

# **CITY COMMISSION MEETING AGENDA**

City Hall Commission Chambers

Monday, November 20, 2017

7:00 p.m.

MEETING #5083

## **CALL TO ORDER**

## **ROLL CALL**

**INVOCATION BY** Ada Bogart, John 14 Fellowship

## **PLEDGE OF ALLEGIANCE**

## **PETITIONS & PROCLAMATIONS**

Small Business Saturday Proclamation

**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, November 6, 2017;
2. Appropriation Ordinance No. 22, November 20, 2017;
3. Cereal Malt Beverage License:
  - a. Circle K Stores, 609 South 2<sup>nd</sup> Street
  - b. Circle K Stores, 2615 East Trail Street

## **ORDINANCES & RESOLUTIONS**

**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.

**Resolution No. 2017-35:** A Resolution Describing and Defining the Boundary of the City of Dodge City, Kansas. Report by Director of Engineering, Ray Slattery.

**Resolution No. 2017-36:** A Resolution authorizing the offering for sale of General Obligation Refunding Bonds, Series 2017-B of the City of Dodge City, Kansas. **Report by Nannette Pogue, Finance Director/City Clerk**

**NEW BUSINESS**

1. Approval of YMCA Membership Fees. Report by City Clerk/Finance Director, Nannette Pogue.
2. Approval of Quotes for Bio Gas Plant Insurance. Report by Director of Administration, Ryan Reid.
3. Approval of Change Order No. 1 and Change Order No. 2 for Railroad Crossing Non-Traversable Medians. Report by Director of Engineering, Ray Slattery.

**OTHER BUSINESS**

**ADJOURNMENT**

## SMALL BUSINESS SATURDAY PROCLAMATION

**Whereas**, the government of Dodge City, Kansas, celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are currently 28.8 million small businesses in the United States, they represent 99.7 percent of all businesses with employees in the United States, are responsible for 63 percent of net new jobs created over the past 20 years; and

**Whereas**, small businesses employ 48 percent of the employees in the private sector in the United States; and

**Whereas**, on average, 33 percent of consumers' holiday shopping will be done at small, independently-owned retailers and restaurants; and

**Whereas**, 91 percent of all consumers believe that supporting small, independently-owned restaurants and bars is important; and

**Whereas**, 76 percent of all consumers plan to go to one or more small businesses as part of their holiday shopping; and

**Whereas**, Dodge City, Kansas, supports our local businesses that create jobs, boost our local economy and preserve our neighborhoods; and

**Whereas**, advocacy groups as well as public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

**Now, Therefore**, I, Rick Sowers, Mayor of Dodge City, Kansas do hereby proclaim, November 25, 2017, as:

### ***SMALL BUSINESS SATURDAY***

**And** urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

\_\_\_\_\_  
Mayor

Attest:

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



## WHAT IS SMALL BUSINESS SATURDAY?

**Small Business Saturday**<sup>®</sup> was created in 2010 in response to small business owners' most pressing need: more customers. Falling between Black Friday and Cyber Monday, it's a day to support the local businesses that create jobs, boost the economy and preserve neighborhoods around the country. It has since become a well-known, celebrated event on the nation's calendar with support from elected officials and public and private organizations.



## WHY SUPPORT SMALL BUSINESS SATURDAY?

- Demonstrates commitment to the communities in which we live
- Creates goodwill within the communities
- When we support small businesses, jobs are created and local communities preserve their unique culture

## WHAT PEOPLE ACROSS THE NATION ARE SAYING ABOUT 2016 SMALL BUSINESS SATURDAY\*:

*"I feel a strong sense of support from the community as a whole. The campaign is absolutely a huge help. It gets people down here. It shows people we do have a presence and there are businesses and places to shop, places to eat and things to do within our own community. You don't have to drive an hour and a half out of here to do that."*

– Cari Cannon, Lew Lew Belle in Cumberland, MA

*"Everyone seemed to think there was an up-tick in foot traffic, and everybody was really excited about the opportunity to cross-promote their businesses. That really drives the point home: it's a network and everybody has to support each other. It's wonderful that the small, independent businesses are getting recognition for the exceptional services they provide and their fantastic customer service."*

– Sara McGibany, Alton Main Street in Alton, MS

*"Our Small Business Saturday celebration was a huge success! We had more than 120 small retail businesses in Charlotte's Historic South End participating in the Small Business Saturday festivities. This included 100 businesses in four pop-up markets, and more than 20 brick and mortar retail businesses and art galleries open for the day. We counted more than 2,600 shoppers at just one of the pop-up markets!"*

– Megan Liddle Gude, Historic South End in Charlotte, NC

*\*If you would like to include any of this content please reach out to [meganh@mbooth.com](mailto:meganh@mbooth.com).*

## 2016 SMALL BUSINESS SATURDAY FACTS:

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- More than 112 million consumers shopped at small businesses on Small Business Saturday in 2016, marking a 13 percent increase from 2015<sup>1</sup>
- The U.S. Senate unanimously passed a resolution recognizing November 26, 2016 as Small Business Saturday, supporting efforts to encourage consumers to shop locally, increase awareness of the value of locally owned small businesses and highlight these businesses' impact on the U.S. economy
- Elected officials in all 50 states and Washington, D.C., championed Small Business Saturday
- More than 6,700 Neighborhood Champions around the country rallied local businesses and created events and activities in their communities
- 480 small business advocate groups joined the Small Business Saturday Coalition, up 13 percent from 2015
- Nearly 100 corporations, including FedEx, Uber, AT&T, Valpak and Ace Hardware, banded together with American Express to promote shopping at small businesses for Small Business Saturday
- From November 1 to November 26, there were nearly 250,000 social media posts combined on Facebook, Instagram and Twitter using the hashtags #ShopSmall, #SmallBizSat and/or #DineSmall

## JOIN THE COALITION:

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Building on the success of the previous seven years, we plan to scale this year's Small Business Saturday by expanding the coalition of supporters and creating more local events around the country. This includes support from advocacy organizations that join the initiative to motivate constituents through incentives and offers to Shop Small® on November 25, 2017.

The coalition will be led by Women Impacting Public Policy, a business advocacy organization representing small businesses. [Join Us!](#)

## CONTACT INFO:

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Jason Lalak, Vice President, Women Impacting Public Policy (WIPP) | Phone: (415) 434-4314 | Email: [JLalak@wipp.org](mailto:JLalak@wipp.org)

<sup>1</sup>Small Business Saturday Consumer Insights Survey by National Federation of Independent Business (NFIB) and American Express. (November 28, 2016). Based on consumer self-reported data and does not reflect actual receipts or sales.

# **CITY COMMISSION MEETING MINUTES**

City Hall Commission Chambers

Monday, November 6, 2017

7:00 p.m.

MEETING #5082

## CALL TO ORDER

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

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).**

Police Auxiliary – Drew Francis, Chief of Police, recognized the Police Auxiliary for their 3,972 hours which equates to \$75,000 of man hours and 1,111 special duty hours during the year. He also made special recognition to: Magaly Nivia for 5 years of service; Janet Kelley for 100+ hours of service in a year and 10 years of service; Bill and Pat Mercado and Greg Addison for 20 years of service. He also recognized the following for 100+ service hours in a year: Jeralyn Myers, Jose Garcia, Marissa Martinez, Keith Tallant and Darren Justin. He thanked them all for their service and support.

The Boy Scouts were recognized for their attendance at the meeting while they were receiving their Citizenship in the Community Badge.

## 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. 14<sup>th</sup> Avenue.

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

## 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. was approved on a motion by Commissioner Brian Delzeit. Commissioner Joyce Warshaw seconded the motion. The motion carried 4-0.

**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 was approved on a motion by Commissioner Jan Scoggins. The motion was seconded by Commissioner Brian Delzeit. The motion carried 4-0.

**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 was approved on a motion by Commissioner Jan Scoggins. The motion was seconded by Commissioner Joyce Warshaw. The motion carried 4-0.

### **NEW BUSINESS**

1. Commissioner Joyce Warshaw moved to approve the submission of the 5311 Public Transportation Grant and approval of \$297,995 local match. Commissioner Jan Scoggins seconded the motion. The motion carried 4-0.
2. Commissioner Joyce Warshaw moved to approve the bid for the Heritage District Sign from Building Solutions in the amount of \$42,407.11. Commissioner Brian Delzeit seconded the motion. The motion carried 4-0.

### **OTHER BUSINESS**

City Manager Cherise Tieben

- City Hall will be closed for the Veterans Day Holiday
- Next week, will be at the KACM Conference
- The Annual Employee Thanksgiving Chili Feed will be held on November 21 from 11:30 – 1:00 at the Hoover Pavilion

Commissioner Jan Scoggins

- Thanked the Police Auxiliary for their support.
- Glad the Boy Scouts are with us – let them know that they are free to ask questions during the meeting

Commissioner Joyce Warshaw

- Reiterated the thanks to the Police Auxiliary and welcomed the Boy Scouts
- Shop local and shop often

Commissioner Brian Delzeit

- Thanked the Police Auxiliary for their service and for the number of hours they put in

- Encouraged the Boy Scouts to continue in the organization. A lot of leaders are fostered in the Boy Scouts
- Watch the United Wireless Arena website for upcoming events
- Please vote in the local elections which will be held on November 7, 2017

Mayor Rick Sowers

- Please vote in the local election. Commended all of the candidates for City Commission for their civility, knowledge and quality leadership as a group. The current City Commission have done an outstanding job and are a good group of people.

ADJOURNMENT

Commissioner Jan Scoggins moved to adjourn the meeting. Commissioner Joyce Warshaw seconded the motion. The motion carried 4-0.

