

CITY COMMISSION AGENDA

City Hall Commission Chambers

Monday, December 6, 2010

7:00 p.m.

MEETING #4826

CALL TO ORDER

ROLL CALL

INVOCATION: by Phil Scott, Sr. Pastor of the First Christian Church

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

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

Employee of the Month – Pam Peters

Character Trait – Sensitivity

CONSENT CALENDAR

1. Approval of City Commission Meeting minutes, November 15, 2010
2. Approval of City Commission Work Session minutes, November 15, 2010
3. Approval of Joint City/County Meeting minutes, November 17, 2010
4. Appropriation Ordinance No. 21, December 6, 2010
5. Cereal Malt Beverage License
 - a. Casa Alvarez, 1701 W. Wyatt Earp Blvd.
 - b. King Kwik Mart, 510 E. Wyatt Earp Blvd.

ORDINANCES & RESOLUTIONS

Ordinance No. 3501: An Ordinance Establishing Bus Zones, Handicap Zones, Loading Zones, and Other Parking Control Measures in the Vicinity of Public Schools, Repealing Conflicting Ordinances or Parts of Ordinances and Providing Penalties for the Violation of the Provisions of This Ordinance. Report by Director of Engineering, Joe Finley.

Resolution No. 2010-26: A Resolution Establishing Energy Conservation Practices for the City of Dodge City. Report by Director of Public Information, Jane Longmeyer.

Resolution No. 2010-27: A Resolution Authorizing and Directing the Issuance, Sale and Delivery of General Obligation Temporary Notes, Series 2010-1 of the City of Dodge City, Kansas; Providing for the Levy and Collection of an Annual Tax if Necessary, for the Purpose of Paying the Principal and Interest on Said Notes as They Become Due; Making Certain Covenants and Agreements to Provide for the Payment and Security Thereof; and Authorizing Certain Other Documents and Actions Connected Therewith. Report by Director of Finance/City Clerk, Nannette Pogue.

Resolution No. 2010-28: A Resolution Describing and Defining the Boundary of the City of Dodge City. Report by Director of Engineering, Joe Finley.

Resolution No. 2010-29: 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. Report by City Manager, Ken Strobel.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Bids for Hennessy Hall Roof. Report by Director of Parks & Recreation, Paul Lewis.
2. Approval of Placement of the General Insurance and Worker's Compensation Insurance. Report by Special Projects Coordinator, Mary Trent.

OTHER BUSINESS

ADJOURNMENT

CITY COMMISSION MINUTES

City Hall Commission Chambers

Monday, November 15, 2010

7:00 p.m.

MEETING #4824

CALL TO ORDER

ROLL CALL: Mayor Kent Smoll, Commissioners Brian Weber, Rick Sowers, Jim Sherer and Monte Broeckelman were present.

INVOCATION by Rev. Ryan Ausmus with Ford Community Church

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

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

CONSENT CALENDAR

1. Approval of City Commission Meeting minutes, November 1, 2010
2. Appropriation Ordinance No. 21, November 15, 2010
3. Approval of Ratification ARFF Change Order #4.

Commissioner Jim Sherer moved to approve the Consent Calendar as presented, seconded by Commissioner Brian Weber. The motion carried unanimously.

Commissioner Rick Sowers moved to amend the Agenda to add an Executive Session. Commissioner Jim Sherer seconded the motion, the motion carried unanimously.

ORDINANCES & RESOLUTIONS

Resolution No. 2010-23: A Resolution Authorizing the Improvement or Reimprovement of Certain Main Traffic Ways Within the City of Dodge City and Providing Payment Thereof adding in the authority amounts for Comanche Street at \$9,000,000 for project cost and \$5,900,000 for the City's share, was approved on a motion by Commissioner Jim Sherer, seconded by Commissioner Rick Sowers. Motion passed 3-2, Commissioners Monte Broeckelman and Brian Weber opposing.

Resolution No. 2010-24: A Resolution Authorized Directing the Issuance, Sale and Delivery of General Obligation Temporary Notes, Series 2010-1 of the City of Dodge City, Kansas, Providing for the Levy and Collection of an Annual Tax if Necessary, for the Purpose of Paying the Principal and Interest on Said Notes as They Become Due, Making Certain Covenants and Agreements to Provide for the Payment and Security Thereof and Authorizing Certain Other Documents and Actions Connected Therewith. Authorized the amounts of \$720,000 for main traffic way improvements and \$446,000 for Haggard Addition improvements for a total of \$1,166,000. Commissioner Rick Sowers moved to approve the Resolution with additions and Commissioner Jim Sherer seconded the motion. The motion carried 4-1, with Commissioner Monte Broeckelman opposed.

Resolution No. 2010-25: A Resolution Authorizing Payment of 2010 Year End Bonuses to Qualified Employees was approved on a motion by Commissioner Rick Sowers, seconded by Commission Brian Weber. Motion carried unanimously.

