

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Monday, March 1, 2021

7:00 p.m.

MEETING #5178

This will be an entirely virtual meeting, and there are two ways to watch and listen in real-time:

1. Watch live on our Facebook page at www.facebook.com/cityofdodgecity

2. Or watch it on our Vimeo page at www.vimeo.com/cityofdodgecity.

Comments on these streams will be open to be utilized for the Visitors Section. The meeting will be archived on both sites to be viewed after the live video has ended.

CALL TO ORDER

ROLL CALL

INVOCATION BY

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Advisability of Creating a Community Improvement District

APPROVAL OF AGENDA

SUBMIT QUESTIONS OR COMMENTS

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).

City Loyalty Oath Ceremony - Fire Chief, Ken Spencer - Police Chief, Drew Francis

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, February 15, 2021
2. Appropriation Ordinance No.5, March 1, 2021;
3. Cereal Malt Beverage License:
4. Approval of Change Order #1 for the Barbara Ln Extension Project, ST 1801.

ORDINANCES & RESOLUTIONS

Ordinance No. 3752: An Ordinance Authorizing the Creation of the BCPB, LC Community Improvement District in the City of Dodge City, Kanaz; Authorizing the Imposition of a Community Improvement District Sales Tax to be Collected Within Such District; and Approving and Authorizing Certain Other Actions in Connection Therewith (BCPB, LC CID). Report by Finance Director, Nicole May.

Resolution No. 2021-06: A Resolution of the Governing Body of the City of Dodge City, Kansas Determining that the City is Considering Establishing a Rural Housing Incentive District within the City and Adopting a Plan for the Development of Housing and Public Facilities in Such Proposed District, Establishing the Date and Time of a Public Hearing on Such Matter, and Providing for the Giving of Notice of Such Public Hearing. (Milstock). Report by Finance Director, Nicole May.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of 2021 Street Program Projects. Report by City Engineer, Director of Engineering, Ray Slattery.
2. Approval of Infrastructure Improvement Quote for Casa del Rio – Phase 1 (Streets and Grading) Report by City Engineer, Tanner Rutschman.

OTHER BUSINESS

STAFF REPORTS

ADJOURNMENT

CITY COMMISSION WORK SESSION MINUTES

City Hall Commission Chambers

Monday, February 15, 2021

6:15 p.m.

This Commission Work Session will be available virtually by two different methods. Comments will be open on the Facebook Live the Vimeo Live feeds. Watch and listen to the work session on one of the following platforms.

1. Watch, listen, and comment live on www.facebook.com/cityofdodgecity.

2. Watch, listen, and comment live on www.vimeo.com/cityofdodgecity

The meeting will be archived on both the Facebook page and the Vimeo page to be viewed after the live video has ended.

CALL OR ORDER

ROLL CALL: Mayor Rick Sowers, Commissioners Blanca Soto, Kent Smoll, Joseph Nuci, Brian Delzeit

STUDY SESSION

Evaluation of City Manager

EXECUTIVE SESSION

At 6:14 pm Commissioner Brian Delzeit moved that the into executive session pursuant to “personnel matters relating to non-elected personnel “exception found in K.S.A. 75-4319(b)(1). The justification for closing the meeting is to protect the privacies of the individuals to be discussed. The executive session will include the Commissioners and City Manager. The meeting will not exceed 40 minutes. The open meeting will resume in the City Commissioner Chambers at 7:00 pm. The commission will not take action upon returning to open session. Commissioner Joseph Nuci moved; Commissioner Kent Smoll seconded the motion. The motion carried 5 - 0.

At 7:00 pm Commissioner Brian Delzeit made a motion to close the executive session. Commissioner Kent Smoll seconded the motion. The motion carried 5 – 0.

ADJOURNMENT

ATTEST:

Mayor

City Clerk

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Monday, February 15, 2021

7:00 p.m.

MEETING #5177

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CALL OR ORDER

ROLL CALL: Mayor Rick Sowers, Commissioners Blanca Soto, Kent Smoll, Joseph Nuci, and Brian Delzeit

INVOCATION by

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Commissioner Brian Delzeit moved to approve the agenda as presented. Commissioner. Blanca Soto seconded the motion. The motion carried unanimously.

SUBMIT QUESTIONS OR COMMENTS

PETITIONS & PROCLAMATIONS

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

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, February 1, 2021;
2. Appropriation Ordinance No.4, February 15, 2021;
3. Cereal Malt Beverage License:
 - a. Don Hector, 208 S. 2nd Avenue;
4. Approval of Southwest Kansas Area on Aging Extension of Hennessey Lease Agreement.

Commissioner Kent Smoll moved to accept the consent calendar as presented. Commissioner Joseph Nuci seconded the motion. The motion carried unanimously.

ORDINANCES & RESOLUTIONS

Ordinance No. 3751: An Ordinance of the City of Dodge City, Kansas Amending the Official Zoning Map of the City, Changing the Tract of Land Located at 800, 802, 804 & 806 Beeson Court, from R-2 Residential Medium Density, to C-2 Commercial Highway was approved on a motion by Commissioner Brian Delzeit. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

NEW BUSINESS

1. Commissioner Kent Smoll moved to accept staff's recommendations to purchase three (3) of the SUV vehicles for the Dodge City Police Department from Lopp Motors in the amount of \$123,651. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.
2. Commissioner Brian Delzeit moved to approve the bids from Hays Fire in the amount of \$177,085 for a Quick Attack Brush Truck for the Dodge City Fire Commissioner Blanca Soto seconded the motion. The motion carried unanimously.
3. Commissioner Blanca Soto moved to approve the CDBG-CV Grant Funds and the Mayor to sign the Determination of Level of Review. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.
4. Commissioner Kent Smoll moved to approve the Sign Bid Proposals from Luminous Neon, Inc. in the amount of \$30, 255 for the Dodge City Raceway Park. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

OTHER BUSINESS

1. City Manager, Nick Hernandez discussed the request for proposal for the residential development of the Rebein Property.

STAFF REPORTS

ADJOURNMENT

Commissioner Brian Delzeit moved to adjourn the meeting. Commissioner Joseph Nuci seconded the motion. The motion carried unanimously.

ATTEST:

Mayor

City Clerk



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Ray Slattery, PE, Director of Engineering Services
Date: February 18, 2021
Subject: Approval of Change Order #1, Barbara Ln. Extension, ST 1801
Agenda Item: Consent Calendar

Recommendation: Approve Change Order #1 for the Barbara Ln. Extension Project in the amount of \$12,195.25.