# 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): 004-465579045F-01

Name of Corporation Circle K Stores		Principal Place of Business 19500 Bulverde Rd., Suite 100	
Corporation Street Address P.O. Box 69007		Corporation City San Antonio	State Kansas
Date of Incorporation July 2, 1984		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name Corporation Service Company		Phone No. 210-692-2140	
Residence Street Address 2900 SW Wanamaker Dr., Suite 204		City Topeka	State KS
			Zip Code 66614

## SECTION 3 – LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)		Mailing Address (If different from business address)	
DBA Name Circle K		Name Circle K Stores Inc.	
Business Location Address 609 South 2nd Street		Address 212 SW 8th Ave, Suite 202	
City Dodge City	State Kansas	City Topeka	State Kansas
Zip 67801		Zip 66603	
Business Phone No. 620-227-2692		<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 Geffory C. Haxel	Position President & Secretary	Date of Birth 11-6-1961
Residence Street Address 7849 East Vista Bonita Drive	City Scottsdale	State AZ
		Zip Code 85255
Spouse Name Lori Glyn Haxel	Position spouse	Date of Birth 11-16-1964
Residence Street Address 7849 East Vista Bonita Drive	City Scottsdale	State AZ
		Zip Code 85255
Name Kathy Cunnington	Position Vice President & Treasure	Date of Birth 3-10-1967
Residence Street Address 14203 South 12th Place	City Phoenix	State AZ
		Zip Code 85048
Spouse Name Jeffery David Cunnington	Position spouse	Age 3-1-1966
Residence Street Address 14203 South 12th Place	City Phoenix	State AZ
		Zip Code 85048
Name Kim Kwiatkowski	Position Assistant Secretary	Date of Birth 7-2-1952
Residence Street Address 7853 South Michele Lane	City Tempe	State AZ
		Zip Code 85384
Spouse Name Janie H. Kwiatkowski	Position spouse	Age 7-23-1955
Residence Street Address 7853 South Michele Lane	City Tempe	State AZ
		Zip Code 85384

**SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK (CONTINUED)**

Name Timothy William Peters	Position Assistant Secretary	Date of Birth 7-23-1955
Residence Street Address 1001 Lake Carolyn Parkway # 539	City Irving	State TX
Zip Code 75039		
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	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	Date of Birth
Residence Street Address	City	State
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Zip Code		
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		

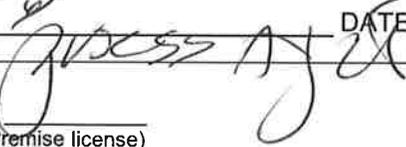
SECTION 5 – MANAGER OR AGENT INFORMATION		
My place of business or special event will be conducted by a manager or agent.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the following:		
Manager/Agent Name Jen Banqs	Phone No. 620-338--4500	Date of Birth 11-18-1982
Residence Street Address 2600 West Trail Lot F1	City Dodge City	Zip Code 67801
Manager or Agent Spousal Information		
Spouse Name N/A	Phone No.	Date of Birth
Residence Street Address	City	Zip Code

SECTION 6 – QUALIFICATIONS FOR LICENSURE	
Within two years immediately preceding the date of this application, have any of the individuals identified in Sections 4 & 5 have 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Have any of the individuals identified in Sections 4 and 5 been managers, officers, directors or stockholders owning more than 25% of the stock of a corporation which: (1) had a cereal malt beverage license revoked; or (2) was convicted of violating the Club and Drinking Establishment Act or the CMB laws of Kansas.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
All of the individuals identified in Sections 4 & 5 are at least 21 years of age <sup>1</sup> .	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

SECTION 6 – DURATION OF SPECIAL EVENT		
Start Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM
End Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct and that I am authorized by the corporation to complete this application. (K.S.A. 53-601)

SIGNATURE  DATE 11-13-2017

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

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR QUARTERLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 915 SW HARRISON STREET ROOM 214, TOPEKA, KS. 66625-3512.

<sup>1</sup> Spouse not required to be over 21 years of age. K.S.A. 41-2703(b)(9)

# 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

<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 licensed premises.	

<b>SECTION 2 – APPLICANT INFORMATION</b>			
Kansas Sales Tax Registration Number (required): 004-465579045F-01			
Name of Corporation Circle K Stores		Principal Place of Business 19500 Bulverde Rd., Suite 100	
Corporation Street Address P.O. Box 69007		Corporation City San Antonio	State Kansas
		Zip Code 78259	
Date of Incorporation July 2, 1984		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name Corporation Service Company		Phone No. 210-692-2140	
Residence Street Address 2900 SW Wanamaker Dr., Suite 204		City Topeka	State KS
		Zip Code 66614	

<b>SECTION 3 – LICENSED PREMISE</b>			
<b>Licensed Premise (Business Location or Location of Special Event)</b>		<b>Mailing Address (If different from business address)</b>	
DBA Name Circle K		Name Circle K Stores Inc.	
Business Location Address 2615 East Trail Street		Address 212 SW 8th Ave, Suite 202	
City Dodge City	State Kansas	City Topeka	State Kansas
	Zip 67801		Zip 66603
Business Phone No. 620-227-2625		<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)			

<b>SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK</b> List each person and their spouse, if applicable. Attach additional pages if necessary.			
Name Geffory C. Haxel		Position President & Secretary	
Residence Street Address 7849 East Vista Bonita Drive		City Scottsdale	State AZ
		Date of Birth 11-6-1961	
		Zip Code 85255	
Spouse Name Lori Glyn Haxel		Position spouse	
Residence Street Address 7849 East Vista Bonita Drive		City Scottsdale	State AZ
		Date of Birth 11-16-1964	
		Zip Code 85255	
Name Kathy Cunnington		Position Vice President & Treasure	
Residence Street Address 14203 South 12th Place		City Phoenix	State AZ
		Date of Birth 3-10-1967	
		Zip Code 85048	
Spouse Name Jeffery David Cunnington		Position spouse	
Residence Street Address 14203 South 12th Place		City Phoenix	State AZ
		Age 3-1-1966	
		Zip Code 85048	
Name Kim Kwiatkowski		Position Assistant Secretary	
Residence Street Address 7853 South Michele Lane		City Tempe	State AZ
		Date of Birth 7-2-1952	
		Zip Code 85384	
Spouse Name Janie H. Kwiatkowski		Position spouse	
Residence Street Address 7853 South Michele Lane		City Tempe	State AZ
		Age 7-23-1955	
		Zip Code 85384	

**SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK (CONTINUED)**

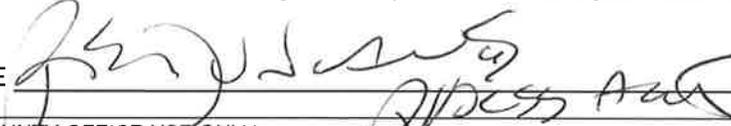
Name Timothy William Peters	Position Assistant Secretary	Date of Birth 7-23-1955
Residence Street Address 1001 Lake Carolyn Parkway # 539	City Irving	State TX
Zip Code 75039		
Spouse Name	Position	Date of Birth
Residence Street Address	City	State
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Name	Position	Date of Birth
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		Zip Code
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

SECTION 5 – MANAGER OR AGENT INFORMATION		
My place of business or special event will be conducted by a manager or agent.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the following:		
Manager/Agent Name Debra Burman	Phone No. 620-255-2494	Date of Birth 4-1-1957
Residence Street Address 2439 Diana Drive	City Dodge City	Zip Code 67801
Manager or Agent Spousal Information		
Spouse Name N/A	Phone No.	Date of Birth
Residence Street Address	City	Zip Code

SECTION 6 – QUALIFICATIONS FOR LICENSURE	
<p>Within two years immediately preceding the date of this application, have any of the individuals identified in Sections 4 &amp; 5 have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes:            (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>Have any of the individuals identified in Sections 4 and 5 been managers, officers, directors or stockholders owning more than 25% of the stock of a corporation which:            (1) had a cereal malt beverage license revoked; or (2) was convicted of violating the Club and Drinking Establishment Act or the CMB laws of Kansas.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>All of the individuals identified in Sections 4 &amp; 5 are at least 21 years of age<sup>1</sup>.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

SECTION 6 – DURATION OF SPECIAL EVENT		
Start Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM
End Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct and that I am authorized by the corporation to complete this application. (K.S.A. 53-601)

SIGNATURE  DATE 11-13-2017

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

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR QUARTERLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 915 SW HARRISON STREET ROOM 214, TOPEKA, KS. 66625-3512.

<sup>1</sup> Spouse not required to be over 21 years of age. K.S.A. 41-2703(b)(9)

City of Dodge City

City of Dodge City  
806 N. Second Ave.  
67801

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

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Memorandum

To: Cherise Tieben, City Manager  
From: Nannette Pogue  
Date: November 15, 2017  
Subject: Resolution No. 2017-34  
Agenda Item: Ordinances and Resolutions

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

**Background:** The City of Dodge City is submitting a petition to create the Sutherlands Development Community Improvement District and authorize the proposed CID project. The reason the City will petition for the CID instead of Sutherlands is that the City of Dodge City is the current owner of the property. Once all of the conditions are met, the property will be transferred to Sutherlands High Plains LLC and the CID will go with the property. 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 18, 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 18, 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 18, 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 18, 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 20<sup>th</sup> day of November, 2017.

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Mayor

Attest:

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Nanette Pogue, City Clerk

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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 14<sup>th</sup> 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, 14<sup>th</sup> 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"E401.70 feet; thence S00 42'01"E631.87 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 governing body of 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 Eight Million, Five Hundred Twenty-Five Thousand Dollars (\$8,525,000.00). See the attached **EXHIBIT “C”** for a detailed budget. Developer will only be reimbursed for CID Eligible Expenses on

hard construction costs, as set forth in Development Agreement between the City and High Plains, LLC dated as of July 6, 2017.

