

# **CITY COMMISSION MEETING AGENDA**

City Hall Commission Chambers

Monday, August 15, 2022

7:00 p.m.

MEETING #5221

**Public is welcome although seats are limited for social distancing; or you can view as follows:**

1. Watch live on our Facebook page at [www.facebook.com/cityofdodgecity](http://www.facebook.com/cityofdodgecity)

2. Or watch it on our Vimeo page at [www.vimeo.com/cityofdodgecity](http://www.vimeo.com/cityofdodgecity).

The meeting will be archived on both sites to be viewed after the live video has ended.

## **CALL TO ORDER**

## **ROLL CALL**

**INVOCATION BY** Pastor Ryan Ausmus, First Presbyterian Church

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF AGENDA**

## **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 - Dodge City Fire Department

Mini MPA Presentation – Wichita State University

## **CONSENT CALENDAR**

1. Approval of Joint City/County Commission Meeting Minutes, August 1, 2022.
2. Approval of Joint City/County Commission Meeting Minutes, August 1, 2022.
3. Approval of City Commission Meeting Minutes, August 1, 2022.
4. Approval of Work Session Commission Meeting Minutes, August 8, 2022.
5. Appropriation Ordinance No.15, August 15, 2022.
6. Cereal Malt Beverage License:
  - a. Dillons #1, 1700 No. 14<sup>th</sup> Avenue.

## **ORDINANCES & RESOLUTIONS**

**Ordinance No. 3778:** An Ordinance of the City of Dodge City, Kansas Amending the Official Zoning Map of the City, Changing the Property Located on a Tract of Land in Lot 2, block q Legends North Subdivision, from AG Agricultural to R-1 Residential low Density. Report by Nathan Littrell, Planning and Zoning Administrator.

**Resolution No. 2022-30:** A Resolution Authorizing and Providing for the Calling of a Special Question Election in the City of Dodge City, Kansas, for the Purpose of Submitting to the Electors of the City the Question of Imposing a One-Half Percent (0.50%) City -Wide Retailers' Sales Tax; and Providing for the Giving of Notice of Said Elections. Report by Nick Hernandez, City Manager.

## **UNFINISHED BUSINESS**

1. Approval of Downtown Streetscape Project, Report by Nick Hernandez, City Manager.

## **NEW BUSINESS**

1. Approval of Waterline Replacement along Comanche Street. Report by Tanner Rutschman, City Engineer.

## **OTHER BUSINESS**

## **STAFF REPORTS**

## **ADJOURNMENT**

# **JOINT CITY/COUNTY COMMISSION MEETING MINUTES**

Santa Fe Depot, 101 E. Wyatt Earp Blvd.

Monday, August 1, 2022

5:30 p.m.

MEETING #5218

**Public is welcome although seats are limited for social distancing; or you can view as follows:**

1. Watch live on our Facebook page at [www.facebook.com/cityofdodgecity](http://www.facebook.com/cityofdodgecity)

2. Or watch it on our Vimeo page at [www.vimeo.com/cityofdodgecity](http://www.vimeo.com/cityofdodgecity).

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## **CALL TO ORDER**

**COUNTY COMMISSION ROLL CALL:** Chairman Chris Boys

*Ford County:* Chairman Chris Boys, Commissioner Shawn Tasset present. Ken Snook absent.

**CITY COMMISSION ROLL CALL:** Commissioner Rick Sowers

*City of Dodge City action:* Commissioners, Rick Sowers, Chuck Taylor, Joseph Nuci Kent Smoll, Michael Burns reported absent

## **PUBLIC HEARING**

Commissioner Rick Sowers moved to open the public hearing on establishing a Bioscience Development District.

Garth Herrmann, of Gilmore and Bell, P.C., Wichita Kansas, represents city and county as bond council. Garth spoke and explained the process of establishing and creating a Bioscience District.

Public Comments: Jacqueline Roesener of 112 Road and Dirks Road asked when and where the pipeline would be placed. There were no other public comments.

*City of Dodge City action:* Commissioner Rick Sowers closed the public hearing.

## **ORDINANCES & RESOLUTIONS**

*City of Dodge City action:*

**Ordinance No. 3777:** An Ordinance of the City of Dodge City, Kansas, establishing a Bioscience Development District and making certain finding in conjunction therewith (Hilmar Bioscience Development District) was approved on a motion by Commissioner Chuck Taylor. Commissioner Joseph Nuci seconded the motion. Motion passed 3 – 0.

**Resolution No. 2022-27:** A Resolution of Ford County, Kansas, consenting to the establishment of a Bioscience Development District and making certain findings in conjunction therewith (Hilmar Bioscience Development District) was approved on a motion by Chairman Chris Boys, Commissioner Shawn Tasset seconded the motion. Motion carried 2 – 0.

**ADJOURNMENT**

*City of Dodge City action:* Commissioner Rick Sowers made a motion to adjourn.

*Ford County action:* Commissioner Shawn Tasset moved, and Chairman Chris Boys seconded the motion to adjourn the meeting.