Background: This project provided a connection from the Wagon Wheel #2 and #3 subdivisions to Frontview St. and extended sanitary sewer along the south side of the Wagon Wheel 33 subdivision to provide sanitary sewer for 5 lots of the subdivision and the Cox solution store. Providing sewer to the Cox solution Store was part of the purchase agreement for the with Cox on the property the City purchased for the road extension. The following items were adjusted in Change Order #1;

Excavation (Unclassified) – There was a reduction of 63 CY to the project.
Embankment (95%)(VRF=1.5) – There was a reduction of 104 CY to the project.
30" Standard Curb & Gutter – An increase of 33 LF represents actual field place quantity. Some additional curb & gutter was added to better the tie-in to the existing curb & gutter.
Remove 30" Standard Curb & Gutter – a section of curb & gutter that needed to be removed was omitted from the plan quantities.
Flexamat – An increase of 7 SF represents actual field placed quantity.
Silt Fence – the increase of 14 LF represents actual field place quantity.
Construction Entrance – This item was deleted from the project.
Install Hydrant Extension – Once final grade was set, a fire hydrant needed to be raised so that it could be operated properly.

The following items were necessary to adjust an inlet on the Cox Solution property to provide a better tie-in to the street elevation and solve a maintenance issue for years to come. These items were added to the project;

Mobilization, Concrete Manhole Box Riser, 10 LF of 18" HDPE Pipe, a 24" Nyloplast drainage Basin, 20 LF of 12" HDPE Pipe, and the labor and Equipment for the job.

Justification: These are the items that needed adjustment to finish the project.

Financial Considerations: Funding for these items will be from General Obligation Bonds issued for the project and the RHID for Wagon Wheel #3.

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

Legal Considerations: By approving the Change Order, additional payment will be made to Klotz Sand Co.

Attachments: Change Order #1

CITY OF DODGE CITY

Change Order

CONTRACT FOR: Barbara Lane, Wagon Wheel Unit Two

PROJECT NUMBER: ST 1801

CONTRACTOR: Klotz Sand Co., Inc.

REQUEST NUMBER: 1

ITEM DESCRIPTION	UNIT	CONTRACT OR PREVIOUS QUANTITY	ADJUSTED QUANTITY	AMOUNT OF OVERRUN OR UNDERRUN	CONTRACT UNIT PRICE	NEW UNIT PRICE	DOLLAR AMOUNT OF CHANGE
STREET QUANTITIES							
Excavation (Unclassified)	CY	963	900	-63	\$ 3.00		
Embankment (95%)(VRF=1.15)	CY	2104	2000	-104	\$ 7.50		\$ (780.00)
30" Standard Curb & Gutter	LF	978	1011	33	\$ 33.00		\$ 1,089.00
Remove 30" Standard Curb & Gutter	LF	38	108	70	\$ 15.00		\$ 1,050.00
STORM SEWER QUANTITIES							
Flexamat	SF	713	720	7	\$ 25.00		\$ 175.00
EROSION CONTROL							
Silt Fence	LF	486	500	14	\$ 5.00		\$ 70.00
Construction Entrance	EA	1	0	-1	\$ 700.00		\$ (700.00)
EXTRA WORK/CHANGE ORDER							
Install Hydrant Extension	LS	0	1	1		\$ 1,196.00	\$ 1,196.00
COX INLET RISER							
Mobilization	LS	0	1	1		\$ 1,450.00	\$ 1,450.00
Concrete Manhole Box Riser	EA	0	1	1		\$ 1,750.00	\$ 1,750.00
18" HDPE Pipe, Installed	LF	0	10	10		\$ 39.95	\$ 399.50
24" Nyoplast Drain Basin	EA	0	1	1		\$ 1,295.00	\$ 1,295.00
12" HDPE Pipe, Installed	LF	0	20	20		\$ 62.25	\$ 1,245.00
Labor & Equipment	LS	0	1	1		\$ 3,955.75	\$ 3,955.75
						NET INCREASE	\$ 12,195.25

RECOMMENDED FOR APPROVAL:

This is to affirm that I have inspected this change in plans and construction and hereby agree to the quantities, unit prices, and amounts shown above.

Ray Slattery, P.E.
Director of Engineering Services

Contractor: Klotz Sand Co., Inc.

Nicole May, City Clerk

Mayor or City Manager

By: _____



Memorandum

To: City Commissioners and Nick Hernandez, City Manager
From: Nicole May, Finance Director
Date: February 25, 2021
Subject: Public Hearing – Advisability of Creating a Community Improvement District
Ordinance No. 3752 – Making Certain Findings on the Advisability of Creating a
Community Improvement District
Agenda Item: Public Hearing and Ordinances and Resolutions

Recommendation: I recommend the City Commission open the Public Hearing and hear any comments from the public. If after the public hearing, the Commission finds it advisable to create the Community Improvement District, adopt Ordinance No. 3752.

Background: A petition was filed for the establishment of a community improvement district for Phil Bundy of BCPB, LC to include a portion of the Comanche Plaza area. The petition was filed in January 2021 by Phil Bundy.

The City Commission adopted Resolution 2021-05, on February 1, 2020, that directed a public hearing be held to consider the advisability of creating a community improvement district and required the City Clerk to give notice of such public hearing. A notice was published in the Dodge City Daily Globe for 2 consecutive weeks, at least 7 days prior to the March 1 meeting notifying the public of consideration of the CID. A notice was sent to Phil Bundy of BCPB, LC.

Later in the meeting after the public hearing is complete, the Commission will consider the Ordinance. This ordinance states that the governing body of the City of Dodge City finds and determines it to be advisable to create the proposed community improvement district, authorizes the project, approves the estimated cost of the project, sets for the boundaries of the district, levies the community improvement district sales tax, and approves the method of financing.

Justification: The Community Improvement District is an economic development tool authorized by the State of Kansas that allows eligible costs to be reimbursed to the developer. The additional sales tax collected in the improvement district is the only amount reimbursed to the developer.

