating Grant in the amount of \$421,005 which includes \$78,670 for dispatch and \$13,120 for replacement of a minibus.

Background: The Dodge City Public Transportation provides services to Dodge City and Ford County area residents. Our services include Fixed Route, Demand Response and ADA Para-transit service. Currently we provide over 44,000 rides annually and we continue to increase ridership. The proposed budget for this grant (see Attachment 1) will continue funding for the program as follows:

- **Fixed Route Bus Service in Dodge City.** The Fixed Route bus system was expanded in May 2015. Each route runs hourly from 6:00 am to 7:00 pm, Monday through Friday.
- **Door-to-Door ADA Para-transit Service.** We continue to provide door to door service (within $\frac{3}{4}$ of a mile of the Fixed Routes) for passengers with physical, cognitive or visual disabilities which prevent them from utilizing the fixed route buses.
- **Regional Demand Response Service.** We provide service outside the $\frac{3}{4}$ mile Para-transit zone, and up to 2 miles beyond the city limits. Any resident may schedule a door-to-door ride if the ride's origin or destination is beyond the $\frac{3}{4}$ mile Para-transit zone and within a 2 mile radius of City limits. Based on our reports over the last year, we are providing over 1,400 Para-transit and Regional Demand Response rides per month.

Justification: As of today, Dodge City Public Transportation is providing over 3,600 rides a month with both Fixed Route and Para transit/Demand Response service. We have seen a 19% increase in total rides when comparing to last year. We expect that the Fixed Route and Para-transit services continue to increase and build ridership.

Financial Considerations: There are no significant changes to the level of funding requested. Our operating and administrative budget remains the same or similar. For this grant cycle staff recommends Dodge City commit to meeting the local match costs associated with this important public service. The letters of financial commitment required for the 5311 grant application are as follows:

- U.S.C. 49-5311 Public Transportation Grant:
 - Operations (50%) \$307,535
 - Dispatch (50%) \$78,670
 - Administration (20%) \$21,680
 - Capital (20%) \$13,120
 - **TOTAL** **\$421,005**

The commitment letters are required to include a 50% local match of the Federal transportation funds for Operations and Dispatch for which the City is applying. Historically KDOT has supplemented the Federal funds and for this grant cycle we anticipate State funding of an additional 20%. With State funding, the net City obligation will be \$297,995 of which \$205,345 is budgeted in Public Transportation (3410) for 2018; \$26,930 is provided from existing covered positions in the Parks budget (5210); \$13,120 is budgeted in the depreciation fund and \$52,600 will be raised through Service Contracts.

Purpose/Mission: Improvements to public transportation represent the City's core values of Ongoing Improvement and Preparing for the Community's Future. Dodge City's expanding service is helping more residents every day by allowing them to get to work, do their shopping and get to medical appointments. The availability of public transportation also allows older residents to live more independently.

Legal Considerations: These commitment letters are required elements of the City's application for grant funding. KDOT will consider all requests and most likely will adjust the final approved amounts.

Attachments: Program budget document.

**SFY 2019 Public Transportation Budget 5311 and 5317
July 1, 2018 - June 30, 2019**

		DR/Paratransit (4 buses)	Fixed Route (3 buses)	Finney County Dispatch
Section L. Operating Assistance Budget				
1.	Personnel – Driver (Paid)			
	1 FT wages			
	Regular PT	154,150	143,360	
	Health Insurance	46,900	46,900	
	FICA/KPERS	29,290	27,240	
	Personnel - Dispatcher			
	Personnel - Mechanic			
	Wages, 50%	8,100	8,100	
	Health Insurance	3,825	3,825	
	FICA/KPERS	1,540	1,540	
	Total Personnel	243,805	230,965	
2.	Vehicle Insurance	2,000	2,000	
3.	Advertising (includes marketing materials)	5,000	5,000	
4.	Fuel	42,000	42,000	
5.	Maintenance, Repair, Lubrication, Parts, Labor, Tires	36,000	28,800	
6.	Storage (Paid)			
7.	Contract Services (Specify name & reason)*			
8.	Communications/Phone	700	700	
9.	Other (Must specify each item)			
9a	FIT Dispatching Contract			163,150