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Mayor

ATTEST:

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City Clerk

# **CITY COMMISSION MEETING MINUTES**

City Hall Commission Chambers

Monday, August 1, 2022

7:00 p.m.

MEETING #5219

**Public is welcome although seats are limited for social distancing; or you can view as follows:**

1. Watch live on our Facebook page at [www.facebook.com/cityofdodgecity](http://www.facebook.com/cityofdodgecity)

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## **CALL TO ORDER**

**ROLL CALL** Mayor Kent Smoll, Commissioners Rick Sowers, Chuck Taylor, Joseph Nuci Michael Burns reported absent.

**INVOCATION** by Pastor Ryan Ausmus, First Presbyterian Church

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF AGENDA**

Commissioner Rick Sowers made a motion to approve the agenda as presented. Commissioner Joseph Nuci se Michael Burns, seconded the motion. The motion carried 4 - 0.

## **PETITIONS & PROCLAMATIONS**

Miss Kitty read the Dodge City's 150th Anniversary Proclamation and Mayor Kent Smoll proclaimed August 15, 2022 as Dodge City's 150th Anniversary and encouraged all citizens to continue to participate in the celebratory events throughout the remainder of the year.

Megan Welsh, a committee representative of Main Street Dodge spoke and said they will be selling raffle tickets for a commemorative rifle celebrating day of Dodge City's 150<sup>th</sup>.

**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).**

Mr Statley gave up date for the Ford County Historical Society talked to General Turner about the possibility to put Fort Dodge on the national register, reasoning is to get grants to save some of the historical buildings that are out there.

Lori Juhlin, Director of the Dodge City presented the Dodge City Public Library Budget.

**CONSENT CALENDAR**

- 1. Approval of City Commission Special Meeting, July 8, 2022.
- 2. Approval of City Commission Meeting Minutes, July 18, 2022.
- 3. Appropriation Ordinance No.14, August 1, 2022.
- 4. Cereal Malt Beverage License:
  - a. River Stop, 705 S. 14<sup>th</sup> Avenue
  - b. Spee-D-Stop, 2615 Gary Avenue.
- 5. Approval of Cultural Relations Advisory Board Appointment.

Commissioner Rick Sowers made a motion to approve the consent calendar as presented. Commissioner Chuck Taylor seconded the motion. The motion carried 4 - 0.

**ORDINANCES & RESOLUTIONS**

**Resolution No. 2022-29:** 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 (Rodeo Hills, Phase 1) was approved on a motion by Commissioner Rick Sowers. Commissioner Joseph Nuci seconded the motion. The motion carried 4 - 0.

**UNFINISHED BUSINESS**

**NEW BUSINESS**

- 1. Commissioner Joseph moved to approve the quote from Victory Electric in the amount of \$157,800 to install 9 led street lights at the Dodge City Industrial Park. Commissioner Chuck Taylor seconded the motion. The motion carried 4 - 0.

**OTHER BUSINESS**

**STAFF REPORTS**

**ADJOURNMENT**

Commissioner Joseph Nuci made a motion to adjourn the meeting. Commissioner Chuck Taylor seconded the motion. The motion carried 4 - 0.

ATTEST:

\_\_\_\_\_  
Mayor

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

# **SPECIAL CITY COMMISSION WORK SESSION MINUTES**

City Hall Commission Chambers

Monday, August 8, 2022

7:00 p.m.

Meeting #5220

**Public is welcome although seats are limited for social distancing; or you can view as follows:**

1. Watch live on our Facebook page at [www.facebook.com/cityofdodgecity](http://www.facebook.com/cityofdodgecity)
2. Or watch it on our Vimeo page at [www.vimeo.com/cityofdodgecity](http://www.vimeo.com/cityofdodgecity).

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## **CALL OR ORDER**

**ROLL CALL** Mayor Kent Smoll, Commissioners Michael Burns, Rick Sowers, Chuck Taylor, Joseph Nuci.

## **WORK SESSION**

Director of Engineering, Ray Slattery and City Engineer, Tanner were available to answer questions on the Downtown Streetscape project. Mr. Slattery stated Building Solutions has been working over the past few months working to come up with a with a DMP to see what the cost of the project would be. A power point presentation of the Downtown Streetscape was presented by Matt Cox, Construction Manager of Building Solutions. He went through each area and costs. Representatives from Building Solution were present and answered questions. Citizens that were present asked questions and shared their thoughts and concerns.

## **ADJOURNMENT**

Commissioner Joseph Nuci made a motion to adjourn the meeting. Commissioner Michael Burns seconded the motion. The motion carried 5 – 0.



# Memorandum

**To:** Nick Hernandez, City Manager and City Commissioners  
**From:** Nathan Littrell, Planning & Zoning Administrator  
**Date:** August 15, 2022  
**Subject:** Ord. No. 3778  
**Agenda Item:** Ordinances and Resolutions

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**Purpose:** This rezoning ordinance will allow for the property to be rezoned from AG Agricultural to R-1 Residential Low Density. The proposed development will consist of 100 single-family homes.