Financial Considerations: None

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

Legal Considerations: All legal considerations are being met with the public hearing and adoption of the Ordinance. The Ordinance will be forwarded to the Director of Taxation for the State of Kansas

Attachments: Ordinance No. 3752

ORDINANCE NO. 3752

AN ORDINANCE AUTHORIZING THE CREATION OF THE BCPB, LC COMMUNITY IMPROVEMENT DISTRICT IN THE CITY OF DODGE CITY, KANSAS; AUTHORIZING THE IMPOSITION OF A COMMUNITY IMPROVEMENT DISTRICT SALES TAX TO BE COLLECTED WITHIN SUCH DISTRICT; AND APPROVING AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH (BCPB, LC CID).

WHEREAS, pursuant to K.S.A. 12-6a26 *et seq.*, as amended (the “Act”), municipalities are authorized to create community improvement districts for economic development purposes and any other purpose for which public money may be expended; and

WHEREAS, the City of Dodge City, Kansas (the “City”), is a municipality within the meaning of the Act; and

WHEREAS, on January 19, 2021, a petition (the “Petition”) was filed with the City Clerk requesting (a) that the community improvement district described therein (the “CID”) be created; (b) that the City levy a community improvement district sales tax on the selling of tangible personal property at retail or rendering or furnishing services taxable pursuant to the provisions of the Kansas retailer’s sales tax act, within the CID in the amount of one percent (1%) (the “CID Sales Tax”); and (c) that certain community improvement district project costs to be incurred within the CID be financed with pay-as-you-go financing from such CID Sales Tax, all in accordance with the Act; and

WHEREAS, said Petition was signed by all [more than 55%] of the owners of the land area within the proposed CID, exclusive of right of way; and

WHEREAS, the Act provides that prior to creating any community improvement district and imposing a community improvement district sales tax, a governing body shall, by resolution, direct and order a public hearing on the advisability of creating such community improvement district and the construction of such community improvement district project therein, and provide for notice of the hearing by publication at least once each week for two consecutive weeks in the official city newspaper, with the second publication occurring at least seven days prior to the hearing, and by certified mail to all property owners within the proposed community improvement district, with such certified mail sent at least ten days prior to such hearing; and

WHEREAS, on February 1, 2021, the Board of Commissioners of the City adopted Resolution No. 2021-05 directing a public hearing on the proposed CID be held and declaring its intent to levy the CID Sales Tax in the proposed CID; and

WHEREAS, on March 1, 2021, following proper notice as provided in the Act, the Board of Commissioners of the City held a public hearing on the proposed CID, the proposed community improvement district project and the imposition of the CID Sales Tax in the proposed CID; and

WHEREAS, the Governing Body hereby finds and determines that it is in the best interests of the City and in furtherance of the purposes of the Act to create the CID and impose the CID Sales Tax.

THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF DODGE CITY, KANSAS:

Section 1. Creation of District; Boundaries. The Board of Commissioners of the City hereby creates the CID within the boundaries legally described on *Exhibit A* attached hereto and are depicted on the map attached hereto as *Exhibit B*, which CID shall generally be referred to as the "BCPB, LC CID."

Section 2. Authorization of District Project; Estimated Costs. The Board of Commissioners of the City hereby authorizes the project within the BCPB, LC CID described in *Exhibit C* attached hereto (the "Project") and approves the estimated cost of the Project which may be financed with CID Sales Tax as \$542,500. Notwithstanding the approval of the Project by this Ordinance, the Project and owner or owners of all property comprising the Project must comply with all applicable zoning, planning permit and other laws and regulations applicable to the Project.

Section 3. Method of Financing. The Project within the BCPB, LC CID will be financed on a pay-as-you-go basis payable from revenues received from the imposition of the CID Sales Tax. No special assessments shall be implemented under the Act to pay for the Project, and no special obligation notes or bonds will be issued for the Project.

Section 4. Levy of Sales Tax. In accordance with the Act and to provide funds to pay costs of the Project, the Governing Body of the City hereby levies a CID Sales Tax on the selling of tangible personal property at retail or rendering or furnishing services taxable pursuant to the provisions of the Kansas retailer's sales tax act, within the BCPB, LC CID in the amount of one percent (1%). The collection of the CID Sales Tax shall commence on July 1, 2021, or any other effective date the City may approve by ordinance if a change in the effective date outlined herein is requested in writing by all owners of record, exclusive of right of way, in the BCPB, LC CID.

Section 5. Segregation of CID Sales Tax. All revenues derived from the collection of the CID Sales Tax shall be deposited into a special fund of the City to be designated as the BCPB, LC Community Improvement District Revenue Fund. Such revenues shall be used to pay the costs of the Project on a pay-as-you-go basis, including the City's administrative fee of two percent (2%).

Section 6. Further Action. The Mayor, City Manager, City Clerk and other officials and employees of the City, including the City Attorney and City consultants, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

Section 7. Effective Date. This Ordinance shall be in force and take effect from and after its passage, approval and publication once in the official City newspaper. When this Ordinance

becomes effective in accordance with this Section, the City Clerk shall provide a certified copy of the same to the State Director of Taxation pursuant to K.S.A. 12-189. The City Clerk is hereby further authorized to submit this Ordinance to the Ford County Register of Deeds, for recording.

ADOPTED by the Governing Body of the City of Dodge City, Kansas on this 1st day of March, 2021.

By: _____
Mayor

ATTEST:

By: _____

City Clerk

APPROVED AS TO FORM:

By: _____

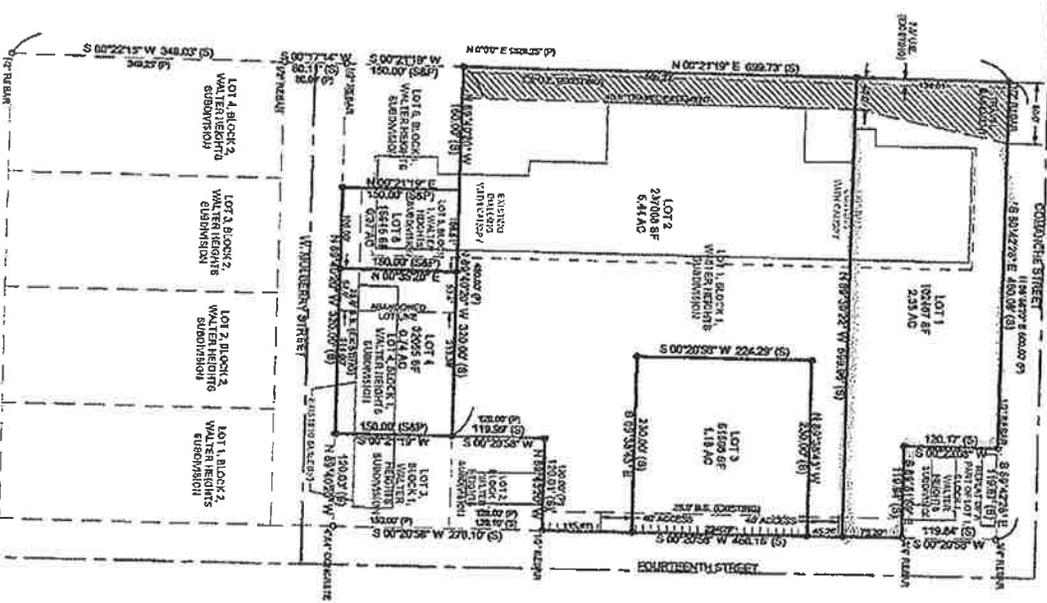
City Attorney

EXHIBIT A to CID Ordinance

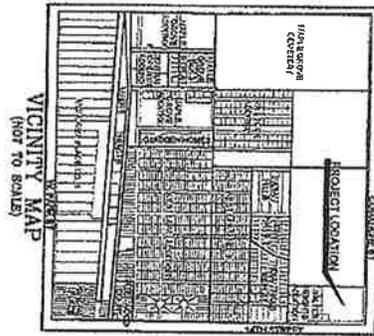
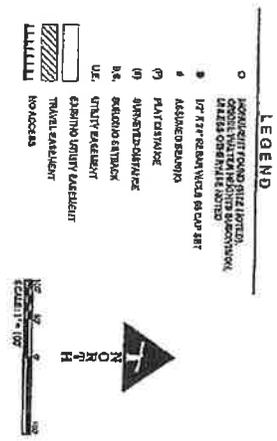
Legal Description of BCPB, LC CID

Lot 1, Block 1 of Walter Heights Unit 2

Exhibit B



Notes:
 1. All dimensions, including distances, bearings, or other matter of record, shall be taken from the original survey plat, and shall be subject to the same conditions and exceptions as the original plat.
 2. The plat is subject to the provisions of the laws of the State of Missouri, and the laws of the County of Jackson, Missouri.
 3. The plat is subject to the provisions of the laws of the State of Missouri, and the laws of the County of Jackson, Missouri.
 4. The plat is subject to the provisions of the laws of the State of Missouri, and the laws of the County of Jackson, Missouri.
 5. The plat is subject to the provisions of the laws of the State of Missouri, and the laws of the County of Jackson, Missouri.



Walter Heights Unit Two Clearing Table

POINT NO.	ASPECT	BEARING	PROVE	100% OPEN	CLEARING
1	100'	S 89° 42' 30" W	154.172	100.000	54.172
2	100'	S 89° 42' 30" W	154.172	100.000	54.172
3	100'	S 89° 42' 30" W	154.172	100.000	54.172
4	100'	S 89° 42' 30" W	154.172	100.000	54.172
5	100'	S 89° 42' 30" W	154.172	100.000	54.172
6	100'	S 89° 42' 30" W	154.172	100.000	54.172
7	100'	S 89° 42' 30" W	154.172	100.000	54.172
8	100'	S 89° 42' 30" W	154.172	100.000	54.172
9	100'	S 89° 42' 30" W	154.172	100.000	54.172
10	100'	S 89° 42' 30" W	154.172	100.000	54.172
11	100'	S 89° 42' 30" W	154.172	100.000	54.172
12	100'	S 89° 42' 30" W	154.172	100.000	54.172
13	100'	S 89° 42' 30" W	154.172	100.000	54.172
14	100'	S 89° 42' 30" W	154.172	100.000	54.172
15	100'	S 89° 42' 30" W	154.172	100.000	54.172
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21	100'	S 89° 42' 30" W	154.172	100.000	54.172
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27	100'	S 89° 42' 30" W	154.172	100.000	54.172
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36	100'	S 89° 42' 30" W	154.172	100.000	54.172
37	100'	S 89° 42' 30" W	154.172	100.000	54.172
38	100'	S 89° 42' 30" W	154.172	100.000	54.172
39	100'	S 89° 42' 30" W	154.172	100.000	54.172
40	100'	S 89° 42' 30" W	154.172	100.000	54.172
41	100'	S 89° 42' 30" W	154.172	100.000	54.172
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61	100'	S 89° 42' 30" W	154.172	100.000	54.172
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67	100'	S 89° 42' 30" W	154.172	100.000	54.172
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69	100'	S 89° 42' 30" W	154.172	100.000	54.172
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71	100'	S 89° 42' 30" W	154.172	100.000	54.172
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74	100'	S 89° 42' 30" W	154.172	100.000	54.172
75	100'	S 89° 42' 30" W	154.172	100.000	54.172
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77	100'	S 89° 42' 30" W	154.172	100.000	54.172
78	100'	S 89° 42' 30" W	154.172	100.000	54.172
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80	100'	S 89° 42' 30" W	154.172	100.000	54.172
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85	100'	S 89° 42' 30" W	154.172	100.000	54.172
86	100'	S 89° 42' 30" W	154.172	100.000	54.172
87	100'	S 89° 42' 30" W	154.172	100.000	54.172
88	100'	S 89° 42' 30" W	154.172	100.000	54.172
89	100'	S 89° 42' 30" W	154.172	100.000	54.172
90	100'	S 89° 42' 30" W	154.172	100.000	54.172
91	100'	S 89° 42' 30" W	154.172	100.000	54.172
92	100'	S 89° 42' 30" W	154.172	100.000	54.172
93	100'	S 89° 42' 30" W	154.172	100.000	54.172
94	100'	S 89° 42' 30" W	154.172	100.000	54.172
95	100'	S 89° 42' 30" W	154.172	100.000	54.172
96	100'	S 89° 42' 30" W	154.172	100.000	54.172
97	100'	S 89° 42' 30" W	154.172	100.000	54.172
98	100'	S 89° 42' 30" W	154.172	100.000	54.172
99	100'	S 89° 42' 30" W	154.172	100.000	54.172
100	100'	S 89° 42' 30" W	154.172	100.000	54.172

Final Plat
WALTER HEIGHTS,
 UNIT 2
 A Re-plot of Lots 1, 4-5, Walter Heights
 Subdivision, Dodge City, Ford County, Kansas

SMH
 CONSULTANTS

3817 World Park, Ste. 115 • Wichita, Kansas 67203
 (785) 726-0341 • FAX 785-726-1000 • Email: info@smhconsultants.com
 Drawn By: ASJ Project #1801061022 DB #10506
 JULY 2020
 SHEET 1 OF 2

Exhibit C

Proposed Project

The general nature of the proposed projects (the "**Projects**") is to promote the redevelopment of a commercial building at 14th and Comanche, as is more particularly described herein, as Lot 1 Walter Heights Subdivision consisting of 102,487 SF of land and a building containing 23,615 SF 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.