**SFY 2019 Public Transportation Budget 5311 and 5317
July 1, 2018 - June 30, 2019**

		DR/Paratransit (4 buses)	Fixed Route (3 buses)	Finney County Dispatch		
10.	Licenses & Registration	1,500	1,500			
11.	KPTA Membership Dues	100	100			
12.	KPTA Annual Meeting Expenses	500	500			
13.	RTAP Driver Training	1,000	1,000			
14.	RTAP Manager Training	300	300			
15.	KCC Registration Fee	250	250			
16.	DOT Driver's Physical	900	900			
17.	Total Operating Expenses (Add #1 through #16)	334,055	314,015	163,150		
18.	Comments and Explanations of line items above					
19.	Project Income - Fares	17,000	16,000			
20.	Net Operating Cost (Line #17 - #19)	317,055	298,015	163,150		
21.	5311 Reimbursement Request (50% of Line 20)	158,528	149,008	81,575		
Operating/Dispatch/Mobility Manager Local Match Letters						
22.	5311 Operating/Dispatch Local Match Letter (50%)	158,528	149,008	81,575		
Section K - Capital Assistance Budget						
	20 Passenger Minibus		60,000			
	Bike Raks (2)		4,000			
4.	Total Capital with 2.5% contingency	0	65,600			
5.	Capital Reimbursement Request (80%)	0	52,480			
6.	Capital Local Match Letter (20%)	0	13,120			

**SFY 2019 Public Transportation Budget 5311 and 5317
July 1, 2018 - June 30, 2019**

		DR/Paratransit (4 buses)	Fixed Route (3 buses)	Finney County Dispatch	
Section M - Administrative Assistance Budget					
24.	Administrative Personnel				
	Transportation Supervisor	18,975	18,975		
	Administrative Aide	0	0		
	Clerical Support, (8hrs x 5 days x 52 wks @ 10)	10,400	10,400		
	Health Insurance	11,000	11,000		
	FICA/KPERS	5,580	5,580		
	Total Administrative Personnel	45,955	45,955		
25.	Building Insurance	1,130	1,130		
26.	Office Supplies	2,100	2,100		
27.	Postage	350	350		
28.	Building Maintenance (must specify)	1,070	1,070		
29.	Utilities	2,680	2,680		
30.	Contract Services - Specify name and reason (must attach copy of contract)				
31.	Pre-Employment Drug Testing	400	400		
32.	Other (must specify each item)				
	Admin to FIT			7,750	
33.	Uniforms	500	500		
34.	Agency Audit				
35.	Total Administrative Expenses	54,185	54,185	7,750	
36.	List any general comments and explanations of line items above				
37.	Administration Reimbursement Request (80%)	43,350	43,350	6,200	
38.	Administration Local Match Letter (20%)	10,840	10,840	1,240	

**SFY 2019 Public Transportation Budget 5311 and 5317
July 1, 2018 - June 30, 2019**

			DR/Paratransit (4 buses)	Fixed Route (3 buses)	Finney County Dispatch		
SUMMARY (unreimbursed expense)							
5311 Operating (50%)			158,528	149,008			
5311 Capital (20%)			0	13,120			
5311 Administration Assistance (20%)			10,840	10,840			
5311 Dispatch (50%)					78,670		
5317 Mobility Manager (20%)							
Match Letter Requirements			169,368	172,968	78,670		
Local Match Letters							
Dodge City			169,368	172,968	78,670		

Sources							
	Anticipated KDOT Subsidy (20% Operating)		63,410	59,600			
	Dodge City						
	Public Transportation (001-3410)		65,493	59,183	78,670		
	Parks (001-5210)		13,465	13,465			
	Service Contracts		27,000	27,600			
	MERF (140-3410)		0	13,120			



Parks and Recreation

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

Memorandum

To: Cherise Tieben, City Manager
City Commissioners

From: Paul Lewis, Parks & Recreation Director 

Date: November 2, 2017

Subject: Heritage Sign Proposals

Agenda Item: New Business

RECOMMENDATION: Staff recommends accepting the proposal from Building Solutions in the amount of \$42,407.11 for the construction of a monument sign.

BACKGROUND: This project is one of the components of the Development Agreement for the Heritage District. The City is obligated to erect a sign at a cost not to exceed \$60,000. The sign will promote the Heritage improvements including the hotel, RV Park, restaurant, water park, and Boot Hill Museum.