**Recommendation:** It is City Staff's recommendation to approve this ordinance. On August 9, 2022, the Planning Commission reviewed and voted 4-0 to recommend approval of the proposed rezoning.

**Background:** The applicant wishes to rezone this property to allow for single-family residential development. The City had originally purchased this property when acquiring land for the North Water Reclamation Facility. This portion of the property was then sold to Volz Builders with the intent of residential development. This is the first phase of a proposed multi-phase development. The property is bordered by 6<sup>th</sup> Ave. in the East and Iron Rd. on the South. Iron Rd. has been completed from Ave. A to 6<sup>th</sup> Ave. and is currently under construction from 6<sup>th</sup> Ave. to 14<sup>th</sup> Ave. 6<sup>th</sup> Ave. North of Iron Rd. is planned to be constructed at a later date. The Iron Flats, Phase I plat was adopted by the City Commission on July 18, 2022. All platted lots meet or exceed the minimum requirements for R-1 Residential.

**City Commission Options:**

1. Approve
2. Disapprove
3. Table for further discussion

**Financial Considerations:** This development is planned to be part of a Rural Housing Incentive District (RHID).

**Legal Considerations:** None

**Mission/Values:** Approving this rezoning ordinance will encourage and support growth and development in our community.

**Attachments:** Ordinance #3778, Map

**Approved for the Agenda by:**

A handwritten signature in black ink, appearing to read "Kevin Israel".

**Kevin Israel, Development Services & Inspections Director**

ORDINANCE NO. 3778

AN ORDINANCE OF THE CITY OF DODGE CITY, KANSAS AMENDING THE OFFICIAL ZONING MAP OF THE CITY, CHANGING THE PROPERTY LOCATED ON A TRACT OF LAND IN LOT 2, BLOCK 1 LEGENDS NORTH SUBDIVISION, FROM AG AGRICULTURAL TO R-1 RESIDENTIAL LOW DENSITY.

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

SECTION 1: The following described real property located in Dodge City, Ford County, Kansas is hereby rezoned:

A tract of land in Lot 2, Block 1 Legends North Subdivision, City of Dodge City, Ford County, Kansas, described as follows:

Beginning at the Southeast corner of said Lot 2, Block 1, Legends North Subdivision; thence N 88°59'29" W 1929.11 feet along the South line of said Lot 2; thence N 00°38'36" E 2605.42 feet; thence S 88°59'29" E 1928.58 feet to the East line of said Lot 2; thence 00°37'54" W 2605.42 feet to the Point of Beginning, containing 115.4 acres more or less.

SECTION 2: This ordinance shall take effect, from and following its publication in the official paper, as required by law.

PASSED BY THE CITY OF DODGE CITY GOVERNING BODY, IN REGULAR SESSION AND APPROVED BY THE MAYOR, THIS FIFTEENTH DAY OF AUGUST, 2022.

ATTEST:

\_\_\_\_\_  
MAYOR

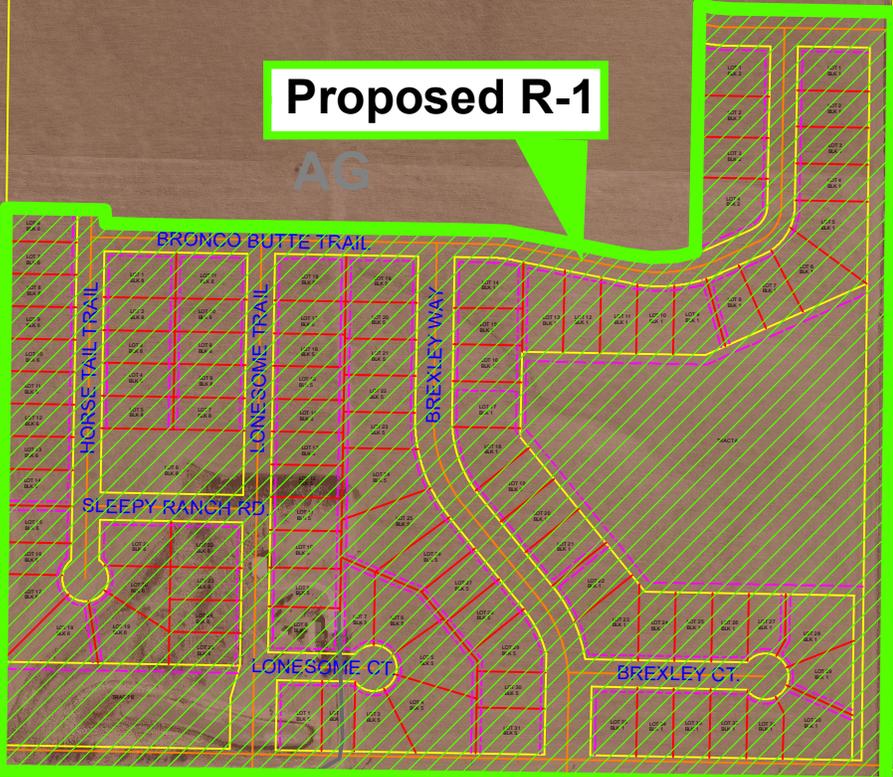
\_\_\_\_\_  
CITY CLERK

**Proposed R-1**

AG

N. 14th Ave.

Iron Rd.