**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.

**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**

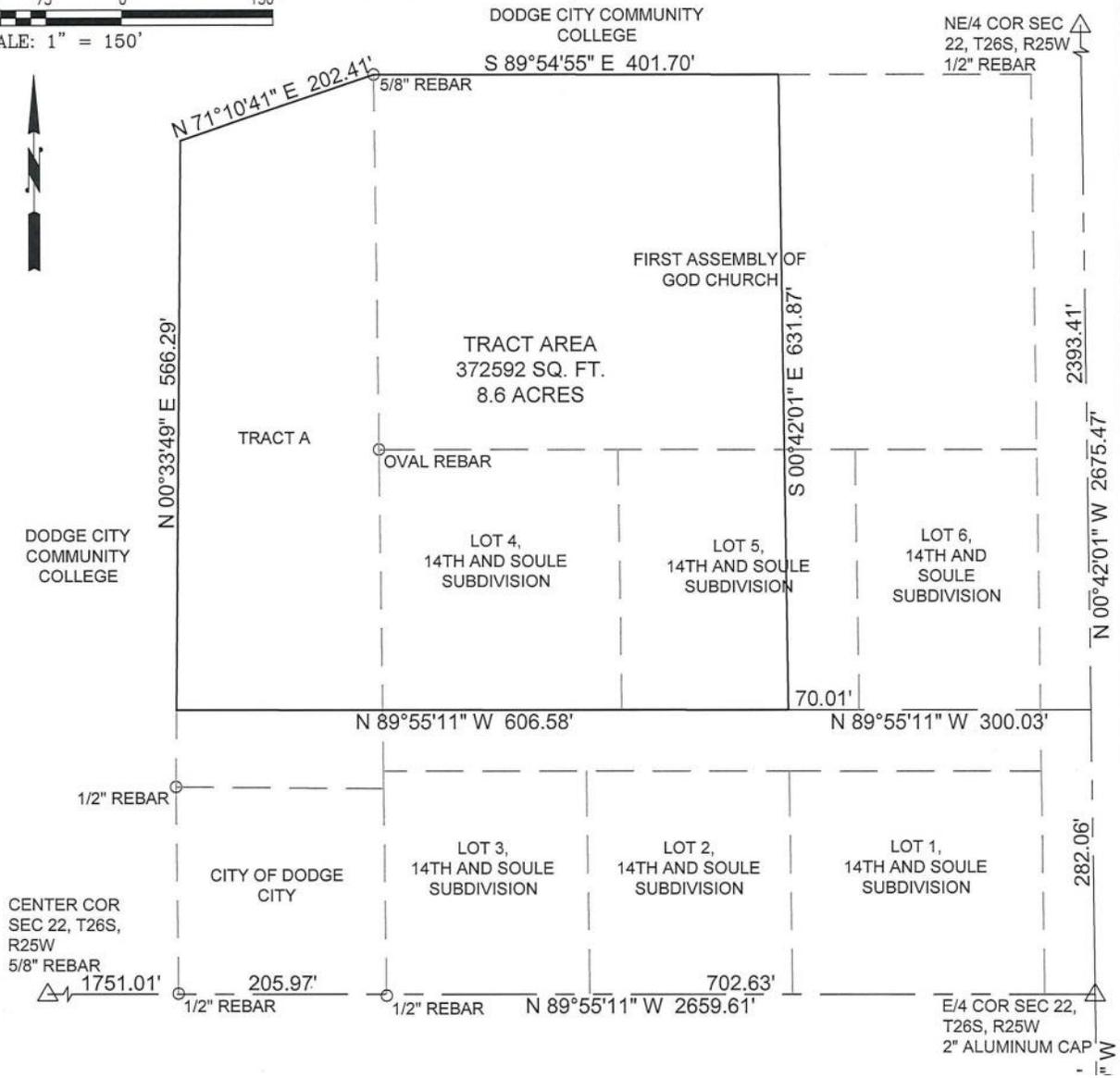
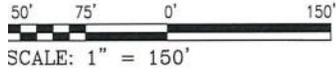
Names may not be withdrawn from this Petition by the signatory hereto after the City commences consideration of this Petition, or later than seven (7) days after the filing hereof with the City Clerk, whichever occurs first.



# EXHIBIT "A"

## MAP OF DISTRICT

### DODGE CITY, KANSAS



## **EXHIBIT "B"**

### **LEGAL DESCRIPTION OF DISTRICT**

Description:

A tract of land in Lots 4 and 5, 14<sup>th</sup> 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, 14<sup>th</sup> 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**

# *Memorandum*

*To: City Manager  
City Commissioners*

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

*Date: November 14, 2017*

*Subject: Resolution 2017-35  
Boundary Resolution Describing the  
City Limits of Dodge City*

*Agenda: Ordinances and Resolutions*

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**Recommendation:** Approval of Boundary Resolution 2017-35.

**Background:** Each year the City must adjust the boundary resolution that describes the City Limits of the City to account for any additional land that has been annexed in the past year or correct any errors found in the description. This the Wagon Wheel Addition, Unit 2 was added to the City.

**Justification:** Each year the City is required by KSA 12-517 to adjust the City's boundary by resolution.

**Financial Considerations:** None

**Purpose/Mission:** The City is responsible for following State laws. By updating our boundaries, we have identified what properties should be served by the City and can plan for long-term improvements to those areas.

**Legal Considerations:** The City is obligated under state statute to update the boundary of the City.

**Attachments:** Boundary Resolution and map showing the current boundary of the City.

RESOLUTION NO. 2017-35

A RESOLUTION DESCRIBING AND DEFINING  
THE BOUNDARY OF THE CITY OF DODGE CITY

WHEREAS, the City of Dodge City must define the corporate limits of said City by virtue of K.S.A. 12-517 of the General Statutes of Kansas:

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

SECTION 1: That the Corporate limits of the City of Dodge City, Kansas shall be and are as follows, to wit:

(A) Beginning at a point on the south line of Military Avenue, in Riverview Addition, and the east line of Section 25, Township 26 South, Range 25 West of the 6th P.M.; thence East along the south line of said Military Avenue to the northeast corner of Shuman Tracts; thence South along the east line of Shuman Tracts to the southeast corner of Tract 7, Shuman Tracts; thence East and perpendicular to the east line of said Tract 7 to a point on the east right-of-way line of Road 113; thence South along the east right-of-way line of the Road 113 to a point that intersects the north right-of-way line of Wyatt Earp Blvd; thence East along the north right-of-way line of said Wyatt Earp Blvd to a point that intersects the northerly extension of the east right-of-way line of U.S. Highway 56-283; thence South along the extended east right-of-way line of U.S. Highway 56-283 to a point on the south line of Section 29; thence West along the south line of Section 29 to the west right-of-way line of U.S. Highway 56-283 Overpass; thence South along the west line of the U.S. Highway 56-283 Overpass to the south right-of-way line of the A.T. & S.F. Railroad; thence Southeasterly along the south right-of-way line of said A.T. & S.F. Railroad for a distance of 1904.07 feet; thence North along the right-of-way line of said A.T. & S.F. Railroad for a distance of 50.00 feet; thence Southeasterly along the south right-of-way line of said A.T. & S.F. Railroad for a distance of 250.45 feet; thence South to a point that is 360.00 feet North of the north right-of-way line of U.S. Highway 400; thence Southeasterly and parallel to the north right-of-way line of said U.S. Highway 400 to a point on the west line of Tract 15 of Wilkinson Place No. 2; thence South along the west line of said Tract 15 of Wilkinson Place No. 2 to a point that is 205.00 feet North of the north right-of-way line of U.S. Highway 400; thence Southeasterly and parallel to the north right-of-way line of said U.S. Highway 400 to a point on the east line of Tract 17 of said Wilkinson Place No. 2; thence South along the east line of said Tract 17 of Wilkinson Place No. 2 to the south right-of-way line of said U.S. Highway 400; thence

Southeasterly along the south right-of-way line of said U.S. Highway 400 to the east line Happy Trails Subdivision a replat lots 12&14 of Wilkinson Place No. 1; thence South along the east line of said Happy Trails Subdivision to the southeast corner thereof; thence West along the south line of said Happy Trails Subdivision and continuing to the southwest corner of Tract 9 of Wilkinson Place No. 1; thence North along the west line of said Tract 9 to the south right-of-way line of U.S. Highway 400; thence Northwesterly along the south right-of-way line of said U.S. Highway 400 to a point that is 770.45 feet East of the west line of Section 32, Township 26 South, Range 24 West, thence South for a distance of 200.00 feet; thence West for a distance of 140.00 feet; thence North for a distance of 252.81 feet to the south right-of-way line of U.S. Highway 400; thence Northwesterly along the south right-of-way line of said U.S. Highway 400 to the east right-of-way line of U.S. Highway 56/283; thence South along the east right-of-way line of said U.S. Highway 56/283 a distance of 668.85 to a point on the north line of Lot 1, Block 2 of Gladden Addition No.2, said point being 113.94 feet east of the west quarter corner of Section 32, Township 26 South, Range 24 West; thence East along the north line of said Lot 1, Block 2 of Gladden Addition No.2 to the northeast corner thereof; thence South along the east line of said Lot 1, Block 2 to the southeast corner thereof; thence West along the south line of Lot 1, Block 2 and Lot 1, Block 1 of Gladdens Addition No. 2 to the southwest corner thereof; thence North along the west line of said Lot 1, Block 1 of Gladdens Addition No. 2 to the northwest corner thereof, said corner being of the south line of the Northeast Quarter of Section 31, Township 26 South, Range 24 West; thence west along the south line of the northeast quarter of said Section 31 to a point 651.58 west of the southeast corner thereof; thence North a distance of 922.02 feet to a point on the south right-of-way line of East Trail Street 605.87 west of the west right-of-way of U.S. Highway 56/283; thence west along the south right-of-way line of East Trail Street a distance of 142.46 feet; thence South for a distance of 920.00 feet; thence West for a distance of 560.00 feet to the east line of McCaustland Place; thence South along the east line of said McCaustland Place to the southeast corner thereof; thence West along the south line of said McCaustland Place to a point on the east line of the northeast drain of the Dodge City Flood Control Project; thence South along the east line of said northeast drain a distance of 1,601.50 feet; thence Southeasterly along a line having a deflection angle of 54 degrees 13 minutes a distance of 424.98 feet to the west line of McCaustland Road No. 2; thence South along the west line of said McCaustland Road No. 2 for a distance of 150 feet to the north bank of the Arkansas River; thence Northwesterly along the north bank of the Arkansas River to a point on the east line of Section 36, Township 26 South, Range 25 West of the 6th P.M.; thence South along the east line of said Section 36 to the southeast corner thereof; thence West along the south line of said Section 36 to the west line of Minneola Road; thence South along the west line of said Minneola Road to a point that is approximately 1314 feet North of the south line of Section 2; thence West and parallel to the