Ordinance No. 3500: An Ordinance Amending the City of Dodge City Code, Chapter III, Beverages, Article 1, Public Sale and Repealing Ordinance No. 3346 and Amending Ordinance No. 3396 was approved on a motion by Commissioner Brian Weber, seconded by Commissioner Jim Sherer. Motion carried unanimously.

UNFINISHED BUSINESS

NEW BUSINESS

OTHER BUSINESS

Ken Strobel, City Manager:

- Tuesday, November 15 there will be a retirement event in Garden City at 3:30 p.m. for Reynoldo Mesa at City Hall;
- City Christmas Party is December 3, 2010 at 6:30 p.m.;
- Dodge City Night in Topeka is tentatively scheduled for March 7, 2011;
- City of Hays will be hosting a legislative reception in Washington D.C. Two (2) tentative dates are March 28th and April 18th.
- Working on transition of management responsibilities for Special Events Center.

Cherise Tieben, Assistant City Manager:

- Received six proposals for Dodge City Raceway Park – will be interviewing 4.

Jane Longmeyer, Director of Public Information:

- CREW hosted Recyclable Days Event last Saturday;
- El Capitan will be going to Lawrence to be repaired; and
- November 29th is the Downtown Chili Cook-off and Parade of Lights.

Commissioner Jim Sherer:

- Congratulations to the Dodge City Red Demons.

Commissioner Monte Broeckelman:

- Congratulations to all the Fall Sports programs at the High School.

Mayor Kent Smoll:

- Reminder of Joint City/County Meeting at Rose Room at 7:00 a.m. on Wednesday; and
- Happy Thanksgiving to everyone and remember to shop local.

EXECUTIVE SESSION: At 8:00 p.m., Commissioner Rick Sowers moved to adjourn to Executive Session to discuss Attorney/Client Privilege Matters to include City Manager, Ken Strobel, Assistant City Manager, Cherise Tieben, City Attorney, Brad Ralph and Consultant, Ivan Moore, for 30 minutes, Commissioner Brian Weber seconded the motion.

At 8:30 p.m., Commissioner Rick Sowers moved to extend the Executive Session 10 minutes, Commissioner Brian Weber seconded the motion. The motion carried unanimously.

At 8:40 p.m., the meeting was reconvened to Regular Session.

ADJOURNMENT: Commissioner Brian Weber moved to adjourn the meeting, Commissioner Monte Broeckelman seconded the motion. The motion carried unanimously.

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

CITY COMMISSION WORK SESSION MINUTES

City Hall Commission Chambers

Monday, November 15, 2010

6:00 p.m.

MEETING #4823

ROLL CALL: Mayor Kent Smoll, Commissioners Jim Sherer and Monte Broeckelman were present. Commissioner Rick Sowers joined the meeting at 6:05 p.m.

WORK SESSION:

1. The City Commission discussed Comanche Street Construction and Reconstruction. Randy Gordon with BHC Rhodes and Mike Klein, Superintendent of Public Works were present.

ADJOURNMENT: Commissioner Rick Sowers moved to adjourn the Work Session, Commissioner Jim Sherer seconded the motion. The motion carried 5-0.

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

JOINT CITY/COUNTY MEETING MINUTES

November 17, 2010, 7:00 a.m.

Ford County Government Center, Rose Room

CALL TO ORDER

ROLL CALL: Mayor Kent Smoll, Commissioners Rick Sowers, Jim Sherer, Brian Weber were present. Commissioner Monte Broeckelman was reported absent.

NEW BUSINESS

1. Discussion and approval of VenuWorks Management Agreement for United Wireless Arena and Magouirk Convention Center. A presentation was made by Steve Peters from VenuWorks.

Ford County: Commission Chairman Kim Goodnight moved to amend the agenda to add an Executive Session to the meeting. Commissioner Terry Williams seconded the motion. The motion carried unanimously.

City of Dodge City: Commissioner Rick Sowers moved, Commissioner Jim Sherer seconded to add an Executive Session to the agenda. The motion carried 4-0.

At 7:30 a.m., Mayor Smoll moved to adjourn to Executive Session not to exceed 30 minutes to discuss Attorney/Client matters to include the City Manager, Assistant City Manager, Legal Counsel and City Clerk. Commissioner Rick Sower seconded the motion, the motion carried 4-0.

Commission Chairman Kim Goodnight made the same motion for the County. Commissioner Terry Williams seconded the motion. The motion carried 3-0.

The meeting reconvened to regular session at 8:00 a.m.

Ford County: Commission Chairman Kim Goodnight moved to approve the concept of a Management Agreement with VenuWorks for the management of the Special Events Center and allow the Chairman of the County Commission and Legal Counsel to negotiate the final document. Commissioner Terry Williams seconded the motion. The motion carried 3-0.