	RS
	R1
	R2
	R3
	CO
	C1
	C2
	I1
	I2
	AG

RS

BLACK HILLS ENERGY ADD.

LEGENDS PARK

6th Ave.





# Memorandum

To: City Commissioners  
From: Nickolaus Hernandez, City Manager  
Date: August 15, 2022  
Subject: Street Sales Tax Question  
Agenda Item: Resolution No. 2022-30

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**Recommendation:** Discussion and Commission recommendation on

**A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CALLING OF A SPECIAL QUESTION ELECTION IN THE CITY OF DODGE CITY, KANSAS, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF IMPOSING A ONE-HALF PERCENT (0.50%) CITY-WIDE RETAILERS' SALES TAX; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION.**

Shall the following be adopted?

Shall the City of Dodge City, Kansas, be authorized to impose a one-half percent (0.50%) City-wide retailers' sales tax, the proceeds of which shall be used for the purposes of providing property tax relief and paying the costs of street improvements and associated utilities of the City; with the collection of the sales tax to commence on April 1, 2023, or as soon thereafter as permitted by law; all pursuant to the provisions of K.S.A. 12-187 *et seq.*, as amended?

**Background:**

A couple months ago the Commission tasked staff with redeveloping the previous sales tax question for consideration during the upcoming election. This tax would begin April 1, 2023. Our current street maintenance budget is approximately \$300 to \$500,000 per year that is funded from the special gas tax. The City does however issue an additional \$1 Million to \$1.5 Million in debt for non RHID street related projects funded, which equates to approximately 5.5 to 8.5 mills. This sales tax could allow for up to \$5 + million in street funding or it could provide at minimum stabilize, but more than likely would provide a modest mill levy reduction by eliminating a portion of our issued debt paid for by property tax revenues.

**Justification:**

30% of our sales tax dollars come from individuals from outside of our City and currently all funding is dependent upon property tax primarily. There is no dedicated revenue source outside of the gas tax, and debt issuance paid through the mill levy.

We believe it will be necessary to preserve the City's bonding capacity for future RHID projects.

The list of large modernization/expansion & reconstruction projects for collectors and arterials is lengthy and we estimate needing to allocate \$2 million/year to meet the future needs of our growing community.

To improve the quality of our asphalt streets and chip away deferred maintenance projects we will need to invest at least \$2 million per year.

**Financial Considerations:** The current sales tax rate in Dodge City is 8.5%. This ½ cent sales tax, if approved by the voters is expected to generate \$5+ million in additional revenue per year dedicated solely to our street program. To generate the equivalent revenue through property tax the mill levy would have to increase 30 mills.

**Purpose/Mission: Safety:** Together we endeavor to provide a safe and secure workplace and community. **Ongoing Improvement:** Together we value progress, growth, and new possibilities by providing and preparing for the community's future.

**Legal Considerations:** The documentation has been prepared and reviewed by Gilmore and Bell.

**Attachments:****ELECTION DOCS**

- Excerpt of Minutes (August 15, 2022)
- Resolution No. 2022-\_\_ (resolution authorizing the calling of a special question election on a sales tax question)
- **Exhibit A** – Notice of Special Question Election – will be published by the County Clerk
- Ballot Certificate
- Form of the Ballot
- Certification of Canvass of Votes

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF DODGE CITY, KANSAS  
HELD ON AUGUST 15, 2022**

The City Commission (the "Governing Body") of the City of Dodge City, Kansas (the "City") met in regular session at 7:00 p.m. at the usual meeting place in the City. The Mayor presided and the following Commissioners were present:

The following Commissioners were absent:

\* \* \* \* \*

(Other Proceedings)

There was presented a Resolution entitled:

**A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CALLING OF A SPECIAL QUESTION ELECTION IN THE CITY OF DODGE CITY, KANSAS, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF IMPOSING A ONE-HALF PERCENT (0.50%) CITY-WIDE RETAILERS' SALES TAX; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION.**

Commissioner \_\_\_\_\_ moved that the Resolution be adopted. The motion was seconded by Commissioner \_\_\_\_\_. The Resolution was duly read and considered, and the motion for the adoption of the Resolution was carried by the following vote of the Governing Body:

Aye:

Nay:

The Mayor declared the Resolution duly adopted and the Resolution was then numbered Resolution No. 2022-[\_\_\_\_], was signed by the Mayor and attested by the City Clerk. The City Clerk was further directed to forward the Resolution and related documents to the County Clerk of Ford County, Kansas, and to take all further action necessary to proceed with calling the special question election in the manner prescribed by law.