south line of said Section 2 to a point that is 748.70 feet West of the west line of South Second Avenue; thence Northwesterly and parallel to the west line of said South Second Avenue for a distance of 1265.60 feet; thence North for a distance of 200 feet to the East-West half section line of Section 2; thence West along the said half section line of Section 2 to the east line of Veeann Avenue; thence South along the east line of said Veeann Avenue to the south line of Merrit Road; thence West along the south line of said Merrit Road to the west line of Section 2 and the east line of Section 3, Township 27 South, Range 25 West; thence South along the east line of said Section 3 to the north right-of-way line of U.S. Highway 56; thence West along said north right-of-way line of U.S. Highway 56 to the east right-of-way line of Road 109; thence North along said east right-of-way line of Road 109 to the southerly right-of-way line of McArtor Road; thence Northeasterly along said southerly right-of-way line of McArtor Road to the north line of the south half of Section 3, Township 27 South, Rang 25 West; thence East along the north line of the south half of said Section 3 to the center corner thereof; thence North along the west line of the northeast quarter of said Section 3 to a point on the north right-of-way line of the Atchison, Topeka & Santa Fe Railroad; thence Southwesterly along the north right-of-way of said Atchison, Topeka and Santa Fe Railroad to the west line of Lewis Addition No. 2; thence North along the west line of said Lewis Addition No. 2 to the south line of Section 34; thence West along the south line of said Section 34 to the west line of June Avenue; thence North along the west line of said June Avenue to the north line of Boley Morgison Addition; thence East along the north line of said Boley Morgison Addition to the northeast corner thereof; thence North along the half section line of Section 34 a distance of 432 feet; thence East parallel with the south line of said Section 34 a distance of 1,676 feet; thence South parallel with the said half section line to the north line of Beeson Road; thence East along the north line of said Beeson Road to the west line of Sunset Tracts; thence North along the west line of said Sunset Tracts to the northwest corner thereof; thence Northeasterly along the south bank along the Arkansas River to the extended east line of Tract 15 and Tract 88 of Westview Place No. 1; thence North along the extended east line of said Tract 15 and Tract 88 of Westview Place No. 1 to the northeast corner of said Tract 15; thence West along the north line of said Westview Place No. 1 to the east line of Moncrief Place No. 2; thence South along the east line of said Moncrief Place No. 2 to the southeast corner thereof; thence West along the south line of said Moncrief Place No. 2 to the southwest corner thereof; thence North along the west line of said Moncrief Place No. 2 to the south line of West Park Street; thence East along the south line of said Park Street to a point on the east line of Matt Down Lane; thence North along the east line of said Matt Down Lane to a point intersecting the extended south line of Access Road; thence westerly along the south line of said Access Road and parallel to the south line of Blocks 1 and 2 Allphin Addition No. 2 to the east line of Glenridge Estates; thence continuing Westerly along the south line of said Access Road and

parallel to the south line of Block 1 of Glenridge Estates for a distance of 287.20 feet; thence Westerly along the south line of said Access Road and parallel to the south line of Block 3 of Glenridge Estates for a distance of 319.90 feet; thence North for a distance of 45.00 feet; thence Westerly and parallel to the south line of said Block 3 to the southeast corner of Lot 4 West Hwy 50 Addition; thence continuing Westerly along the south line of Lot 4 of said West Hwy 50 Addition a distance of 40.88 feet; thence South a distance of 20 feet; thence westerly along the south line of said Lot 4 West Hwy 50 Addition to the southwest corner thereof; thence North along the west line of said Lot 4 to the northwest corner thereof; thence East along the north line of said Lot 4 to the northeast corner thereof; thence North along the west line of Block 3 and Block 7 of Glenridge Estates to the northwest corner of Lot 36, Block 7 of said Glenridge Estates; thence East along the north line of said Block 7 to the northeast corner of Lot 29 of said Block 7; thence South along the east line of said Block 7 to the northeast corner of Lot 22 of said Block 7; thence East along the north line of said Block 7 to the east line of Matt Down Lane; thence North along the east line of said Matt Down Lane to a point on the south line of U.S. Highway 50; thence Northeasterly along the south line of said U.S. Highway 50 to a point intersecting the east-west half section line of Section 22; thence East along the half section line of said Section 22 for a distance of 110.0 feet to the northeast corner of Lot 3, Block 1, J.S. & L. Subdivision; thence North 73 degrees 7 minutes 19 seconds east for a distance of 204.45 feet; thence South 89 degrees 53 minutes 58 seconds east for a distance of 196.02 feet to the northeast corner of Lot 1, Block 1, of said J.S. & L. Subdivision; thence South 5 degrees 47 minutes 43 seconds west for a distance of 60 feet to a point on the east-west half section line of said Section 22; thence East along the half section line of said Section 22 to the center thereof; thence North along the north-south half section line of Section 22 to the South Quarter corner of Section 15; thence West along the south section line of said Section 15 to the Southwest corner thereof; thence North along the west section line of said Section 15 to the West Quarter corner thereof; thence East along the east-west half section line of said Section 15 to a point 160 feet east of the Southwest corner of the Northeast Quarter of said Section 15; thence North 30 feet to the extended north line of Ross Blvd.; thence East along the north line of said Ross Blvd. to the west line of the Northeast Quarter of said Section 15; thence continuing East along said north line of Ross Blvd. for a distance of 627.40 feet; thence North 40 feet; thence East 40 feet parallel to the north line of said Ross Blvd.; thence South 40 feet to the north line of said Ross Blvd. thence East along the north line of said Ross Blvd. to the west line of the Southeast Quarter of the Northeast Quarter of said Section 15; thence North along the west line of said Southeast Quarter of the Northeast Quarter of Section 15 to the northwest corner thereof; thence East along the north line of said Southeast Quarter of the Northeast Quarter of Section 15 said line being the south line of Lot 1, Block 1, Church Subdivision on an assumed bearing of South 89 degrees 52 minutes 40

seconds east to a point 374.24 feet west of the southeast corner of said lot1; thence North 00 degrees 07 minutes 20 seconds east for a distance of 415.64 feet; thence South 47 degrees 41 minutes 14 seconds east for a distance of 326.15 feet; thence South 89 degrees 42 minutes 28 seconds for a distance of 130.05 feet to a point on the east line of said lot 1; thence South along the east line of said Lot 1, Block 1 to the southeast corner thereof; thence East along the north line of said Southeast Quarter of the Northeast Quarter of Section 15 a distance of 55 feet to the northeast corner thereof; thence North along the east section line of said Section 15 to the southwest corner of the west half of section 11, Township 26 South, Range 25 West; thence continuing North along the west line of the west half of said Section 11 to the northwest corner thereof; thence East along the north line of the west half of said Section 11 to the northeast corner thereof; South along the east line of the west half of said Section 11 to the southeast corner thereof said corner being the north quarter corner of Section 14, Township 26 South, Range 25 West; thence East along the north line of said Section 14 to the northeast corner thereof; thence South along the east line of said Section 14 to the extended north line of Canterbury Road; thence East along the north line of said Canterbury Road to the west line of Joel Avenue; thence North along the west line of said Joel Avenue to the north line of William Street; thence East along the north line of said William Street to a point on the extended east line of the alley in Block 5, Kliesen Subdivision; thence South along the east line of said alley to a point on the south line of Anna Avenue; thence West along the south line of said Anna Avenue to the northeast corner of Lot 3, Block 6, Kliesen Subdivision; thence South along the east line of said Lot 3 to a point on the south line of the alley in Block 6, Kliesen Subdivision; thence West along the south line of said alley to the northeast corner of Lot 2, Block 7, Kliesen Hills Subdivision; thence South along the east line of said Lot 2 to the southeast corner thereof; thence East along the north line of Ross Boulevard to a point on the extended east line of Lot 11, Block 6, Kliesen Hills Subdivision; thence South along the said east line of Lot 11 to the southeast corner thereof; thence South along the extended east line of Lots 1 through 8, Block 6, Kliesen Hills Subdivision to a point on the south line of Saint Joseph Street; thence East along the said south line of Saint Joseph Street to the northeast corner Wagon Wheel Addition Unit Two; thence South along the east line of said Wagon Wheel Addition Unit Two to the southeast corner thereof; thence West along the south line of said Wagon Wheel Addition Unit Two to the northeast corner of Lot 10 Block 14, Kliesen Subdivision; thence South along the east line of said Lot 10, Block 14, Kliesen Subdivision extended to the north right of way line of U.S. Highway 50; thence East along the north line of said U.S. Highway 50, said line being the south line of Kliesen Street as plated by Kliesen Subdivision, and Kliesen Subdivision No.2 to a point on the east line of Sec.13,T26S,R25W; thence continuing East 130 feet along said north line of U.S. Highway 50; thence South 240 feet to the south line of said U.S. Highway 50; thence West 130 along said south line U.S. Highway 50 to a point on

**RESOLUTION NO. 2017-35**

**Page 6**

the east line of Sec.24,T26S,R25W; thence South along the east line of said Section 24 to the point of beginning,

except Lots 3 through 6 Blocks 1 and 2, Allphin Addition, along with that portion of the 20 foot alley, 26<sup>th</sup> Avenue, and Matt Down Lane adjacent to said Lots 3 through 6, Allphin Addition No.2,

and except that property described as beginning at a point on the south line of Saint Joseph Street, said point being the northwest corner of Wagon Wheel Unit Two; thence West along the said south line of Saint Joseph Street extended to the west line of Section 13, Township 26 South, Range 25 West, being the centerline of Avenue "A"; thence South along the west line of said Section 13 to a point on the extended north line of Wagon Wheel Addition Unit One; thence East along the north line of said Wagon Wheel Addition Unit One for a distance of 511.5 feet to the northeast corner thereof being the west line of Wagon Wheel Addition Unit Two; thence North along the west line of Said Wagon Wheel Unit Two to the point of beginning

(B) Excel Main Plant No. 1 described as follows:

From the southwest corner, Section 33, Township 26 South, Range 24 West of the 6th P.M. and the northwest corner, Section 4, Township 27 South, Range 24 West of the 6th P.M.; thence Easterly 1,190 feet to a point "A" which is a point on a west building line. Point "A" will be the starting point of this building description; thence Southerly from point "A" along a west line 30 feet to point "B" of said building; thence Easterly along a south line, 270 feet to point "C" of said building; thence along an east line, Northerly 20 feet to a point "D" of said building; thence along a south line Easterly 400 feet to point "E" of said building; thence along an east line Northerly 50 feet to point "F" of said building; thence Westerly along a north line 275 feet to point "G" of said building; thence Northerly along an east line 15 feet to point "H" of said building; thence Westerly along a north line 48 feet to point "I" of said building; thence Northerly along an east line 35 feet to point "J" of said building; thence Easterly along a south line 25 feet to point "K" of said building; thence Northerly along an east line 35 feet to point "L" of said building; thence Westerly along a north line 23 feet to a point "M" of said building; thence Northerly along an east line 20 feet to point "N" of said building; thence Easterly along a south line 80 feet to point "O" of said building; thence Northerly along an east line 20 feet to point "P" of said building; thence Westerly along a north line 90 feet to point "Q" of said building; thence Northerly along an east line 60 feet to point "R" of said building; thence Westerly along a north line 95 feet to point "S" of said building; thence Northerly along an east line 30 feet to point "T" of said building; thence Westerly along a north line 40 feet to point "U" of said building; thence Northerly along an east line 33 feet to point "V" of said building; thence Westerly along a north line 390 feet to point "W" of said

building; thence Southerly along a west line 170 feet to point "X" of said building; thence Easterly along a south line 170 feet to point "Y" of said building; thence Southerly along a west line 113 feet to point "A" of said building.