City of Dodge City: Mayor Kent Smoll moved to approve the management contract for the Special Events Center with VenuWorks subject to negotiations approved by legal counsel and authorize the Mayor to represent the City Commission in these negotiations. Commissioner Jim Sherer seconded the motion. The motion carried 4-0.

Ford County: Commission Chairman Kim Goodnight moved to table the second New Business item on the agenda, Discussion of Global Transition Agreement. Commisisoner John Swayze seconded the motion. The motion carried 3-0.

City of Dodge City: Commissioner Jim Sherer moved to table item #2 on New Business, Discussion of Global Transition Agreement. Commissioner Rick Sowers seconded the motion. The motion carried 4-0.

ADJOURNMENT:

Ford County: Commission Chairman Kim Goodnight moved to adjourn the meeting. Commissioner Terry Williams seconded the motion. The motion carried 3-0.

City of Dodge City: Commissioner Jim Sherer moved to adjourn the meeting. Commissioner Brian Weber seconded the motion. The motion carried 4-0.

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

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

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

City or County of Dodge City

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

SECTION 2 – APPLICANT INFORMATION		
Kansas Sales Tax Registration Number (required): <u>K13315326</u>		
Name <u>Rocio Alvarez</u>	Phone No. <u>620-225-7164</u>	Date of Birth <u>5-10-60</u>
Residence Street Address <u>1204 Shing St.</u>	City <u>Dodge City Ks</u>	Zip Code <u>67801</u>
Applicant Spousal Information		
Spouse Name <u>Javier Alvarez</u>	Phone No. <u>620-225-7164</u>	Date of Birth <u>10-7-52</u>
Residence Street Address <u>1204 Shing St</u>	City <u>Dodge City Ks</u>	Zip Code <u>67801</u>

SECTION 3 – LICENSED PREMISE	
Licensed Premise (Business Location)	Mailing Address
DBA Name <u>Casa Alvarez</u>	Name <u>Casa Alvarez</u>
Business Location Address <u>1701 W wyatt Exp</u>	Address <u>1701 W. wyatt Exp</u>
City <u>Dodge City</u> State <u>Ks</u> Zip <u>67801</u>	City <u>Dodge City</u> State <u>Ks</u> Zip <u>67801</u>
Business Phone No. <u>620-225-7164</u>	<input checked="" type="checkbox"/> I own the proposed business location. <input type="checkbox"/> I do not own the proposed business location.
Business Location Owner Name(s) <u>Javier-Rocio Alvarez</u>	

SECTION 4 – APPLICANT QUALIFICATION	
I am a U.S. Citizen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of Kansas for at least one year prior to application.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have resided within the state of Kansas for <u>27</u> years.	
I am at least 21 years old.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse ¹ has been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>have not</u>
My spouse has previously held a CMB license.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

has not

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

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

City or County of Ford County

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

SECTION 2 – APPLICANT INFORMATION		
Kansas Sales Tax Registration Number (required): <u>004-K08842051F-01</u>		
Name <u>Lock Pharathikoune</u>	Phone No.	Date of Birth <u>6.3.54</u>
Residence Street Address <u>2302 Robik Rd</u>	City <u>Dodge City KS</u>	Zip Code <u>67801</u>
Applicant Spousal Information		
Spouse Name <u>N/A</u>	Phone No.	Date of Birth
Residence Street Address	City	Zip Code

SECTION 3 – LICENSED PREMISE	
Licensed Premise (Business Location)	Mailing Address
DBA Name <u>King Kwik Mart</u>	Name <u>King Kwik Mart</u>
Business Location Address <u>510 E Wyatt Earp Blvd</u>	Address <u>510 E Wyatt Earp Blvd</u>
City <u>Dodge City</u> , State <u>Kansas</u> Zip <u>67801</u>	City <u>Dodge City</u> State <u>KS</u> Zip <u>67801</u>
Business Phone No. <u>(620) 338-8632</u>	<input checked="" type="checkbox"/> I own the proposed business location. <input type="checkbox"/> I do not own the proposed business location.
Business Location Owner Name(s) <u>Pharathikoune, Lock</u>	

SECTION 4 – APPLICANT QUALIFICATION	
I am a U.S. Citizen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have been a resident of Kansas for at least one year prior to application.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have resided within the state of Kansas for <u>5</u> years.	
I am at least 21 years old.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Within 2 years immediately preceding the date of this application, neither I nor my spouse ¹ has been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
My spouse has previously held a CMB license.	<input type="checkbox"/> Yes <input type="checkbox"/> No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Memorandum

To: City Manager
Assistant City Manager
City Commissioners
From: Joseph E. Finley, P.E. *JEF*
Director of Engineering Services
Date: December 1, 2010
Subject: Ordinance 3501
Agenda: Ordinances and Resolutions

Recommendation: Approve Ordinance 3501

Background: Recently the Middle School entrances located on Morgan Street were reconfigured and combined to form one entrance. As part of the project the mid-block crosswalk was relocated to the entrance and a fully functional set of traffic signals were installed. Staff has noticed that parents that are dropping students off at the schools are parking in the crosswalk area as well as the traveling lanes at this new entrance. The intent of this ordinance was to restrict parking in this area. However, once staff began to research various ordinances for the existing parking restrictions, bus zones, handicap parking, and loading zones, it became apparent that some of the existing ordinances were no longer pertinent or needed to be modified to take into account changes that have occurred. This ordinance will repeal several ordinances and combine them into one ordinance.