\* \* \* \* \*

(Other Proceedings)

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**CERTIFICATE**

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Dodge City, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

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City Clerk

**RESOLUTION NO. 2022-30**

**A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CALLING OF A SPECIAL QUESTION ELECTION IN THE CITY OF DODGE CITY, KANSAS, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF IMPOSING A ONE-HALF PERCENT (0.50%) CITY-WIDE RETAILERS' SALES TAX; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION.**

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**WHEREAS**, K.S.A. 12-187 *et seq.*, as amended (the "Act"), authorizes the governing body (the "Governing Body") of the City of Dodge City, Kansas (the "City") to submit to the electors of the City the question of imposing City-wide retailers' sales taxes, which may be in an amount not to exceed two-percent (2%) for general purposes or in an additional amount not to exceed one percent (1%) for special purposes, provided sales taxes for special purposes shall expire not later than ten (10) years from the initial date of collection thereof; and

**WHEREAS**, pursuant to the Act, the electors of the City have heretofore approved propositions to authorize the levy of City-wide retailers' sales taxes described as follows:

- (a) a general purpose 0.50% sales tax for a portion of the costs of the construction, equipping and operation of certain public projects, including the following: (1) installing air conditioning in the Civic Center facility; (2) an outdoor motor sports complex; (3) field sports facilities: baseball/softball complex, together with renovating existing softball and baseball facilities and addition soccer facilities; (4) a Special Events Center; and related public projects deemed necessary and appropriate pursuant to an interlocal agreement with Ford County, Kansas; the collection of one-quarter percent (0.25%) of which commenced on October 1, 1997 and the remaining one-quarter percent (0.25%) of which commenced on January 1, 2000; and
- (b) a general purpose 0.50% sales tax for the purpose of relieving ad valorem property taxes, commencing on December 1, 1981; and

**WHEREAS**, the Governing Body deems it advisable that additional funds, other than from ad valorem property taxation, be derived from a City-wide sales tax for the purpose of providing property tax relief and paying the costs of street improvements and associated utilities of the City; and

**WHEREAS**, the Governing Body deems it advisable that funds to finance such purposes be derived by the imposition of a one-half percent (0.50%) City-wide retailers' sales tax (the "Sales Tax"); and

**WHEREAS**, in order to authorize the Sales Tax, it is deemed advisable to call a special question election in the City on November 8, 2022; and

**WHEREAS**, if approved, the Sales Tax will constitute a sales tax imposed for general purposes, as said term is described in K.S.A. 12-189, as amended.

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

**SECTION 1. Public Purpose; Implementation of Sales Tax.** It is hereby deemed necessary and advisable and in the best interests of the citizens of the City to authorize and impose the Sales Tax for the purpose of providing property tax relief and paying the costs of street improvements and associated utilities of the City.

Collection of the Sales Tax, if approved by the electors of the City, shall commence on April 1, 2023, or as soon thereafter as permitted by the Act, and to terminate 10 years after its commencement. All proceeds of the Sales Tax shall be applied for the purposes set forth in this **Section 1**; provided, however, in the event that other City funds are required to be utilized for such purposes, such City funds may be reimbursed from the proceeds of the Sales Tax.

**SECTION 2. Special Question Election.** It is hereby authorized, ordered and directed that a special question election shall be and is hereby called to be held in the City on November 8, 2022, at which time there shall be submitted to the qualified electors of the City the following proposition:

Shall the following be adopted?

Shall the City of Dodge City, Kansas, be authorized to impose a one-half percent (0.50%) City-wide retailers' sales tax, the proceeds of which shall be used for the purposes of providing property tax relief and paying the costs of street improvements and associated utilities of the City; with the collection of the sales tax to commence on April 1, 2023, or as soon thereafter as permitted by law; all pursuant to the provisions of K.S.A. 12-187 *et seq.*, as amended?

**SECTION 3. Special Question Election Procedures.** The vote at the special question election shall be by ballot, and the proposition stated above shall be printed on the ballot, together with voting instructions as provided by law. The City Clerk shall transmit a copy of this Resolution to the Ford County Clerk to give notice of the special question election as provided by law by publishing a Notice of Special Question Election in substantially the form attached hereto as **Exhibit A** once each week for two (2) consecutive weeks in a newspaper of general circulation in the City, with the first publication to be not less than twenty-one (21) days prior to the date of the special question election, and the last publication shall be not more than ninety (90) days prior to the date of the special question election.

**SECTION 4. Effective Date.** This Resolution shall be effective from and after adoption by the Governing Body.

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**ADOPTED AND APPROVED** by the Governing Body of the City of Dodge City, Kansas, on August 15, 2022.

(Seal)

\_\_\_\_\_  
Mayor

ATTEST:

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

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 2022-\_\_\_\_ of the City of Dodge City, Kansas adopted by the Governing Body on August 15, 2022, as the same appears of record in my office.

DATED: August 15, 2022.