Excel Secondary Plant No. 2 described as follows:

From point "B" of Excel Main Plant Easterly along a south building line 90 feet to point "A1" of said building; thence Southerly and on a perpendicular line between Main Plant No. 1 and Secondary Plant No. 2, 30 feet to point "B1" of Secondary Plant No. 2. Point "B1" of said exhibit will be the starting point of this building description; thence from point "B1" Southerly along a west line 35 feet to point "C1" of said building; thence Easterly along a south line 60 feet to point "D1" of said building; thence Southerly along a west line 90 feet to point "E1" of said building; thence Easterly along a south line 265 feet to point "F1" of said building; thence Northerly along an east line 20 feet to point "G1" of said building; thence Easterly along a south line 60 feet to point "H1" of said building; thence Northerly along an east line 55 feet to point "I1" of said building; thence Westerly along a north line 60 feet to point "J1" of said building; thence Northerly along an east line 50 feet to point "K1" of said building; thence from point "K1" Westerly along a north line 325 feet to point "B1" of said building.

(C) Part of the east half of Section 21, Township 26 South, Range 24 West and part of the west half of Section 22, Township 26 South, Range 24 West, Ford County, Kansas, referred to as Chaffin Industrial Park, more fully described as follows:

Commencing at the southwest corner of the southeast quarter of Section 21, Township 26 South, Range 24 West, Ford County, Kansas; thence North 0 degrees 50 minutes East along the west boundary line of the southeast quarter of said Section 21 for 102.85 feet to a point of beginning, said point being at the intersection of the north right-of-way of the Atchinson, Topeka and Santa Fe Railway with the east right-of-way line of U.S. Hwy 56-283; thence continuing North 0 degrees 50 minutes East along the west boundary line of the southeast quarter of said Section 21 for 110.88 feet; thence North 31 degrees 57 minutes East along the east right-of-way line of said U.S. Hwy 50 for 4,378.95 feet; thence North 33 degrees 10 minutes East along the east right-of-way line of said U.S. Hwy 56-283 for 295 feet; thence Northeasterly along a curve to the right having a radius of 2,292.01 feet along the south right-of-way line of said U.S. Hwy 50 for 1,722.53 feet; thence South 0 degrees 38 minutes East for 3,594.2 feet to a point on the north right-of-way line to the Atchinson, Topeka and Santa Fe Railway; thence South 77 degrees 11 minutes West along the north right-of-way line of said Atchinson, Topeka and Santa Fe Railway for 2,510.63 feet; thence North 12 degrees 49 minutes West for 25 feet; thence South 77 degrees 11 minutes West for 15.6 feet; thence along a curve to the left having a radius of 2,694.93 feet along the north right-of-way line of said Atchinson, Topeka and Santa Fe Railway for 1,722.6 feet to the point of beginning,

containing 194.28 acres.

AND

Commencing at the southwest corner of the southeast quarter of Section 21, Township 26 South, Range 24 West, Ford County, Kansas; thence East 90 degrees along the south boundary line of the southeast quarter of said Section 21 for 174.87 feet to a point of beginning, said point being on the south right-of-way line of the Atchinson, Topeka and Santa Fe Railway; thence continuing East 90 degrees along the south boundary line of the southeast quarter of said Section 21 for 1,170.62 feet to a point on right-of-way; thence Northeasterly on a curve to the right having a radius of 8,594.42 feet along the center line of the abandoned Atchinson, Topeka and Santa Fe Railway right-of-way for 1,542.0 feet to a point on the east boundary line of the southeast quarter of said Section 21, said point being 883.0 feet North of the southeast corner of the southeast quarter of said Section 21; thence North 0 degrees 26 minutes East along the east boundary line of the southeast quarter of said Section 21 for 230.15 feet to a point on the south right-of-way line of said Atchinson, Topeka and Santa Fe Railway; thence South 77 degrees 11 minutes West along the south right-of-way line of said Atchinson, Topeka and Santa Fe Railway for 1,130.42 feet; thence South 12 degrees 49 minutes East for 25 feet; thence South 77 degrees 11 minutes West for 15.6 feet; thence along a curve to the left having a radius of 2,764.93 feet along the south right-of-way line of said Atchinson, Topeka and Santa Fe Railway for 1,164.4 feet to the point of beginning, containing 25.63 acres.

Lot 7, Section 28, Township 26 South, Range 24 West, Ford County, Kansas, except railroad right-of-way, more fully described as follows:

Commencing at the northwest corner of Lot 7, Section 28, Township 26 South, Range 24 West, Ford County, Kansas; thence East 90 degrees along the north boundary line of said Lot 7 for 134.33 feet to a point of beginning, said point being on the present south right-of-way line of the Atchinson, Topeka and Santa Fe Railway; thence continuing East 90 degrees along the north boundary line of said Lot 7 for 1,170.62 feet to a point on the centerline of an abandoned Atchinson, Topeka and Santa Fe Railway right-of-way; thence Southwesterly on a curve to the left having a radius of 8,594.42 feet along the centerline of said abandoned Atchinson, Topeka and Santa Fe Railway right-of-way for 395.1 feet to a point on the south boundary line of said Lot 7; thence North 89 degrees 56 minutes West along the south boundary line of said Lot 7 for 1,043.7 feet to the southwest corner of said Lot 7; thence North 0 degrees 50 minutes East along the west boundary line of said Lot 7 for 59.7 feet to a point on the present south right-of-way of the Atchinson, Topeka and Santa Fe Railway; thence Northeasterly along a curve to the right, having a radius of 2,964.93 feet for 263.5 feet to the point of beginning, containing 6.63 acres, more or less.

**RESOLUTION NO. 2017-35**

**Page 9**

(D) A tract of land located in the southwest quarter of Section 33, Township 26 South, Range 24 West of the 6th P.M., Ford County, Kansas, referred to as Millard Warehouse, more fully described as follows:

Beginning at the southwest corner of the southwest quarter of Section 33, Township 26 South, Range 24 West of the 6th P.M., Ford County, Kansas; thence North 0 degrees 15 minutes 38 seconds West along the west line of the southwest quarter of said Section 33 for 600 feet; thence North 89 degrees 44 minutes 22 seconds East at right angles to the west line of the southwest quarter of said Section 33 for 350 feet; thence South 0 degrees 15 minutes 38 seconds East parallel with the west line of the southwest quarter of said Section 33 for 605.84 feet; thence North 89 degrees 18 minutes 15 seconds West for 350.05 feet to the point of beginning; containing 211,022 square feet or 4.84 acres, more or less.

(E) A tract of land being part of Sections 20, 21, 28 and 29, Township 26 South, Range 24 West of the 6th P.M., Ford County, Kansas, referred to as the Dodge City Municipal Airport, more fully described as follows:

Commencing at the northeast corner of Section 29; thence South 0 degrees 12 minutes 04 seconds West along the east line of Section 29 for 894.76 feet to the point of beginning; thence continuing South 0 degrees 12 minutes 04 seconds West along said east line of Section 29 for 1,060.53 feet; thence South 26 degrees 10 minutes 18 seconds East, parallel with and 750 feet easterly of the centerline of Runway 14-32 to the northerly right-of-way line of US Highway 56-283; thence Westerly along said northerly right-of-way line of US Highway 56-283 to a point on the west line of the east half of Section 29; thence North 0 degrees 00 minutes 41 seconds West along said west line of the east half of Section 29 to the North Quarter Corner of Section 29; thence North 0 degrees 14 minutes 05 seconds West along the west line of the Southeast quarter of Section 20 for 28 feet; thence North 29 degrees 10 minutes 18 seconds West parallel with and 750 feet westerly of the centerline of Runway 14-32 for 2,928.26 feet to a point on the north line of the southwest Quarter of Section 20; thence South 89 degrees 15 minutes 43 seconds East along said north line of the southwest quarter of Section 20 for 279.5 feet; thence North 26 degrees 10 minutes 18 seconds West for 1,228.08 feet; thence North 63 degrees 49 minutes 42 seconds East for 300 feet; thence North 26 degrees 10 minutes 18 seconds West for 500 feet; thence North 63 degrees 49 minutes 42 seconds East for 150 feet; thence North 26 degrees 10 minutes 18 seconds West for 961.60 feet to the south right-of-way line of US Highway 50; thence South 89 degrees 16 minutes 23 seconds East along said south right-of-way line of US Highway 50 for 112.13 feet; thence South 26 degrees 10 minutes 18 seconds East for 910.87 feet; thence North 63 degrees 49 minutes 42 seconds East for 150 feet; thence South 26 degrees 10 minutes 18 seconds East for 500 feet; thence North 63 degrees 49 minutes 42 seconds East for 300 feet; thence South 26 degrees 10 minutes 18 seconds East for 900 feet; thence North 63 degrees 49 minutes 42

seconds East for 100 feet; thence South 26 degrees 10 minutes 18 seconds East, parallel with and 600 feet easterly of the centerline of Runway 14-32 for 2,361.81 feet; thence South 89 degrees 03 minutes 34 seconds East for 1,785.95 feet to a point on the east line of Section 20; thence South 89 degrees 06 minutes 17 seconds East parallel to the south line of Section 21 for 700 feet; thence South 57 degrees 39 minutes 37 seconds East for 464.77 feet; thence South 32 degrees 20 minutes 23 seconds West for 719.66 feet; thence South 0 degrees 30 minutes 56 seconds East parallel to the west line of Section 21 for 462.45 feet to a point on the south line of said Section 21; thence South 0 degrees 12 minutes 04 seconds West parallel to the west line of Section 28 for 254.76 feet; thence South 89 degrees 06 minutes 17 seconds East parallel to the north line of said Section 28 for 457 feet; thence South parallel to said west line of Section 28 for 640 feet; thence west parallel to said north line of Section 28 for 1,157 feet to the point of beginning.