Justification: By adding the restrictions to the Middle School, traffic can flow properly and students can have a safe route to the school

Financial Considerations: There will be costs associated with installation of signs and publishing the ordinance.

Purpose/Mission: To provide a safe street for our traveling and walking public.

Legal Considerations: The ordinance must be published and signs erected for the ordinance to take effect once it has been approved by the commission.

Attachments: Map showing additional parking restriction at the Middle School.

Ordinance No. 3501

AN ORDINANCE ESTABLISHING BUS ZONES, HANDICAP ZONES, LOADING ZONES, AND OTHER PARKING CONTROL MEASURES IN THE VICINITY OF PUBLIC SCHOOLS, REPEALING CONFLICTING ORDINANCES OR PARTS OF ORDINANCES AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY:

Section 1: REPEAL. The following ordinances are hereby repealed:

- 1.1 Ordinance No. 2146, duly adopted on the 5th day of January, 1976 in its entirety.
- 1.2 Ordinance No. 2889, duly adopted on the 19th day of December, 1988, in its entirety.
- 1.3 Ordinance No. 3017, duly adopted this 8th day of September, 1992, in its entirety
- 1.4 Ordinance No. 3025, duly adopted on the 2nd day of November, 1992 in its entirety.
- 1.5 Ordinance No. 3311, duly adopted on the 19th day of August, 2002, in its entirety.
- 1.6 Ordinance No. 3329, duly adopted on the 19th day of August, 2002, in its entirety
- 1.7 Ordinance No. 3401, duly adopted on the 18th day of July, 2005, in its entirety
- 1.8 All other ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 2: The following traffic control measures are hereby established in the vicinity of the following schools.

2.1 SUNNYSIDE SCHOOL:

2.1.1 A school bus zone is hereby established along the westerly curb of Sunnyside Avenue, extending from the crosswalk traffic signal in front of the school southwesterly 175 feet.

2.1.2 A handicap-parking zone is hereby established along a westerly curb of Sunnyside Avenue. Said handicap parking zone is located starting at a point 94 feet northerly along the curb from the traffic signal pole in front of the school, and extending 30 feet northeasterly along the curb.

2.2 MILLER SCHOOL:

2.2.1 Stop signs shall be installed at the following intersections:

2.2.2 On the southwest and northeast corners of the intersection of Elm Street with Avenue G, stopping east and west bound Elm Street traffic before it enters the intersection.

2.2.3 On the southwest and northeast corners of the intersection of Oak Street with Avenue G, stopping east and west bound Oak Street traffic before it enters the intersection.

2.2.4 On the southwest and northwest corners of the intersection of Elm Street with Avenue H, stopping east and west bound Elm Street traffic before in enters the intersection.

2.3.5 On the northeast corner of the intersection of Division Street with Avenue H, stopping west bound Division Street traffic before it enters the intersection.

2.3.6 On the southwest and northeast corners of the intersection of Oak Street with Avenue H, stopping east and west bound Oak Street traffic before it enters the intersection.

2.3.7 A **SCHOOL BUS ZONE** is hereby established along the east curb line of Avenue G, starting at a point 26 feet south of the extension of the south curb line of Division Street and extending south for a distance of 145 feet

2.3.8 A **SCHOOL BUS ZONE** is hereby established along the west curb line of Avenue H, starting 35 feet south of the extension of the south curb line of Oak Street and continuing south for 40 feet.

2.3.9 A **HANDICAP PARKING ZONE** is hereby established along the east curb line of Avenue G. Said handicap parking zone shall start at the intersection of the east curb of Avenue G, with the extension of the south curb line of Division Street, and shall extend 26 feet south.

2.3.10 A **NO PARKING ZONE** is hereby established on Oak Street between Avenue G and Avenue H, between the hours of 7:00 A.M. and 4:00 P.M., on the days when school is in session at Miller Elementary School.

2.4 CENTRAL SCHOOL

2.4.1 A **SCHOOL BUS ZONE** is hereby established along the east curb of Central Avenue, starting 15 feet south of the cross walk traffic signal in front of Central School and extending south for a distance of 175 feet.