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

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**EXHIBIT A**

(First published in the *Dodge City Daily Globe* on September 8, 2022, and subsequently on September 15, 2022)

**NOTICE OF SPECIAL QUESTION ELECTION  
CITY OF DODGE CITY, KANSAS**

Notice is hereby given to the qualified electors of the City of Dodge City, Kansas (the "City") that a special question election has been called and will be held on November 8, 2022, for the purpose of submitting to the qualified electors of the City the following proposition:

Shall the following be adopted?

Shall the City of Dodge City, Kansas, be authorized to impose a one-half percent (0.50%) City-wide retailers' sales tax, the proceeds of which shall be used for the purposes of providing property tax relief and paying the costs of street improvements and associated utilities of the City; with the collection of the sales tax to commence on April 1, 2023, or as soon thereafter as permitted by law; all pursuant to the provisions of K.S.A. 12-187 *et seq.*, as amended?

\*\*\*\*\*

IT IS IMPORTANT FOR EACH QUALIFIED VOTER TO NOTE THAT YOUR BALLOT CANNOT BE COUNTED UNLESS YOU TAKE THE APPROPRIATE STEPS:

To vote in favor of any question submitted on this ballot, press the word "YES" on the voting machine or completely darken the oval to the left of the word "YES" on the paper ballot. To vote against it, press the word "NO" on the voting machine or completely darken the oval to the left of the word "NO" on the paper ballot.

- YES
- NO

\*\*\*\*\*

The polls will open at 7:00 A.M. and will close at 7:00 P.M., on November 8, 2022, the election day. The voting places in the City and the area each voting place will serve will be as follows:

<u>Voters Residing In Precinct</u>	<u>Will Vote At</u>	<u>Location</u>

The election will be conducted by the officers and/or persons provided by law for holding elections, and the method of voting will be by ballot. Registered voters are eligible to vote by advance voting ballot upon application to the County Clerk of Ford County, Kansas, set forth below pursuant to K.S.A. 25-1117 *et seq.*

**ADDITIONAL INFORMATION**

The following additional information is provided by the City with respect to the impact of this ballot question.

Passage of this ballot proposition would authorize the City to impose an additional one-half percent (0.50%) City-wide retailers' sales tax (the "Sales Tax") to be used for the purposes of providing property tax relief and paying the costs of street improvements and associated utilities of the City. Collection of the Sales Tax, if approved by the electors of the City, shall commence on April 1, 2023, or as soon thereafter as permitted by the Act.

\*\*\*\*\*

The election officer conducting the election will be the County Clerk of Ford County, Kansas, whose address is: 100 Gunsmoke Street, Dodge City, Kansas 67801.

DATED: \_\_\_\_\_, 2022.

Debbie Cox, County Clerk  
Ford County, Kansas

**BALLOT CERTIFICATE**

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF FORD            )

I, the undersigned County Clerk, Ford County, Kansas, do hereby certify that attached below is a true and correct copy of the ballot label used at the special question election held on November 8, 2022, in Dodge City, Kansas on the proposition set forth in the ballot; and that the judges and clerks duly qualified by taking their respective oaths before assuming their duties at the election.

WITNESS my hand and official seal on November 8, 2022.

(Seal)

\_\_\_\_\_  
Debbie Cox, County Clerk  
Ford County, Kansas

[affix copy of ballot label]

STATE OF KANSAS  
OFFICIAL BALLOT

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DODGE CITY, KANSAS

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NOVEMBER 8, 2022

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NOTICE

*If you deface or make a mistake and wrongfully mark any ballot, you must return it to the election board and receive a new ballot.*

TO VOTE IN FAVOR OF ANY QUESTION SUBMITTED UPON THIS BALLOT, DARKEN THE OVAL TO THE LEFT OF THE WORD "YES." TO VOTE AGAINST IT, DARKEN THE OVAL TO THE LEFT OF THE WORD "NO".

SHALL THE FOLLOWING BE ADOPTED?

SHALL THE CITY OF DODGE CITY, KANSAS, BE AUTHORIZED TO IMPOSE A ONE-HALF PERCENT (0.50%) CITY-WIDE RETAILERS' SALES TAX, THE PROCEEDS OF WHICH SHALL BE USED FOR THE PURPOSES OF PROVIDING PROPERTY TAX RELIEF AND PAYING THE COSTS OF STREET IMPROVEMENTS AND ASSOCIATED UTILITIES OF THE CITY; WITH THE COLLECTION OF THE SALES TAX TO COMMENCE ON APRIL 1, 2023, OR AS SOON THEREAFTER AS PERMITTED BY LAW; ALL PURSUANT TO THE PROVISIONS OF K.S.A. 12-187 *ET SEQ.*, AS AMENDED?

YES

NO

**STATE OF KANSAS  
OFFICIAL BALLOT**

DODGE CITY, KANSAS

QUESTION SUBMITTED

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**SPECIAL QUESTION ELECTION**

NOVEMBER 8, 2022

DODGE CITY, KANSAS

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**CERTIFICATION OF CANVASS OF VOTES**

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF FORD            )

I, the undersigned County Clerk, Ford County, Kansas, do hereby certify that the following are the true and correct results according to the abstract of votes cast at the special question election held on November 8, 2022, in the City of Dodge City, Kansas, on the following proposition:

Shall the following be adopted?