(F) A tract of land being part of Sections 21 and 28, Township 26 South, Range 25 West of the 6<sup>th</sup> P.M. Ford County, Kansas, referred to as Casino and Event Center, more fully described as follows:

Commencing at the northeast corner of the Southeast Quarter of said Section 21; thence on an assumed bearing of North 89 degrees 39 minutes 54 seconds West along the north line of the Southeast Quarter of said Section 21 for a distance of 222.21 feet to the Northwesternly right of way line of U.S. Highway 50; thence South 34 degrees 50 minutes 32 seconds West along said right of way for a distance of 402.92 feet to the Point of Beginning; thence South 26 degrees 58 minutes 43 seconds East along said right of way line for a distance of 158.82 feet; thence South 34 degrees 50 minutes 32 seconds West along said right of way line for a distance of 6,241 feet more or less, to the Northeast corner of a tract recorded in the Ford County Register of Deeds, Book 176, page 274; thence West along the North line of two tracts described in the Ford County Register of Deeds Book 176, page 274 and Book 188, page 563, a distance of 807.95 to a point on the East line of a tract described in Ford County Register of Deeds, Book 151, page 233; thence North along the east line of and the projection thereof of said tract a distance of 749.23 feet; thence West a distance of 539.03 to the West line of said section 28, said point being 440 feet north of the West Quarter corner of said section 28; thence North along the west line of said Section 28 a distance of 1,784.58 feet; thence East parallel to the north line of said Section 28 a distance of 417.59 feet; thence North parallel to the west line of said Section 28 a distance of 417.42 to the north line thereof; thence West along the north line of said Section 28 to the northwest corner thereof; thence North along the west line of Section 21 to the West Quarter corner of said Section 21; thence South 89 degrees 39 minutes 54 seconds East along the east-west half section line of said Section 21 to a point 1,332.5 feet west of the East Quarter corner of said Section 21; thence South 0 degrees 20 minutes 06 seconds West a distance of 80 feet; thence South 55 degrees 09 minutes 28 seconds East a distance of 869.61; thence North 34

**RESOLUTION NO. 2017-35**

**Page 11**

degrees 50 minutes 32 seconds East a distance of 292.00 feet to the point of beginning.

Said tract of land is considered contiguous with the City of Dodge City via right of way U.S. Highway 50 and Matt Down Road.

Adopted by the Governing Body of the City of Dodge City

this 20th day of November, 2017.

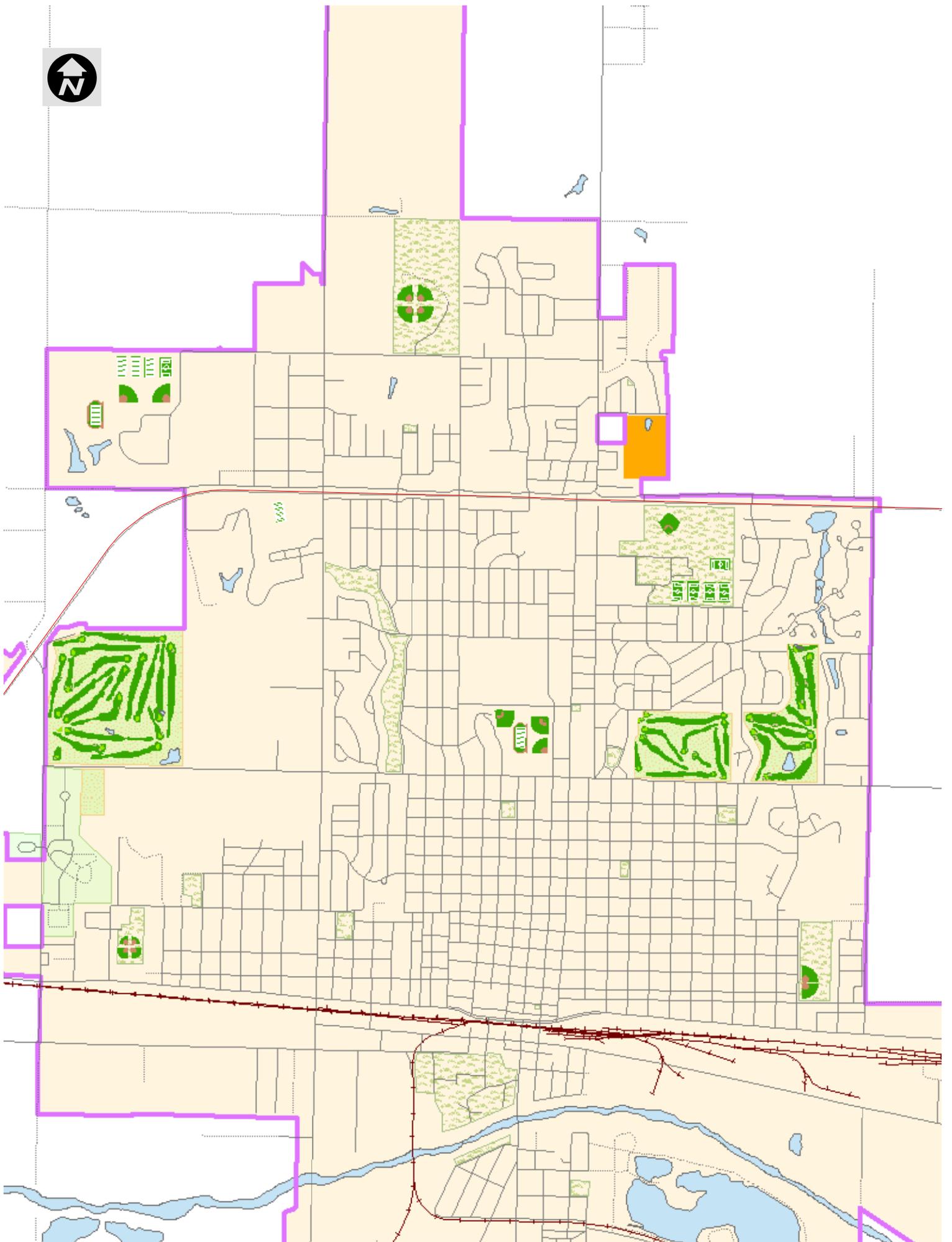
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Rick Sowers, Mayor

ATTEST:

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Nannette Pogue, City Clerk



## *Memorandum*

*To: Cherise Tieben City Manager*  
*From: Nannette Pogue*  
*Date: November 17, 2017*  
*Subject: Resolution No. 2017-36*  
*Agenda Item: Ordinances and Resolutions*

**Recommendation:** I recommend the City Commission approve Resolution No. 2017-36

**Background:** Resolution No. 2017-36 is a resolution that offers for sale of General Obligation Refunding Bonds, Series 2017-B, of the City of Dodge City.

Our Financial Advisor, Pat Hinojos, Stifel, Nicolaus, reviews all of our bonds periodically and at times when she thinks there may be opportunities for savings. Both the House and Senate Tax bills include eliminating advanced refunding of bonds. Because of this she and the Bond Counsel reviewed our outstanding bonds to look for opportunities to refund prior to the end of the year. There were two outstanding GO Bonds that were able to cash flow on an advanced refunding. Those are:

<u>Description</u>	<u>Series</u>	<u>Dated Date</u>	<u>Years</u>	<u>Amount</u>
G.O. Refunding and Improvement Bonds	2009-A	October 21, 2009	2020 to 2029	\$2,675,000
G.O. Refunding and Improvement Bonds	2013-A	December 12, 2013	2021 to 2028	3,355,000

The estimated present value savings is \$241,580. This may change as the market changes, but that is the estimated amount based on the markets today. That is a positive savings margin on those outstanding bonds, so the Bond Counsel and Financial Advisor are recommending that these be refunded.

Attached is an analysis of those bonds.

This resolution gives us the opportunity to advance refund these bonds if the market holds. If the bonds do go out for sale and things have changed that we don't realize a sizable savings, then the sale won't go forward. But, this gives us the authority that we need if the savings are there.

**Justification:** The City is offering for sale the bonds and approving the Preliminary Official Statement so that the underwriter can refund the current Series 2009-A and 2013-A General Obligation Bonds if the market is right.

**Financial Considerations:** The City of Dodge City stands to realize a net present value benefit of \$241,580.

**Purpose/Mission:** We strive for high service and performance standards

**Legal Considerations:** Legal obligations fulfilled by authorizing resolution.

**Attachments:** Resolution No. 2017-36 and analysis of bond issue.

**RESOLUTION NO. 2017-36**

**A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017-B, OF THE CITY OF DODGE CITY, KANSAS.**

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**WHEREAS**, the City of Dodge City, Kansas (the “Issuer”) has previously issued and has outstanding general obligation bonds; and

**WHEREAS**, due to the current interest rate environment, the Issuer has the opportunity to issue its general obligation refunding bonds in order to achieve an interest cost savings on all or a portion of the debt represented by such general obligation bonds described as follows (collectively the “Refunded Bonds”):

<u>Description</u>	<u>Series</u>	<u>Dated Date</u>	<u>Years</u>	<u>Amount</u>
G.O. Refunding and Improvement Bonds	2009-A	October 21, 2009	2020 to 2029	\$2,675,000
G.O. Refunding and Improvement Bonds	2013-A	December 12, 2013	2021 to 2028	3,355,000

**WHEREAS**, the City Commission of the Issuer (the “Governing Body”) hereby selects the firm of Stifel Nicolaus & Company, Incorporated, Wichita, Kansas (the “Purchaser”), as underwriter for one or more series of general obligation bonds of the Issuer in order to provide funds to refund the Refunded Bonds; and

**WHEREAS**, the Issuer desires to authorize the Purchaser to proceed with the offering for sale of said general obligation bonds and related activities; and

**WHEREAS**, one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to said general obligation bonds; and

**WHEREAS**, the Issuer desires to authorize the Purchaser, in conjunction with the Director of Finance, and Gilmore & Bell, P.C., Wichita, Kansas, the Issuer’s bond counsel (“Bond Counsel”), to proceed with the preparation and distribution of a preliminary official statement and all other preliminary action necessary to sell said general obligation bonds; and

**WHEREAS**, due to the volatile nature of the municipal bond market and the desire of the Issuer to achieve maximum benefit of timing of the sale of said general obligation bonds, the Governing Body desires to authorize the Mayor to confirm the sale of such general obligation bonds, if necessary, prior to the next meeting of the Governing Body to adopt the necessary ordinance and resolution providing for the issuance thereof.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DODGE CITY, KANSAS, AS FOLLOWS:**

**Section 1.** The Purchaser is hereby authorized to proceed with the offering for sale of the Issuer’s General Obligation Refunding Bonds, Series 2017-B (the “Bonds”) in accordance with the

presentation made by the Purchaser this date. The offering for sale of the Bonds shall be accomplished in consultation with the Director of Finance and Bond Counsel.