2.4.2 A **NO PARKING ZONE** is hereby established when school is in session between the hours of 7:30 a.m. and 3:30 p.m. along the south curb line of Oak Street, beginning at the east curb of Central Avenue and ending at the west curb of Avenue A

2.5 NORTHWEST SCHOOL

2.5.1 A **SCHOOL BUS ZONE** is hereby established along the south curb of Soule Street starting 15 feet east of the east curb of Sixth Avenue and extending east for a distance of 115 feet.

2.5.2 Establish an **ANGLE PARKING ZONE** along the east side of Sixth Avenue beginning 29 feet south from the southeast curb return of Soule Street continuing southerly to the northeast return of the entrance to the Dodge City Middle School.

2.6 COMANCHE INTERMEDIATE CENTER

2.6.1 A **PUBLIC PARKING ZONE** is hereby established along the west side of First Avenue beginning 35 feet north of the north curb line on Mulberry Street and continuing north for 89 feet.

2.6.2 A **HANDICAP PARKING ZONE** is hereby established along the west side of First Avenue beginning 124 feet north of the north curb line of Mulberry Street and continuing north 66 feet.

2.6.3 A **NO PARKING ZONE** is hereby established in front of the Comanche Intermediate Center beginning 190 feet north of the north curb line of Mulberry Street and continuing north for a distance of 26 feet.

2.6.4 An **ANGLE PARKING ZONE** is hereby established along First Avenue beginning 415 feet north of the north curb of Mulberry Street continuing north to the southwest curb return of Comanche Street.

2.6.5 An **ANGLE PARKING ZONE** is hereby established along the east side of Second Avenue beginning 193 feet from the curb return of Comanche Street and continuing southerly for a distance of approximately 232 feet.

2.6.6 A **SCHOOL BUS ZONE** is hereby established during the hours of 7:30 a.m. to 3:30 p.m. along the east side of Second Avenue, beginning 425 feet from the curb return of Comanche Street and continuing southerly a distance of 267 feet. It shall be unlawful for any vehicles besides School Buses to use this parking area during the established hours when school is in session.

2.6.7 A **LOADING ZONE** is hereby established along the east side of Second Avenue, beginning 692 feet from the curb of Comanche Street and continuing southerly for a distance of 85 feet or to the curb return of Mulberry Street.

2.6.8 A **NO PARKING ZONE** is hereby established along the north side of Mulberry Street, beginning at the curb return of Second Avenue and continuing easterly for a distance of 34 feet.

2.6.9 A **PARALLEL PARKING ZONE** is hereby established along the north side of Mulberry Street, beginning 34 feet from the curb return of Second Avenue and continuing easterly for a distance of 199 feet.

2.6.10 A **NO PARKING ZONE** is hereby established along the north side of Mulberry Street, beginning 233 feet from the curb return of Second Avenue and continuing easterly for a distance of 13 feet or to the return of First Avenue.

2.6.11 A **SCHOOL BUS ZONE** is hereby established during the hours of 7:30 a.m. to 3:30 p.m. along the north side of Comanche Street, beginning 95 feet from the curb return of First Avenue and continuing westerly for a distance of 159 feet. It shall be unlawful for any vehicles besides School Buses to use this parking area during the established hours when school is in session.

2.7 Dodge City Middle School

2.7.1 A **NO PARKING, STOPPING OR STANDING ZONE** is hereby established along the east side of Sixth Avenue beginning at the southeast curb return of the Dodge City Middle School Entrance and continuing southerly a distance of 16 feet.

2.7.2 A **NO PARKING, STOPPING OR STANDING ZONE** is hereby established along the east side of Sixth Avenue beginning 418 feet south of the southeast curb return of the Dodge City Middle School Entrance and continuing southerly a distance of 161 feet to the northeast curb return of Morgan Boulevard.

2.7.3 A **NO PARKING, STOPPING OR STANDING ZONE** is hereby established along the north curb of Morgan Boulevard starting at the east curb of Sixth Avenue and extending east for 213 Feet.

2.7.4 A **NO PARKING, STOPPING OR STANDING ZONE** is hereby established along the north Curb of Morgan Boulevard beginning at point 170 feet east of the center of the Middle School Entrance and proceeding westerly 280 feet.

2.7.5 A **NO PARKING, STOPPING OR STANDING ZONE** is hereby established along the south Curb of Morgan Boulevard beginning at point 105 feet east of the center of the Middle School Entrance and proceeding westerly 280 feet.

Section 3: This ordinance shall not repeal or alter the limits of any school zone, school crossings, or off street handicap zones or bus zones.

Section 4: Any person convicted of a violation of the provisions of this ordinance shall be subject to penalties provided by Chapter I, Section 1-116 of the Code of the City of Dodge City.