Shall the City of Dodge City, Kansas, be authorized to impose a one-half percent (0.50%) City-wide retailers' sales tax, the proceeds of which shall be used for the purposes of providing property tax relief and paying the costs of street improvements and associated utilities of the City; with the collection of the sales tax to commence on April 1, 2023, or as soon thereafter as permitted by law; all pursuant to the provisions of K.S.A. 12-187 *et seq.*, as amended?

as shown by the returns of said election which are on file in the Office of the County Clerk and canvassed as provided by law:

Yes -----  
No -----  
Void -----  
Total Vote -----

WITNESS my hand and official seal on November \_\_\_\_, 2022.

(Seal)

\_\_\_\_\_  
Debbie Cox, County Clerk  
Ford County, Kansas



# Memorandum

**To:** City Commission  
**From:** City Manager, Nick Hernandez  
**Date:** August 8, 2022  
**Subject:** Downtown Streetscape Project

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**Purpose:** Building Solutions, the Construction Manager at Risk, will present the guaranteed maximum cost and phases for the Downtown Dodge City Streetscape Project for the Commission's consideration.

**Recommendation:** Approve the funds needed to complete all phases of the project in addition to current grant and STAR Bond Funds available for the project.

**Background:** The revitalization of Dodge City's historic downtown is an essential part of the Dodge City STAR Bond project. The 50-year-old streetscape and the 100-plus year-old brick streets and utilities are well beyond their useful life and it shows to residents and visitors alike. The Downtown has been a regional and international draw, but its current condition has hampered economic development and tourism. In addition, with the recent expansion of Boot Hill Museum, Dodge City is seeing an influx of visitors but unfortunately the downtown is not meeting the expectations of visitors or Dodgecitians.

The community, including downtown businesses have been engaged throughout the project and provided feedback through an online survey in both English and Spanish as well as stakeholder and community engagement sessions. The public response to the downtown streetscape project has been overwhelmingly positive and in the Dodge City 2030, Comprehensive Plan, Planning for tomorrow, 92% of the public said strengthening the downtown was important to them and 91% said the City should be involved in revitalizing the downtown.

The Phases of the Streetscape project include:

1. Front Street-Central Avenue to 3<sup>rd</sup> Avenue
2. Central from Wyatt Earp to Vine Street
3. 2<sup>nd</sup> Ave. from Wyatt Earp to Gunsmoke
4. 3<sup>rd</sup> Avenue from Wyatt Earp to Gunsmoke
5. 1<sup>st</sup> Ave. from Wyatt Earp to Gunsmoke

**City Commission Options:**

1. Approve funds needed to complete all phases of the project.
2. Approve funds needed to complete a portion of the project.
3. Disapprove and re-evaluate project.
4. Table for further discussion and approval at the August 15 City Commission meeting.

**Financial Considerations:**

Amount for all Phases: \$13,920,660

**Downtown Streetscape Funding Resources for the Project:**

<b>Streetscape Cost</b>		<b>\$13,920,660.00</b>
STAR BOND Paid	<b>\$1,600,000.00</b>	\$12,320,660.00
STAR BOND Remaining	<b>\$1,046,944.00</b>	\$11,273,716.00
KDOT (19% of Total or \$2M Max.)	<b>\$2,000,000.00</b>	\$9,273,716.00
Remaining Funds from Past Projects	<b>\$1,625,000.00</b>	\$7,648,716.00
Debt Issuance 2022 (6th & 7th Project)	<b>\$2,750,000.00</b>	\$4,048,716.00
ARPA	<b>\$2,000,000.00</b>	\$2,048,716.00
Reimbursement of Ave. D Levee Repairs (Potential)	<b>\$850,000.00</b>	\$6,798,716.00
Debt Issuance 2024	<b>\$2,050,000.00</b>	-\$1,284.00

**Total Funding Available: \$13,387,689**

**Legal Considerations:** There are no legal considerations as the City Commission has already approved agreements with the project engineer and construction manager at risk (CM@R) for this project.

**Mission/Values:** This project meets the City's core value of ongoing improvement and striving to make Dodge City the best place to be.

**Approved for the Agenda by:**



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**Name, Title  
City Manager**



# Memorandum

**To:** Nick Hernandez, City Manager and City Commissioners  
**From:** Tanner Rutschman, PE, City Engineer  
**Date:** August 11, 2022  
**Subject:** Comanche Street Reconstruction (14<sup>th</sup> Ave. to Walmart Drive), ST2105  
**Agenda Item:** New Business

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**Purpose:** This waterline replacement along Comanche Street will help insure the longevity of the new concrete pavement.

**Recommendation:** Approve the quote from Building Solutions, LLC in the amount of \$232,314.00 to replace the shallow 12" water main along Comanche Street.

**Background:** The City is currently reconstructing a 1,055 ft section of West Comanche Street. This project is being constructed by Building Solutions. The street section sees heavy commercial traffic and is classified as a major collector. For this reason, the existing asphalt pavement is getting replaced with concrete.