Memorandum

To: City Manager, City Commissioners
From: Nicole May, Director of Finance
Date: 03/01/21
Subject: RHID
Agenda Item: Resolution No.

Recommendation: Staff recommends adoption of Resolution 2021-06, which establishes a date and time for a public hearing as required by Kansas statute.

Background: In 2008, the City commissioned a Housing Needs Analysis, which reflected a critical shortage of housing available in the community. In 2009, the City Commission adopted a Resolution providing for several incentive programs in order to encourage housing development in the City. The Rural Housing Incentive District (RHID) was identified as one of those programs. The RHID has captured the attention of several developers, locally and statewide. In 2018, the City commissioned another Housing Needs Analysis taking into consideration the progress that had developed since the 2008 Analysis. The latest Analysis continued to reflect a major shortage of housing. The establishment of this RHID will provide an incentive needed to entice developers to and in our community.

Justification: Housing continues to be a constant challenge in the Dodge City area. Establishment of the RHID is necessary in order to address the City's critical housing shortage.

Financial Considerations: None at this time. However, if utilized, the financial consideration would be dependent upon each independent development agreement.

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

Legal Considerations: None

Attachments: Resolution

RESOLUTION NO. 2021-06

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS DETERMINING THAT THE CITY IS CONSIDERING ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH PROPOSED DISTRICT, ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTER, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING. (MILSTOCK)

WHEREAS, K.S.A. 12-5241 et seq. (the “Act”) authorizes any city incorporated in accordance with the laws of the state of Kansas (the “State”) with a population of less than 60,000 located in a county with a population of less than 80,000, to designate rural housing incentive districts within such city; and

WHEREAS, prior to such designation the governing body of such city shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community; and

WHEREAS, after conducting such analysis, the governing body of such city may adopt a resolution making certain findings regarding the establishment of a rural housing incentive district and providing the legal description of property to be contained therein; and

WHEREAS, after publishing such resolution, the governing body of such city shall send a copy thereof to the Secretary of Commerce of the State (the “Secretary”) requesting that the Secretary agree with the finding contained in such resolution; and

WHEREAS, if the Secretary agrees with such findings, such city may proceed with the establishment of a rural housing incentive district within such city and adopt a plan for the development or redevelopment of housing and public facilities in the proposed district; and

WHEREAS, the City of Dodge City, Kansas (the “City”) has an estimated population of 27,340, is located in Ford County, Kansas, which has an estimated population of 33,848, and therefore constitutes a city as said term is defined in the Act; and

WHEREAS, the Governing Body of the City has performed a Housing Needs Analysis dated 2018 (the “Needs Analysis”), a copy of which is on file in the office of the City Clerk; and

WHEREAS, the Governing Body of the City has heretofore adopted Resolution No. 2020-02 which made certain findings relating to the need for financial incentives relating to the construction of quality housing within the City, declared it advisable to establish a Rural Housing Incentive District pursuant to the Act and authorized the submission of such Resolution and a Housing Needs Analysis to the Kansas Department of Commerce in accordance with the provisions of the Act; and

WHEREAS, the City has caused to be prepared a plan for the development or redevelopment of housing and public facilities in the District in accordance with the provisions of the Act (the “Plan”); and

WHEREAS, the Plan includes:

1. The legal description and map required by subsection (a) of K.S.A. 12-5245;
2. The existing assessed valuation of the real estate in the proposed District listing the land and improvement values separately;
3. A list of the names and addresses of the owners of record of all real estate parcels within the proposed District;
4. A description of the housing and public facilities project or projects that are proposed to be constructed or improved in the proposed District, and the location thereof;
5. A listing of the names, addresses and specific interests in real estate in the proposed District of the developers responsible for development of the housing and public facilities in the proposed District;
6. The contractual assurances, if any, the Governing Body has received from such developer or developers, guaranteeing the financial feasibility of specific housing tax incentive projects in the proposed District;
7. A comprehensive analysis of the feasibility of providing housing tax incentives in the proposed District as provided in the Act, which shows the public benefits derived from such District will exceed the costs and that the income therefrom, together with all public and private sources of funding, will be sufficient to pay for the public improvements that may be undertaken in such District; and

WHEREAS, the Governing Body of the City proposes to continue proceedings necessary to create a Rural Housing Incentive District, in accordance with the provisions of the Act, and adopt the Plan, by the calling of a public hearing on such matters.

THEREFORE, BE IT RESOLVED by the Governing Body of the City of Dodge City, Kansas as follows:

Section 1. Proposed Rural Housing Incentive District. The Governing Body hereby declares an intent to establish within the City a Rural Housing Incentive District. The District is proposed to be formed within the boundaries of the real estate legally described in *Exhibit A* attached hereto, and shown on the map depicting the existing parcels of land attached hereto as *Exhibit B*. A list of the names and addresses of the owners of record of all real estate parcels within the proposed District and the existing assessed valuation of said real estate, listing the land and improvement values separately, is attached hereto as *Exhibit C*.

Section 2. Proposed Plan. The Governing Body hereby further declares an intent to adopt the Plan in substantially the form presented to the Governing Body that date. A copy of the Plan shall be filed in the office of the City Clerk and be available for public inspection during normal business hours. A description of the housing and public facilities projects that are proposed to be constructed or improved in the proposed District, and the location thereof are described in *Exhibit D* attached hereto. A summary of the contractual assurances by the developer and the comprehensive feasibility analysis is contained in *Exhibit E* attached hereto.

Section 3. Public Hearing. Notice is hereby given that a public hearing will be held by the Governing Body of the City to consider the establishment of the District and adoption of the Plan on April 5, 2021, at the City Commission Meeting Room, City Hall, 806 N. Second Avenue, Dodge City, Kansas 67801; 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 such matters, and may, after the conclusion of such public hearing, consider the findings necessary for establishment of the District and adoption of the Plan, all pursuant to the Act.