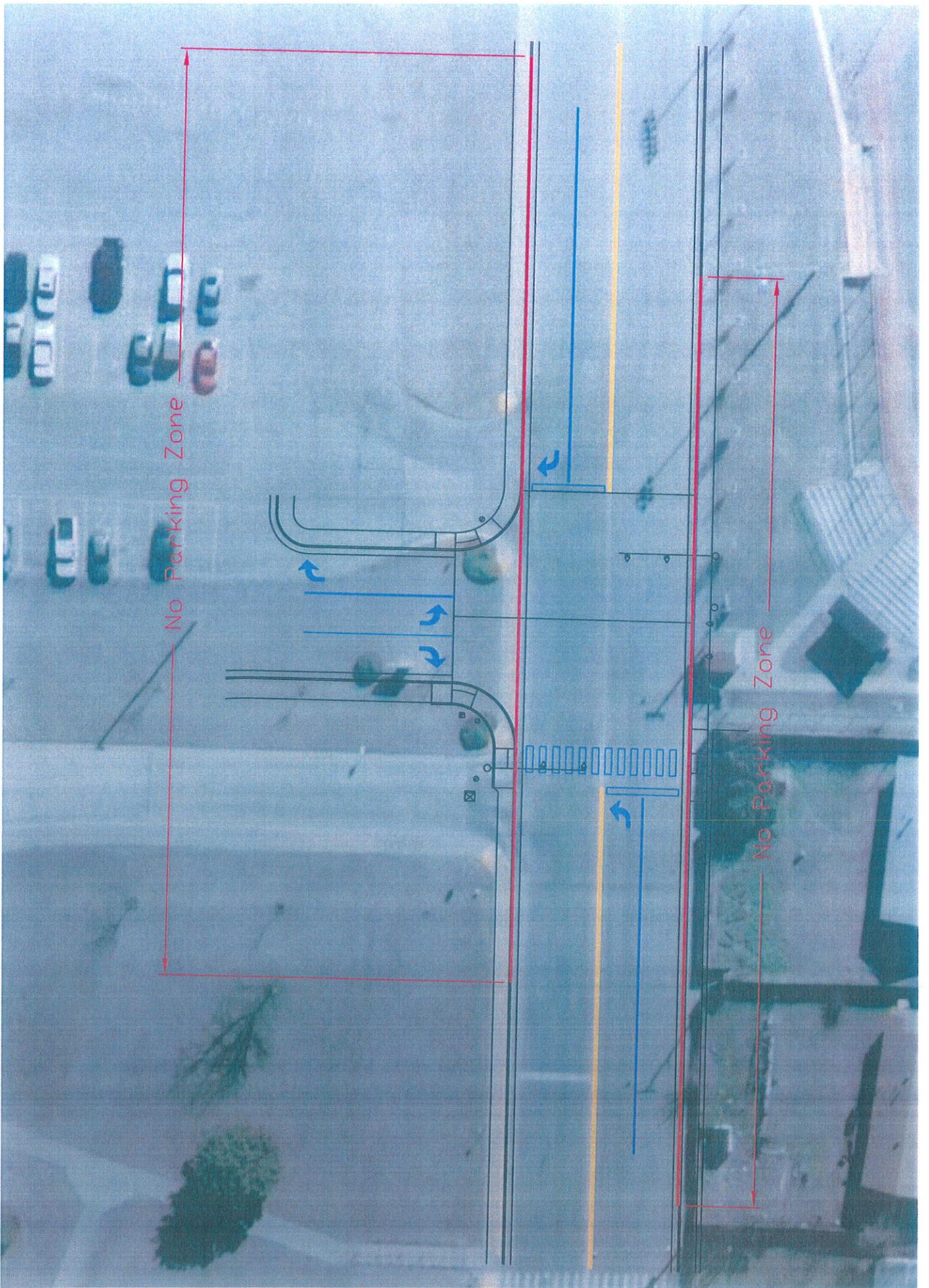
Section 5: This ordinance shall take effect following its publication in the official City newspaper as provide by law, and after posting of the appropriate signs advising the motoring public of the provisions of this ordinance. In instances that signs cannot be posted, appropriate curb markings shall be used.

Passed by the Governing Body of the City of Dodge City and approved by the Mayor, this 6th day of December, 2010.

E. Kent Smoll, Mayor

Attest:

Nannette Pogue, City Clerk



No Parking Zone

No Parking Zone

Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*

From: Jane Longmeyer

Date: December 1, 2010

Subject: Energy Resolution

Agenda Item: Ordinances and Resolutions

Recommendation: Approval of Resolution No. 2010-26.

Background: The State Energy Office received grant funding from the Department of Energy under the American Recovery and Reinvestment Act of 2009. On July 19, 2010, the City Commission approved the grant between the Kansas Corporation Commission and the City of Dodge City/Ford County/USD #443 which funded an Energy Manager position.

Justification: The resolution outlines a commitment by administration and city staff for the purpose of energy conservation

Financial Considerations: A decrease in utility costs is the expected outcome.