The initial scope of this project was to remove and replace the road surface with 9" concrete, leaving a majority of the existing curb & gutter intact. The removal of the existing asphalt was being complete via milling, as per specifications. During this milling operation the weight of the milling machine broke a service line tap on the existing 12" water main. The main was shut down for an emergency repair. While in the process of repairing the break, it was discovered that the main only had 18" of cover from the road surface to the top of the pipe. Our City specification for depth of a water main is a minimum of 4 ft. The repair to the tap was completed but shortly after it was pressured back up, the main broke in two additional spots adjacent to the repair. Following this incident, we were able to get a better look at the existing condition of the 12" main and it was in very poor condition. The condition and depth of the main raised concerns about placing new pavement without addressing the issue. Replacement of this main was not included in the design of the street reconstruction in large part to the water department not previously having breaks or leaks on the main.

City staff quickly put a plan together to replace the 12" main with a 16". The replacement of this 12" main the full length of the current street reconstruction would position the City to extend the new larger main to the west in the future. The quote from Building Solutions to replace the existing main came back at \$232,314.00. This quote is about \$56,000, or 32% more than estimated. This price discrepancy is due in large part to the cost of the 16" C900 water pipe and associated valves and fittings.

## City Commission Options:

1. Approve Quote
2. Disapprove
3. Table for further discussion

## Financial Considerations:

Amount \$: 232,314.00

Fund: 51041000 Dept: Water Expense Code: 442008

Budgeted Expense     Grant     Bonds     Other

**Legal Considerations:** The City will be entering into a contract with Building Solutions, LLC and will be bound by the provisions of this contract.

**Mission/Values:** Approving this quote for water line replacement aligns with the City's Core Values of Working Towards Excellence and Ongoing Improvement.

**Attachments:** Quote

**Approved for the Agenda by: Nick Hernandez, City Manager**

**Nick Hernandez, City Manager**

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**Name, Title**

CITY OF DODGE CITY, KANSAS  
BID TABULATION

PROJECT: Comanche St. Waterline Replacement

PROJECT #: ST 2105

BID DATE: \_\_\_\_\_

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

ENGINEER'S ESTIMATE

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
<b>OPTION A</b>					
1	MOBILIZATION	L.S.	1	\$10,000.00	\$ 10,000.00
2	CONSTRUCTION STAKING	L.S.	1	\$2,000.00	\$ 2,000.00
3	WATER MAIN (6" C900)	L.F.	45	\$70.00	\$ 3,150.00
4	WATER MAIN (12" C900)	L.F.	10	\$95.00	\$ 950.00
5	WATER MAIN (16" C900)	L.F.	1084	\$110.00	\$ 119,240.00
6	16" 45° MJ BLEND (DIP)(City Supplied)	E.A.	4	\$650.00	\$ 2,600.00
7	16" X 12" REDUCER (DIP)	E.A.	1	\$1,250.00	\$ 1,250.00
8	16" X 16" TEE (DIP)	E.A.	1	\$2,000.00	\$ 2,000.00
9	16" X 6" TEE (DIP)	E.A.	1	\$1,500.00	\$ 1,500.00
10	6" VALVE ASSEMBLY	E.A.	1	\$2,000.00	\$ 2,000.00
11	12" VALVE ASSEMBLY	E.A.	1	\$4,000.00	\$ 4,000.00
12	16" BUTTERFLY VALVE ASSEMBLY (City Supplied)	E.A.	2	\$1,250.00	\$ 2,500.00
13	CONNECTION TO EXISTING WATER MAIN	E.A.	4	\$2,000.00	\$ 8,000.00
14	3/4" BLUE POLY PIPE WATER SERVICE	E.A.	1	\$1,000.00	\$ 1,000.00
15	2" BLUE POLY PIPE WATER SERVICE	E.A.	2	\$1,800.00	\$ 3,600.00
16	QC/QA	L.S.	1	\$2,500.00	\$ 2,500.00
17	EMERGENCY REPAIR	L.S.	1	\$10,000.00	\$ 10,000.00

UNIT PRICE	CONTRACT AMOUNT
\$12,500.00	\$ 12,500.00
\$2,350.00	\$ 2,350.00
\$68.00	\$ 3,060.00
\$117.80	\$ 1,178.00
\$151.50	\$ 164,226.00
\$940.00	\$ 3,760.00
\$1,250.00	\$ 1,250.00
\$2,550.00	\$ 2,550.00
\$1,900.00	\$ 1,900.00
\$3,275.00	\$ 3,275.00
\$5,350.00	\$ 5,350.00
\$2,300.00	\$ 4,600.00
\$1,575.00	\$ 6,300.00
\$1,280.00	\$ 1,280.00
\$2,625.00	\$ 5,250.00
\$4,500.00	\$ 4,500.00
\$8,985.00	\$ 8,985.00

TOTAL: A    \$    176,290.00

TOTAL: A    \$    232,314.00

BID SECURITY            N/A  
START DATE