Section 4. 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 certified copy of this resolution shall be delivered to:
 - i) the Board of County Commissioners of Ford County, Kansas;
 - ii) the Board of Education of U.S.D. No. 443; and
 - iii) the Planning Commission of the City.
- b) This Resolution, specifically including *Exhibits A* thru *E* attached hereto, shall be published at least once in the official newspaper of the City not less than one week nor more than two weeks preceding the date of the public hearing.

Section 5. Further Action. The Mayor, City Manager, City Clerk and the officials and employees of the City, including the City Attorney, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution.

Section 6. Effective Date. This Resolution shall take effect after its adoption by the Governing Body.

ADOPTED by the Governing Body of the City of Dodge City, Kansas, on March 1, 2021.

Mayor

ATTEST:

City Clerk

EXHIBIT A

**LEGAL DESCRIPTION OF PROPOSED
RURAL HOUSING IMPROVEMENT DISTRICT BOUNDARIES
FOR MILSTOCK PROJECT**

Beginning at the southwest corner of Lot 16, Block 3, Milstock Addition; thence North along the west line of Lots 16 through 3, block 3 to the northwest corner of said Lot 3, Block 3; thence East along the north line of Lot 3, Block 3, and the north line of Lot 3, Block 2 to the northeast corner of said Lot 3, Block 2; thence continuing East along the extended north line of said Lot 3, Block 2 to the east line of the plated Park and Water Way being the west right of way line of Riney Ave.; thence South along the west right of way line of Riney Ave. to the north right of way line of Division St.; thence West along the north right of way line of Division St. to the southwest corner of lot 16, Block 3 Milstock Addition and the point of beginning.

EXHIBIT B

**MAP OF PROPOSED
RURAL HOUSING IMPROVEMENT DISTRICT BOUNDARIES
FOR MILSTOCK PROJECT**

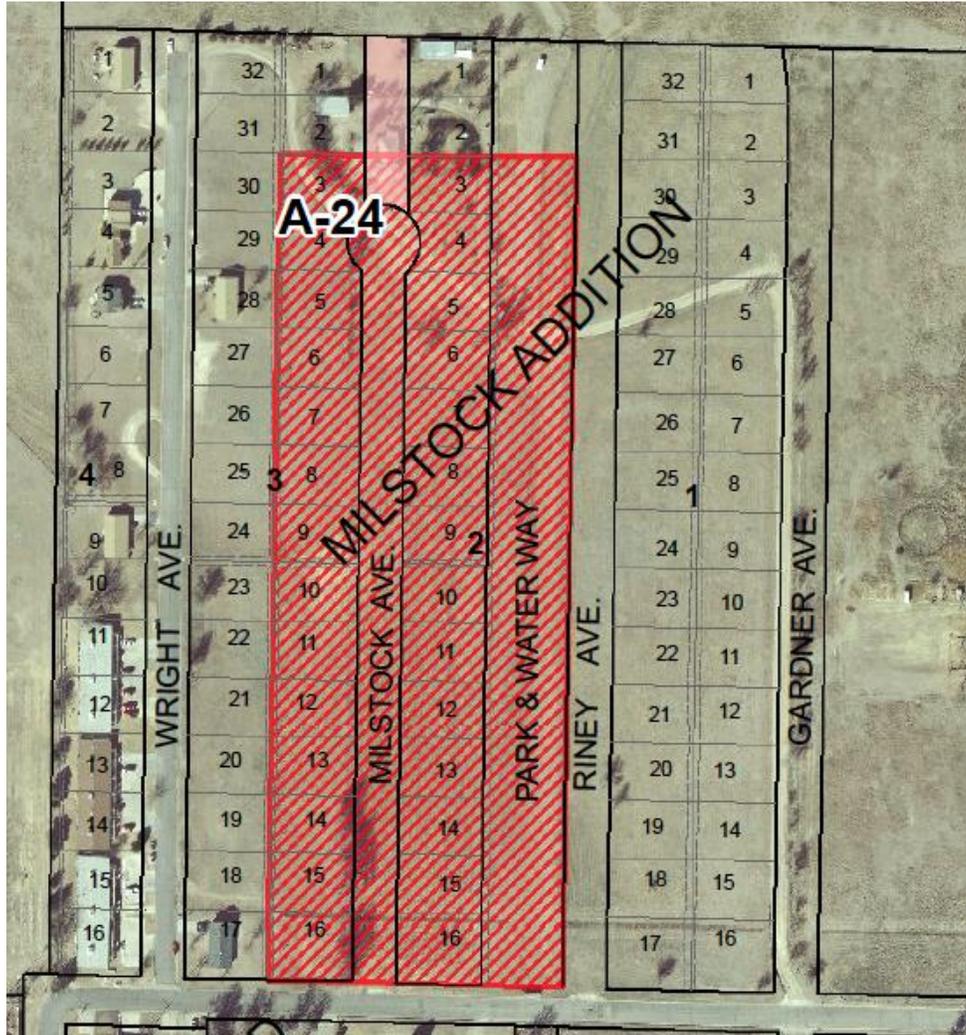


EXHIBIT C

NAMES AND ADDRESSES OF THE OWNERS OF RECORD OF ALL REAL ESTATE PARCELS WITHIN THE PROPOSED RURAL HOUSING INCENTIVE DISTRICT AND THE EXISTING ASSESSED VALUATION OF SAID REAL ESTATE PARCELS

Owner of Record:

Volz Builders, LLC
11170 Kliesen
Dodge City, KS 67801

2020 Assessed Valuation:

Land: \$4076
Improvements: \$0 (vacant land)

EXHIBIT D

DESCRIPTION OF THE HOUSING AND PUBLIC FACILITIES PROJECT OR PROJECTS THAT ARE PROPOSED TO BE CONSTRUCTED OR IMPROVED IN THE PROPOSED RURAL HOUSING INCENTIVE DISTRICT

Housing Facilities

The housing facilities will be composed of twenty-three (23) residences.

Public Facilities

Public improvements will include the extension of water, sewer, gas, and electric distribution lines along the boundaries of the development. Public improvements will also include construction of infrastructure improvements located within the boundaries of the development, including water, sanitary sewer, storm sewer, storm water detention, streets and street lighting. The public improvements will be constructed as necessary to serve the Project as described above.

EXHIBIT E

SUMMARY OF THE CONTRACTUAL ASSURANCES BY THE DEVELOPER AND OF THE COMPREHENSIVE FEASIBILITY ANALYSIS

Contractual Assurances.