Purpose/Mission: Demonstrating energy conservation fulfills our core purpose of making Dodge City the best place to be.

Legal Considerations: None

Attachments: Resolution No. 2010-26.

RESOLUTION NO. 2010-26

A RESOLUTION ESTABLISHING ENERGY CONSERVATION PRACTICES FOR CITY OF DODGE CITY FACILITIES

WHEREAS, the City Commission, in the operation of the City, believe it to be their responsibility to insure that every effort is made to conserve energy and natural resources while exercising sound financial management in the operations of the City; and

WHEREAS, the implementation of this resolution is the joint responsibility of the City Commission, City Manager, Department Heads, and staff of the City. Its success is based on cooperation at all levels; and

WHEREAS, the City will maintain accurate records of energy consumption and cost of energy and will provide information to the public on the goals and progress of the energy conservation program; and

WHEREAS, Department Heads and their staff will be accountable for energy management on their sites. Judicious use of the various energy systems in each department will be the joint responsibility of the manager and their staff to ensure that an efficient energy posture is maintained on a daily basis; and

WHEREAS, current energy conservation measures will be reviewed and tasks integrated to ensure that every City employee will participate in the energy management program in the City as an “energy saver” in the following specific areas of emphasis:

1. All employees will be expected to contribute to energy efficiency. Every person will be expected to be an “energy saver” as well as an “energy consumer.”
2. All unnecessary lighting in unoccupied areas will be turned off. Lights will be turned off when employees leave their work stations at the end of the work day and when they leave their workstation for breaks.
3. Energy management in his or her facility will be made a part of the Department Head’s annual evaluation.
4. The HVAC systems and their controls in each facility will be reviewed and evaluated for possible upgrades to conserve energy usage
5. Policies and procedures will be adopted that will be utilized as the “Energy Conservation Guidelines”.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Dodge City that the City Manager and Department Heads develop short and long range strategies in the area of facility management dealing with energy use awareness and conservation.

Passed by the Governing Body of the City of Dodge City in regular session and approved by the Mayor this 6th day of December, 2010.

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

Memorandum

*To: Ken Strobel, City Manager
Cherise Tieben, Assistant City Manager*

From: Nannette Pogue

Date: November 30, 2010

Subject: Resolution No. 2010-27

Agenda Item: Ordinances and Resolutions

Recommendation: Approve Resolution No. 2010-27

Background: At the November 15 meeting the City Commission authorized Resolution No. 2010-24 Offering for Sale of General Obligation Temporary Notes 2010-1 of the City of Dodge City. These notes were to finance Comanche Street engineering and design in the amount of \$325,000, previously authorized street projects, improvements in Haggard Addition that will be special assessed back to the property owner and the costs of issuance. The notes will be in the amount of \$1,185,000 with a maturity date of September, 2012 and an interest rate of 1.5%. The notes can be called prior to that time with proper notice. The Note Purchase agreement will be executed by the Mayor and City Clerk. This resolution outlines the form and terms of the notes, the reporting responsibilities of the City of Dodge City, and approves the Preliminary Official Statement which will be emailed to the City Commissioners for their information.

Justification: The resolution is necessary to formally issue \$1,185,000 in General Obligation Notes

Financial Considerations: Interest will be due in March and September of each year beginning in 2011.

Purpose/Mission: On-going improvement of infrastructure

Legal Considerations: All legal considerations are being met by the passage of this resolution

Attachments: Resolution No. 2010-27 and the Note Purchase Agreement to be signed by the Mayor and City Clerk

RESOLUTION NO. 2010-27

OF

THE CITY OF DODGE CITY, KANSAS

ADOPTED

DECEMBER 6, 2010

**GENERAL OBLIGATION TEMPORARY NOTES
SERIES 2010-1**

RESOLUTION

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Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*

*From: Joseph E. Finley, P.E. 
Director of Engineering Services*

Date: December 1, 2010

*Subject: Boundary Ordinance Describing the City
Limits of Dodge City*

Agenda: Ordinances and Resolutions

Recommendation: Approval of Boundary Resolution

Background: Each year the City must adjust the boundary ordinance that describes the City limits of the City to account for any additional land that has been annexed in the past year. Since the adoption of the last boundary ordinance, one new annexation has occurred. That location is Lot 1 Block 1 of the church subdivision. This Lot is located on 14th Avenue between the Nazarene and Catholic Churches. The other change is to correct the description of the boundary of the Happy Trail subdivision located on Trail Street.

Justification: Additional land has been annexed by the City and The City is required by KSA 12-517 to adjust the City's boundary by resolution.

Financial Considerations: Publishing costs

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 by the last day of December.