The confirmation of the sale of the Bonds shall be subject to the execution of a bond purchase agreement between the Purchaser and the Issuer (the "Bond Purchase Agreement") in a form approved by Bond Counsel and the Issuer's legal counsel, the passage of an ordinance and adoption of a resolution by the Governing Body authorizing the issuance of the Bonds and the execution of various documents necessary to deliver the Bonds. The Mayor is hereby authorized to execute the Bond Purchase Agreement subject to the following parameters: (a) the principal amount of the Bonds shall not exceed \$6,700,000; and (b) the present value savings associated with refunding the Refunded Bonds shall be not less than 2.75% of the principal of the Refunded Bonds.

**Section 2.** The Purchaser, in conjunction with the Director of Finance and Bond Counsel, is hereby authorized to cause to be prepared a Preliminary Official Statement relating to the Bonds (the "Preliminary Official Statement"). The Issuer hereby consents to the use and public distribution by the Purchaser of the Preliminary Official Statement in connection with the offering for sale of the Bonds.

**Section 3.** For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), the Mayor and Director of Finance or other appropriate officers of the Issuer are hereby authorized: (a) to approve the form of the Preliminary Official Statement, and to execute the "Certificate Deeming Preliminary Official Statement Final" in substantially the form attached hereto as *Exhibit A* as approval of the Preliminary Official Statement, such official's signature thereon being conclusive evidence of such official's and the Issuer's approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to the Municipal Securities Rulemaking Board, as applicable; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirement of the Rule.

**Section 4.** The Issuer agrees to provide to the Purchaser within seven business days of the date of the Bond Purchase Agreement or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of the Rule and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

**Section 5.** The Mayor, Director of Finance, and the other officers and representatives of the Issuer, the Purchaser and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to: (a) carry out the sale of the Bonds; and (b) purchase or subscribe for the securities to be deposited in the escrow for the Refunded Bonds.

**Section 6.** This Resolution shall be in full force and effect from and after its adoption.

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**ADOPTED** by the City Commission on November 20, 2017.

(SEAL)

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Mayor

ATTEST:

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Clerk

***EXHIBIT A***

**CERTIFICATE DEEMING  
PRELIMINARY OFFICIAL STATEMENT FINAL**

November 20, 2017

To: Stifel Nicolaus & Company, Incorporated  
Wichita, Kansas

Re: City of Dodge City, Kansas, General Obligation Refunding Bonds, Series 2017-B

The undersigned are the duly acting Mayor and Director of Finance of the City of Dodge City, Kansas (the "Issuer"), and are authorized to deliver this Certificate to the purchaser (the "Purchaser") of the above-referenced bonds (the "Bonds") on behalf of the Issuer. The Issuer has previously caused to be delivered to the Purchaser copies of the Preliminary Official Statement (the "Preliminary Official Statement") relating to the Bonds.

For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the "Rule"), the Issuer hereby deems the information regarding the Issuer contained in the Preliminary Official Statement to be final as of its date, except for the omission of such information as is permitted by the Rule, such as offering prices, interest rates, selling compensation, aggregate principal amount, principal per maturity, delivery dates, ratings and other terms of the Bonds depending on such matters.

**CITY OF DODGE CITY, KANSAS**

By: \_\_\_\_\_  
Title: Mayor

By: \_\_\_\_\_  
Title: Director of Finance

**CITY OF DODGE CITY, KANSAS**

City Hall, 806 2nd Avenue, P.O. Box 880, Dodge City, Kansas 67801

November 20, 2017

Gilmore & Bell, P.C.  
100 N. Main, Suite 800  
Wichita, Kansas 67202

Re: Subscription for Purchase of United States Treasury Time Deposit Securities – State and Local Government Series

Issuer: City of Dodge City, Kansas  
Tax I.D. No: 48-6008416  
Bonds: General Obligation Refunding Bonds, Series 2017-B (the “Bonds”)  
Underwriter: Stifel Nicolaus & Company, Incorporated, Wichita, Kansas  
Escrow Agent: Security Bank of Kansas City, Wichita, Kansas – ABA No. 1010-0092-5  
Bond Counsel: Gilmore & Bell, P.C., Wichita, Kansas

In connection with the issuance of the Bonds, the Issuer hereby authorizes and directs Bond Counsel to submit an initial subscription on its behalf for the purchase of United States Treasury Time Deposit Securities – State and Local Government Series (the “SLGS”), to be issued as entries on the books of the Bureau of the Public Debt, Department of the Treasury. The total amount of the subscription and the issue date will be determined at a later date.

The Issuer certifies that the SLGS will be purchased solely from proceeds of the Bonds, and not from any amounts received from either: (a) the sale or redemption before maturity of any marketable security, or (b) the redemption before maturity of a time deposit SLGS (other than a zero-interest SLGS).

The Issuer agrees that the final subscription and payment for the SLGS will be submitted to the U.S. Treasury on or before the issue date. The Issuer further authorizes Bond Counsel, Escrow Agent, and Underwriter to file the final subscription for SLGS, to amend or cancel such subscription, and to re-subscribe for SLGS, all on behalf of the Issuer. The Issuer understands that, if it fails to settle on the subscription for the SLGS or makes an untimely or unauthorized change to the subscription, the Bureau of Public Debt may bar the Issuer from subscribing for SLGS for six months beginning on the earlier of (a) the date the subscription is withdrawn, or (b) the proposed issue date of the SLGS.

The Issuer acknowledges that Bond Counsel has not made any recommendation as to the investment of bond proceeds or other monies in the SLGS or any other investment securities. Bond Counsel is not a financial advisor or a “municipal advisor” as defined in the Securities Exchange Act of 1934, as amended.

**CITY OF DODGE CITY, KANSAS**

By: \_\_\_\_\_  
Name: Nannette Pogue  
Title: Director of Finance

**\$5,790,000**

City of Dodge City, Kansas  
General Obligation Bonds Refund Test  
NOT BQ A+

## Estimated Refunding Summary

Dated 12/28/2017 | Delivered 12/28/2017

	Adv Sr 2009- A	Adv Sr 2013- A	Issue Summary
<b>Sources Of Funds</b>			
Par Amount of Bonds	\$2,560,000.00	\$3,230,000.00	\$5,790,000.00
Reoffering Premium	292,988.90	383,080.30	676,069.20
<b>Total Sources</b>	<b>\$2,852,988.90</b>	<b>\$3,613,080.30</b>	<b>\$6,466,069.20</b>
<b>Uses Of Funds</b>			
Total Underwriter's Discount (0.900%)	23,040.00	29,070.00	52,110.00
Costs of Issuance	27,202.76	34,322.24	61,525.00
Deposit to Net Cash Escrow Fund	2,800,419.19	3,548,123.68	6,348,542.87
Rounding Amount	2,326.95	1,564.38	3,891.33
<b>Total Uses</b>	<b>\$2,852,988.90</b>	<b>\$3,613,080.30</b>	<b>\$6,466,069.20</b>

### Flow of Funds Detail

State and Local Government Series (SLGS) rates for Date of OMP Candidates	11/08/2017	11/08/2017	11/08/2017
Primary Purpose Fund Solution Method	Net Funded	Net Funded	Net Funded
Total Cost of Investments	\$2,800,419.19	\$3,548,123.68	\$6,348,542.87
Interest Earnings @ 1.656%	72,335.81	155,588.82	227,924.63
Total Draws	\$2,872,755.00	\$3,703,712.50	\$6,576,467.50

### PV Analysis Summary (Net to Net)

Net PV Cashflow Savings @ 2.469% (AIC)	144,910.06	92,674.64	237,688.18
Contingency or Rounding Amount	2,326.95	1,564.38	3,891.33
Net Present Value Benefit	\$147,237.01	\$94,239.02	\$241,579.51
Net PV Benefit / \$6,030,000 Refunded Principal	5.504%	2.809%	4.006%
Net PV Benefit / \$5,790,000 Refunding Principal	5.751%	2.918%	4.172%

### Bond Statistics

Average Life	7.435 Years	7.331 Years	7.377 Years
Average Coupon	3.9258853%	3.9437664%	3.9357986%
Net Interest Cost (NIC)	2.5075650%	2.4488063%	2.4749891%
Bond Yield for Arbitrage Purposes	2.1935560%	2.1935560%	2.1935560%
True Interest Cost (TIC)	2.3483047%	2.2955270%	2.3189874%
All Inclusive Cost (AIC)	2.4974989%	2.4457924%	2.4687691%

Test Rfnd Sr 2017 slug 11 | Issue Summary | 11/14/2017 | 1:52 PM



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

## *Memorandum*

To: City Commissioners  
City Manager, Cherise Tieben

From: Jackie Regan  
Nannette Pogue

Date: November 15, 2017

Subject: Request to Amend 2018 Membership  
Rates

Agenda Item: New Business

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**Recommendation:** Staff recommends the City Commission approve the request to amend 2018 membership rates.

**Background:** As stated in Section 2 (g) of the Management Agreement between the City of Dodge City and the YMCA of Southwest Kansas, the Dodge City YMCA is currently required to seek and receive City Commission approval prior to any increases in membership costs and/or program fees. The purpose of this memo is to request your consideration for the amendment of 2018 membership rates.