The Governing Body of the City of Dodge City has entered into a development agreement with Volz Builders, LLC. This agreement, as supplemented and amended, includes the project construction schedule, a description of projects to be constructed, financial obligations of the developer and financial and administrative support from the City of Dodge City.

Feasibility Study.

The City will conducted a study to determine whether the public benefits derived from the District will exceed the costs and that the income from the District, together with other sources of revenue provided by the developer, would be sufficient to pay for the public improvements to be undertaken in the District prior to the approval of the Development Agreement. The analysis will estimate the property tax revenues that will be generated from the development, less existing property taxes to determine the revenue stream available to support the costs of the public infrastructure.



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Tanner Rutschman, PE, City Engineer
Date: March 1, 2021
Subject: 2021 Street Program
Agenda Item: New Business

Recommendation: Approve the 2021 Street Program as outlined below.

Background: On an annual basis, staff outlines street construction and maintenance projects for Commission approval. These projects are based on information gathered from PCI scores, staff maintenance records, the City's comprehensive plan and inspection of the City Streets. Each year as many street projects are included as possible with the funds available for the street program. The projects included in this year's program are a result of that process.

Justification: The projects in this year's street program will help improve the overall condition of the City's street network and align with our core value of ongoing improvement.

Financial Considerations: Partial funding of these projects will come from the City's Special Streets Fund for construction and maintenance of the city's streets. A total of \$200,000 will be allocated from the Special Streets Fund for this year's program. The remaining funds will come from General Obligation Bonds (GOB). A total of \$4,698,375 would need to come in the form of GOB funds to complete the program as presented. Staff, along with the Finance Director will work together to determine the repayment amount of the GOB projects. Each individual project listed in the program will come before the Commission for approval before any construction or design commences.

Purpose/Mission: The completion of this program will align with the City's core value of Ongoing Improvement to provide for the citizens and prepare for the community's future.

Legal Considerations: N/A.

Attachments: 2021 Project List.

2021 STREET PROGRAM LIST

SPECIAL STREETS FUNDING **\$ 200,000**

MASTIC CRACK SEALANT – **\$ 50,000**

This project consists of patching large transverse cracks on several streets in town. This is a preventative maintenance measure that will improve the smoothness of the road surface and deter water from percolating through the pavement and deteriorating the sub-grade. This preventative maintenance technique will work hand in hand with the City's planned Chip Seal Program. Maintenance Zone #5 (East Dodge) & #3 (Country Club Area) will receive crack sealant this year.

SMALL CRACK SEALING -- **\$ 50,000**

This funding will go towards applying sealant to cracks that are too small for our large crack sealing project. The streets we will focus sealing on will be those that have recently been overlaid (previous 5 years) and then maintenance zone #1 (North Dodge).

TRAFFIC SIGNAL IMPROVEMENTS/REPAIRS – **\$ 90,000**

These funds will go towards installing new traffic signals for north and southbound traffic at the intersection of Soule/University and Central Ave. A portion of these funds will also go towards the improvements being made above and beyond what insurance will cover from the signal damage at the intersection of East Wyatt Earp Blvd. and US56/283.

SIDEWALK CONSTRUCTION – **\$ 10,000**

This money goes towards the repair of existing sidewalks, either by the City or through the Cost-Share Program.

PROPOSED GOB FUNDED PROJECTS **\$ 3,050,000**

US 50 HIGHWAY & LORETTA DR. INTERSECTION - DESIGN **\$ 500,000**

City staff has been working with KDOT, DCCC, and Dodge City Public Schools for the past two years to study a potential second access to the High School at the existing break in highway access at Loretta Dr. After a couple of TEAP (Traffic Engineering Assistance Program) studies, improvement concepts are finally in a place where design can begin. This funding will go towards designing the concepts laid out in the TEAP studies for construction.

TRAIL STREET WIDENING & IMPROVEMENTS - CONSTRUCTION **\$ 1,200,000**

This funding will go towards constructing the first part, highway intersection, of the Trail St. widening project. This part will be constructed as a Geometric Improvement project through KDOT and funded at an 85/15 match up to \$1 Million. The second part will include the reconstruction and widening of Trail St. to a 5-lane concrete section from the highway intersection back to McCaustland Rd. 1 (this part will be the responsibility of

the City to fund and be constructed at a later date). Part one of this project is on schedule and will have a December 2021 letting through KDOT. KDOT will require the City to provide its matching funds prior to the construction contract being awarded.

MCCAUSTLAND ROAD 2 REROUTE – \$ 950,000

This project was put out for bid in December 2020 and the contract with bid alternate was awarded to APAC Kansas Inc. Shears Division in the amount of \$843,093.66. Additional funds will be required for contingencies and street lighting which is accounted for in the dollar amount listed above.

COMANCHE ST. RECONSTRUCTION (14TH AVE – Walmart Drive) – \$ 400,000

This money goes towards the reconstruction of approximately 1,000 feet of Comanche St. from 14th Ave. back to the west. This project will keep the existing curb & gutter and replace the asphalt pavement with 9” concrete.

OTHER PROPOSED GOB FUNDED PROJECTS \$ 1,625,000

SECOND AVENUE BRIDGE REPAIR –CONSTRUCTION \$ 575,000

This funding will go towards costs associated with making the necessary repairs to the 2nd Ave. bridge. These repairs include replacing the rocker pins and hinges as well as the deck of the bridge that abuts the expansion joints.

14TH AVENUE BRIDGE REPAIR – DESIGN \$ 50,000

These funds will go towards the design of the required repairs to the 14th Ave. Bridge

LEVEE CERTIFICATION IMPROVEMENTS - \$ 850,000

These funds will go towards the next step required to ensure that our levee system is certified in accordance with FEMA and that properties within the flood zone are not required to maintain flood insurance. This step will include raising the top of the levees in certain locations and armoring of the drainage fingers and outfalls into the pilot channel.

AVE. D & WYATT EARP BLVD. DRAINAGE IMPROVEMENTS - \$ 150,000

The current storm drainage infrastructure at this intersection is unable to handle the amount of storm water flowing through. Water is unable to enter the storm box structure along Ave. D and flows across Wyatt Earp Blvd. Once across Wyatt Earp Blvd. the storm water ponds in the gutter line until it jumps the curb. This has been causing hazards for traffic on Wyatt Earp Blvd. and erosion behind the curb and gutter. These funds will go towards adding storm sewer infrastructure that will put a halt to the current issues.