Staff had published an RFP previously soliciting proposals but due to materials choices, those proposals were rejected and a second RFP was published. Building Solutions was the only response to the second RFP. Their proposal incorporates the brick and stone elements that are consistent with the new and renovated construction that is the theme of the area.

The Building Solutions proposal provides the structure for the sign. Staff will still need to acquire the specific sign panels to be attached and also bring electrical service to the site.

JUSTIFICATION: This project is a requirement that is identified in the Development Agreement for the Heritage District improvements. The sign will help identify and draw attention to the area and support the significant attractions included with this development project.

FINANCIAL CONSIDERATIONS: This project will be funded out of the Growth Fund. The project estimate was \$60,000. Combined, this proposal and the remaining work, the total cost will not exceed the project estimate.

PURPOSE/MISSION: This project is consistent with the City's Core Value of Ongoing Improvements.

LEGAL CONSIDERATIONS: n/a

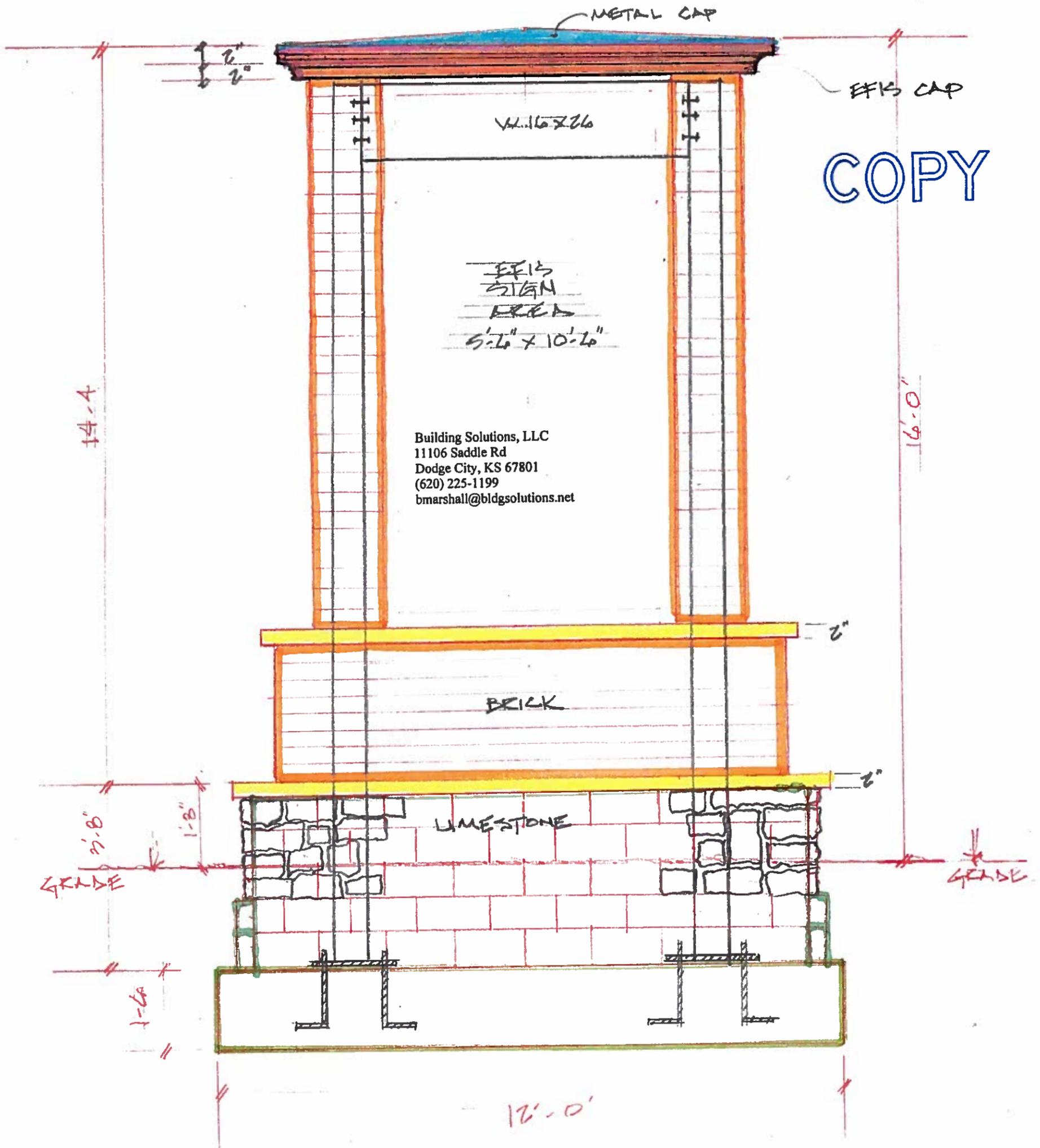
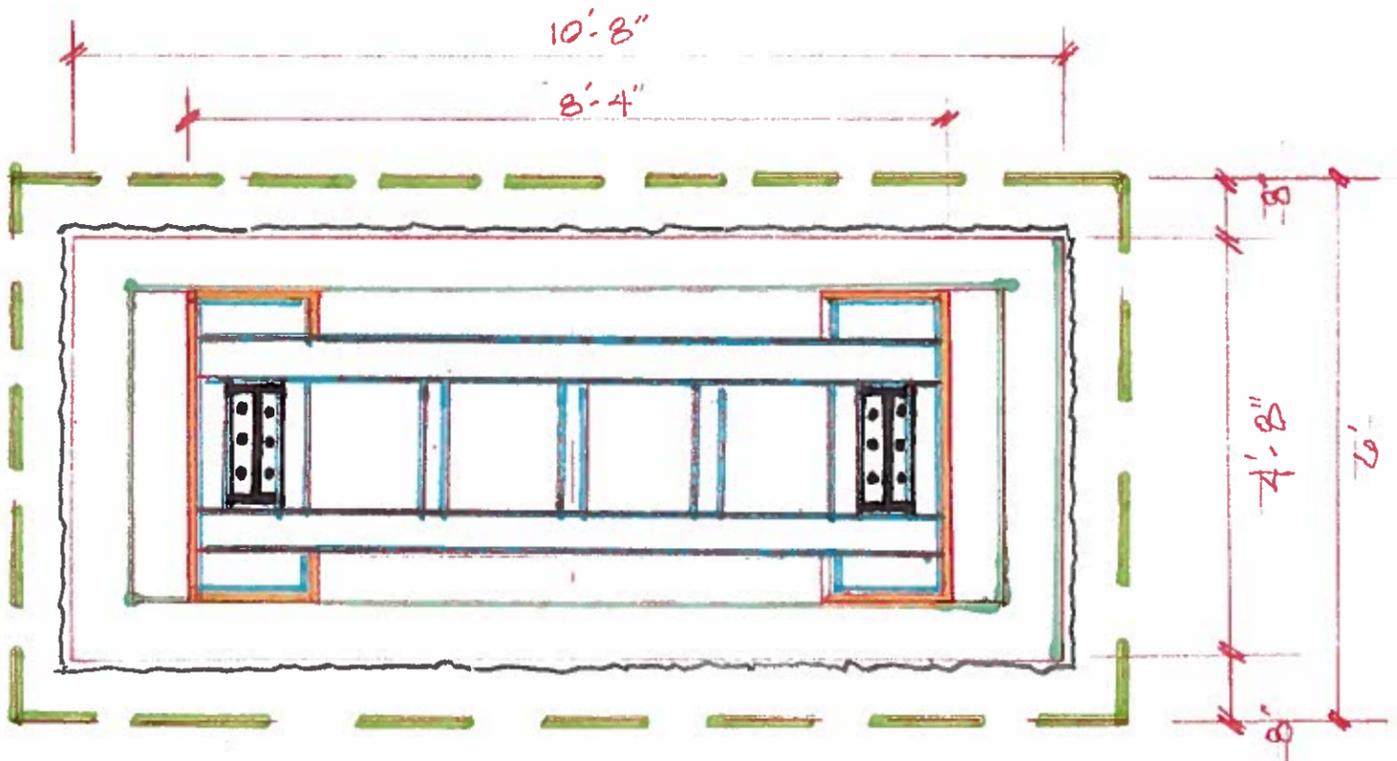
ATTACHMENTS: Tabulation of proposals

Dodge City Parks & Recreation Proposal Summary

Heritage District Sign

October 13th, 2017

Firm	Proposal Amount	Voluntary Alternate	Notes
Building Solutions	\$42,407.11	n/a	



COPY

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