**Justification:** The primary goal for seeking this rate increase for membership is to offset our deficit and cover any increases in overhead expenses. A moderate increase in membership rates similar to what was done for 2016 will allow the YMCA to keep pace with those additional costs and avoid dramatic increase. The proposed 2018 membership rates have gone through our review process with approval at the Executive/Finance Committee level prior to action by the Board of Directors at our last board meeting. Pending your approval, we would then be able to provide appropriate notice to members before implementation of the new rates on January 1, 2018.

**Financial Considerations:** The YMCA is proposing an adjustment in membership rates at as a 5% increase in fees across the board for all membership types. Our goal is to also have a 3% increase in growth of membership units for a total of 8% increase to our 2018 Membership budget. The 2018 budget will be the first full year the Dodge City Family YMCA does not receive any 21<sup>st</sup> Century Funding, which was in the amount of \$95K for 2018 and \$189K in 2017. This is in addition to the decrease in funding that the City has been providing to the YMCA which went from \$50,000 in 2017 to \$16,500 in 2018.

**Current Fees:**

**Youth (0-17)** \$18.21 (bankdraft)/\$170.16 Annually  
**Y-Adult (18-24)** \$32.80 (bankdraft)/\$364.64 Annually  
**Adult** \$37.66 (bankdraft)/\$425.41 Annually  
**Family** \$57.12 (bankdraft)/\$607.75 Annually  
**Senior** \$25.35 (bankdraft)/\$254.67 Annually  
**Senior Family** \$38.58 (bankdraft)/\$392.49 Annually

**Proposed Fees:**

**Youth (0-17)** \$19.12 (bankdraft)/\$178.67 Annually  
**Y-Adult (18-24)** \$34.44 (bankdraft)/\$382.87 Annually  
**Adult** \$39.54 (bankdraft)/\$446.68 Annually  
**Family** \$59.98 (bankdraft)/\$638.14 Annually  
**Senior** \$26.62 (bankdraft)/\$267.40 Annually  
**Senior Family** \$40.51 (bankdraft)/\$412.11 Annually

**Purpose/Mission:** The proposed request is consistent with the City's Core Purpose of "Together We Serve to Make Dodge City the Best Place to be."

**Legal Considerations:** None.

**Attachments:** Price Comparison to other Y's

	Youth	Student	Teen	College	Young Adult	Adult	Couple	Family	Single Parent Family	Senior	Senior Family	Median Income	Population
Dodge City Family YMCA	\$18.21	(youth)	(youth)	(Y/A)	\$32.80	\$37.66		\$38.58		\$25.35	\$38.58	\$47,461	27243
Salina Family YMCA	\$7.00	\$10.00			\$31.00	\$38.00	\$55.00	\$62.00				\$44,710	47336
McPherson YMCA	\$9.25		\$14.00	\$90/3 mo	n/a	\$51.50/\$35.50		\$64.75/\$45.75				\$53,566	13212
Hutchinson YMCA												\$43,730	41808
Garden City Family YMCA	\$21.52				\$36.00	\$50.00		\$63.55		\$41.00	\$49.20	\$47,279	26747
Topeka YMCA	\$18.00		\$18.00		\$28.00	\$38.00		\$54.00		\$34.00	\$54.00	\$42,250	126808
Rapid City Family YMCA (SD)	\$14.00		\$20.00		\$39.00	\$54.00		\$79.00		\$49.00	\$69.00	\$46,966	74048
Denny Price YMCA (Enid, OK)	\$17.00		\$22.00			\$44.00		\$61.00	\$50.00	\$37.00	\$48.00	\$46,345	51004
Missouri Valley YMCA (Bismarck, ND)	\$20.00	\$27.00		\$38.00		\$48/\$60		\$59/\$79	\$55/\$70	\$45/\$57	\$56/\$76	\$58,901.00	72417

## Memorandum

*To: City Manager  
City Commissioners*  
*From: Ryan Reid*  
*Date: November 15<sup>th</sup>, 2017*  
*Subject: Biogas Insurance*  
*Agenda Item:*

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**Recommendation:** Over the last few months, the City's insurance provider (Fee) has been working to secure necessary insurance for the new Biogas Plant. Mary Trent from Fee has obtained a quote from Chubb after seeking quotes from a dozen or so insurance companies. Chubb was the only vendor that responded with interest in providing these types of coverage. Staff recommends that we purchase the insurance from Chubb.

**Background:** The Biogas Plant will be needing to begin testing and become operational soon. The two types of insurance Chubb is providing are premises liability (\$10,310 a year) and a pollution policy (\$29,635 a year or \$56,306 for three years of coverage). The premises liability is particularly important because it will cover the City during the testing phase of the plant when the Builder's policy is no longer in place.

**Justification:** Engineering and our insurance agent both recommend these policies.

**Financial Considerations:**

These two policies together total \$66,616. On the second year, the cost is expected to drop to \$10,310. The third year should be similar and we would then evaluate the two policies.

**Attachments:** (quote information from Fee)

## Memorandum

*To: City Manager  
City Commissioners*

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

*Date: November 14, 2017*

*Subject: Change Order #1 & #2  
Railroad Crossing Non-Traversable  
Medians, CA 1702*

*Agenda Item: New Business*

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**Recommendation:** Approve Change Orders #1 & #2 in the amount of \$25,500 and \$30,000, respectively. Change Order #1 is the cost to have a Railroad Flagger stand by as the contractor completes work within 25' of the rail. Change Order #2 is the cost associated with replacing the street paving adjacent to the new railroad cross panels that will be installed at the 2<sup>nd</sup> Ave. Railroad Track Crossing.

**Background:** The contract to construct the Non-Traversable Medians was awarded to Building Solutions, LLC at the September 18, 2017 Commission Meeting. As you know the City has been looking into what it would take to establish a railroad "Quiet Zone" for quite some time. After countless hours of navigating through the steps and guidelines set forth by the FRA (Federal Railroad Administration) we reached the point in the establishment process where we started the installation of the safety improvements that are required to make this a reality. The installation of these non-traversable medians will complete one of the three steps necessary in regards to safety improvements, the other two being traffic signal preemption and signage. These medians will be installed at 5 of the 6 crossings included in the quiet zone. Those five railroad crossings are 1<sup>st</sup> Ave., 2<sup>nd</sup> Ave., 4<sup>th</sup> Ave., 11<sup>th</sup> Ave., & 14<sup>th</sup> Ave. After all three safety improvement steps are completed, the City will need written statements from the CEO's of BNSF, KDOT, Cimarron Valley Railroad, & Amtrak that the safety improvements have been installed as planned. These statements are required for our Notice of Quiet Zone Establishment to be sent to the Associate Administrator of the FRA and all other involved parties.

**Justification:** Change Order #1 is the cost associated with having a Railroad Flagger from a company that works with BNSF. BNSF required the Contractor/City to have this flagger on site prior to any work being started. In the past the City has been able to partner with the local BNSF personnel to provide this service when it was required. Unfortunately, for this project we were not able to continue this. Therefore, the only option was to hire flagging personnel from the company provided by BNSF. We could not hire any other company for this service. The average daily cost for the flagger to be on site is \$1,500. To date, the flagger has been at the project 10 days. It is anticipated there will be an additional 7 days required for flagging operations. The total approximate cost for flagging the 17 days will be \$25,500. We will be billed the actual cost incurred by the flagging company.

Change Order #2 is the anticipated cost to replace the concrete paving in between the railroad track crossing panels and on the north and south sides of these panels. The city was notified in September that BNSF was planning to replace the crossing panels. It was said that materials would be on site within 30 days. The materials were delivered last week. BNSF wants to replace the panels starting Tuesday, November 28<sup>th</sup>. Since Building Solutions is under contract to construct the non-traversable medians, carries the required railroad insurance, and has a contract with the flagging company, staff worked with them to get an estimate for this work. Some of the items of work are the same as the non-traversable medians, there are other items that will be negotiated. Items of work include saw cutting pavement adjacent to the crossing panels, the removal of existing pavement, placement of 9" reinforced concrete pavement, and 6" concrete sidewalk. The exact amount of work may change due to the removal and installation of the crossing panels. We have experienced in the past, longer ties under the panels than originally thought. This required additional pavement be removed and replaced. Another time the edge of the existing pavement was damaged during the panel installation and had to be replaced. The estimate for this work is \$30,000. Building Solutions will be paid based on the actual quantities of work done and unit prices of the project. In the past BNSF has said that they would place asphalt in between and at either side of the crossing panels. Several years ago BNSF removed the rail line where the original rail that came into Dodge City was located. BNSF patched 2<sup>nd</sup> Ave. with asphalt. Staff believes that due to the traffic and that the remainder of 2<sup>nd</sup> Ave. is paved with concrete, concrete pavement should be installed. The asphalt patch will also be replaced. This crossing was last replaced in the mid '90's.

**Financial Considerations:** Change Order #1 will be funded through the STAR Bond funding allotted for the Heritage District STAR Bond improvement area. Based on the budgeted amount for the Quiet Zone Improvements, the Non-Traversable Medians and Change Order #1, the remaining balance of the STAR Bond funds allotted for the establishment of a quiet zone will be \$151,805.00. Unfortunately, there will be additional work required prior to the establishment and approval of the Quiet Zone. During the comment period, both KDOT and BNSF indicated that the 14<sup>th</sup> Ave. & Wyatt Earp Blvd. traffic signal will need to have pre-emption with the Railroad Crossing Gates. This requires that the pre-emption time be determined. Staff has calculated this time and submitted to BNSF. BNSF requires that their 3<sup>rd</sup> party engineer review this timing and the City pay any costs associated. BNSF provided an estimate for this review. The cost for this review was \$7,483 and 60 days to complete the review. The City Manager approved this cost. After the pre-emption time is calculated, BNSF will need to design the pre-emption equipment needed in their existing signal hut. It is anticipated that the City will be responsible for this cost along with any new equipment needed. The traffic signal will have to connect to BNSF's signal hut via conduit and wiring. Staff has received an estimate to bore the conduit between the two signals. This cost is \$4,000, wiring should be minimal.

Change Order #2 will be funded through the Special Streets Fund.

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

**Legal Considerations:** These change Orders will be added to the contract the City currently has with Building Solutions, LLC.

**Attachments:** None