PUBLIC ART FUND CONTRIBUTION \$ 23,375

Fund required for public art per Ordinance 3603 based on the amount to be bonded in 2021.

TOTAL PROPOSED GOB FOR 2021 \$ 4,698,375

PREVIOUS GOB FUNDED PROJECTS

\$ 1,965,000

US 50 HIGHWAY & GARY AVE. INTERSECTION

\$ 383,000

This project was let by KDOT in May 2020 and was awarded to APAC – Kansas Inc., Shears Division in the amount of \$734,214. Kirkham Michael is providing Construction Engineering in the amount of \$148,593.89 which brings the total constructing cost to \$882,807.89. KDOT is dedicating \$500,000 towards the project which results in a cost to the City of \$383,000. APAC intends to start this project in mid-March 2021.

REPLACEMENT OF AVENUE K BRIDGE –CONSTRUCTION

\$ 450,000

This funding will go towards construction costs associated with replacing the bridge at the intersection of Ave. K and Military Ave. This project was put out to bid and awarded to Building Solutions, LLC at a total cost of \$384,670. This project is currently underway and should be completed within the next couple months.

TRAIL STREET WIDENING & IMPROVEMENTS - DESIGN

\$ 525,000

This funding is going towards the design of improvements to the Trail St. corridor from McCaustland Rd. 1 to the intersection of US 400/283/56. This project is split into two parts. The first part, the highway intersection, will be constructed as a Geometric Improvement project through KDOT and funded at an 85/15 match up to \$1 million. The second part will include the reconstruction and widening of Trail St. to a 5-lane concrete section from the highway intersection back to McCaustland Rd. 1. This part will be the responsibility of the City to fund.

ASPHALT STREET PROJECTS -

\$ 2,089,500

This funding will go towards the reconstruction and/or mill & overlay of asphalt streets. The project was put out to bid last year and Klotz Sand Co. Inc. was selected to complete the project with a total bid of \$1,945,795.50. We will extend quantities to put us as close to the total bonded amount as possible. Work began towards the end of 2020 and will resume in the spring of 2021.



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Tanner Rutschman, PE, City Engineer
Date: March 1, 2021
Subject: Approval of Infrastructure Improvement quote for Casa Del Rio – Phase 1
(Streets & Grading)
Agenda Item: New Business

Recommendation: Approve the quote from Building Solutions LLC, for the construction of the Street Improvements for the Casa Del Rio Sub-Division Phase 1 in the amount of \$455,894.50. The engineer's estimate for the project was \$523,985.00.

Background: The City has been working with the developer of the Casa Del Rio Sub-Division Phase 1 to develop the infrastructure plans for water, sewer, and streets to service this new 23-unit single family residential development. This project will also be part of the RHID Program. The developer requested quotes for the construction of the infrastructure and the attached quote tab shows the quote that was received. This will cover the street portion of the project and will complete the infrastructure for Phase 1.

Justification: It is necessary to have the infrastructure in place for this development to occur. Residential housing continues to be in high demand and this development will help fill that demand.

Financial Considerations: The construction of street infrastructure improvements of Casa Del Rio – Phase 1 will cost \$455,894.50. The street portion of the development will bring the infrastructure improvement total to \$784,388.50. Funding of this project will be through special Assessments via the RHID Program.

Purpose/Mission: The completion of this project will align with the City's core value of Ongoing Improvement and will provide housing in a price range high in demand.

Legal Considerations: By approving the quote from Building Solutions LLC, the City will enter a contract with Building Solutions LLC and be responsible to make payments for the completed work.

Attachments: Quote Tab

QUOTE TABULATION

PROJECT: Casa Del Rio - Phase 1

PROJECT #: PL 2004

QUOTE DATE: 02/23/21

CONTRACTOR: Building Solutions	
ADDRESS: 11106 Saddle Rd.	
CITY:	Dodge City
STATE:	Kansas
ZIP:	67801
LOW QUOTE	
UNIT PRICE	CONTRACT AMOUNT
\$19,400.00	\$ 19,400.00
\$4.50	\$ 6,295.50
\$5,353.25	\$ 5,353.25
\$33.25	\$ 3,325.00
\$11.25	\$ 68,028.75
\$6.00	\$ 2,910.00
\$51.00	\$ 145,554.00
\$46.75	\$ 99,297.00
\$28.50	\$ 76,750.50
\$69.50	\$ 6,463.50
\$74.50	\$ 4,619.00
\$3,700.00	\$ 3,700.00
\$111.00	\$ 1,998.00
\$4,700.00	\$ 4,700.00
\$3,000.00	\$ 3,000.00
\$4,500.00	\$ 4,500.00

ENGINEER'S ESTIMATE

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
Streets and Grading					
1	Mobilization	L.S.	1	\$30,000.00	\$ 30,000.00
2	Common Excavation	C.Y.	1,399	\$5.00	\$ 6,995.00
3	Asphalt Removal by Other Means	L.S.	1	\$10,000.00	\$ 10,000.00
4	Pavement Excavation	S.Y.	100	\$20.00	\$ 2,000.00
5	6" Fly-Ash Treated Sub-grade	S.Y.	6,047	\$10.00	\$ 60,470.00
6	Remove Existing Curb & Gutter	L.F.	485	\$10.00	\$ 4,850.00
7	7" Concrete Pavement (NRDJ)	S.Y.	2,854	\$60.00	\$ 171,240.00
8	6" Concrete Pavement (NRDJ)	S.Y.	2,124	\$55.00	\$ 116,820.00
9	30" Standard Curb & Gutter	L.F.	2,693	\$35.00	\$ 94,255.00
10	6" Concrete Driveway	S.Y.	93	\$65.00	\$ 6,045.00
11	7" Concrete Valley Gutter	S.Y.	62	\$75.00	\$ 4,650.00
12	Concrete Flume	Each	1	\$5,000.00	\$ 5,000.00
13	Flexamat	S.Y.	18	\$120.00	\$ 2,160.00
14	Remove Existing Storm Sewer	L.S.	1	\$2,500.00	\$ 2,500.00
15	Traffic Control	L.S.	1	\$2,000.00	\$ 2,000.00
16	Construction Staking	L.S.	1	\$5,000.00	\$ 5,000.00

TOTAL BID \$ 523,985.00

TOTAL BID \$ 455,894.50

BID SECURITY 5%
START DATE 6/1/2021