Attachments: Boundary Resolution

RESOLUTION NO. 2010-28

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 the Landfill Road; thence South along the east right-of-way line of the Landfill Road 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 400; thence South along the extended east right-of-way line of U.S. Highway 400 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 400 Overpass; thence South along the west line of the U.S. Highway 400 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 a point on the west line of said Section 32; thence South along the west line of said Section 32 for a distance of 709.40 feet; thence East along the north line of 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; thence East along the north line of said Lot 1, Block 1 to a point that is 20.00 feet West of the west line of Section 32, Township 26 South, Range 24 West; thence North along a line 20.00 feet West and parallel to the west line of said Section 32 to a point on the south right-of-way line of West Trail Street; thence Northwesterly along the south right-of-way line of said West Trail Street for a distance of 806.75 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 Division Street; thence West along the south line of said Division Street to the northeast corner of Lot 20, Block 1 of Glenridge Estates; thence South along the east line of Block 1 of said Glenridge Estates to the south line of the Access Road; thence 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 a point on the extended west line of said Block 3; thence North along the west line of said 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 lot 1; 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 00 degrees 36 minutes 49 seconds east along said east line of lot 1 a distance of 196.23 feet to the southeast corner thereof; thence East along the extended south line of said lot 1 a distance of 55 feet to the east line of said section 15; thence South along

the east section line of Section 15 to a point 40 feet north of the West Quarter corner of Section 14, Township 26 South, Range 25 West, said point being the north line of Ross Blvd.; thence East along the north line of said Ross Blvd. to a point 160 feet west of the west line of the east half of the Northwest quarter of said Section 14; thence North 60 feet parallel to said west line of the east half of the Northwest quarter of said Section 14; thence East 160 to a point on said west line of the east half of the Northwest Quarter of said Section 14, said point being 100 north of the Southwest Corner thereof; thence North along the west line of said east half of the Northwest Quarter of Section 14 to the Northwest Corner thereof; thence West along the north line of said Section 14 to the southwest corner of the west half of section 11, Township 26 South, Range 25 West; thence 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 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 center of Avenue "A"; thence South along the said west line of Section 13 to a point 643.5 feet north of the extended north line of Lot 10, Block 14, Kliesen Subdivision; thence East parallel with the north line of said Lot 10 for a distance of 511.5 feet; thence South parallel with the west line of said Lot 10 for a distance of 643.5 feet to a point on the north line of said Lot 10; thence East along the north line of said Lot 10 to the northeast corner thereof; thence South along the east line of said Lot 10 extended to the south line of U.S. Highway 50; thence East along the south line of U.S. Highway 50 to the east line of Section 24; thence

South along the east line of said Section 24 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 50; 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 50 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.

(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 50 Business; thence Westerly along said northerly right-of-way line of US Highway 50 Business 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 ByPass; thence South 89 degrees 16 minutes 23 seconds East along said south right-of-way line of US Highway 50 ByPass 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 6th 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 Northwesterly 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 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 6 day of December, 2010.

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

Memorandum

To: City Commissioners
From: Cherise Tieben/Ken Strobel
Date: December 6, 2010
Subject: La Estancia RHID
Agenda Item: Resolution

Recommendation: Staff recommends adoption of Resolution 2010-29 which states City's intent to establish a Rural Housing Incentive District (RHID) for the construction of the La Estancia apartment complex and establishes a date for a Public Hearing concerning the matter.

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 RHID was identified as one of those programs. The program has captured the attention of several developers, including the Overland Property Group from the Kansas City area. Working with City Staff the group has prepared a development plan providing for a series of multi-family apartment complexes to be located on the west side of 6th Avenue just north of Highway 50 on a tract of property acquired by the Overland Property Group.

Under the proposed RHID plan, the developer finances the infrastructure and apartment complex construction. The developer is then reimbursed for a portion of the infrastructure costs through the incremental real estate taxes assessed against the completed improvements, which allows the developer to price the apartments at an affordable rate. The initial development will include two multi-family 16 unit complexes as well as a club house, with future expansion to accommodate approximately 80 total units. The apartments will provide high quality living accommodations and amenities at an affordable rental rate.

Justification: Establishment of the RHID is necessary in order to address the City's critical housing shortage.

Financial Considerations: Infrastructure costs are paid by the incremental real estate tax resulting from the development.

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

Legal Considerations: The RHID is established under the statutory provisions authorizing city's of our size to provide incentives for housing development as approved by the State Department of Commerce.

Attachments: Resolution 2010-29

RESOLUTION NO. 2010-29

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. (LA ESTANCIA PARTNES LLC PROJECT)

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 40,000 located in a county with a population of less than 60,000, 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 approximately 28,000, is located in Ford County, Kansas, which has an estimated population of approximately 34,000, 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 April 23, 2008 (the “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. 2009-19 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 Secretary of the Kansas Department of Commerce, pursuant to a letter dated October 7, 2009, authorized the City to proceed with the establishment of a Rural Housing Incentive District pursuant to the Act (the "District"); and

WHEREAS, the City has caused to be prepared a plan for the development or redevelopment of housing and public facilities in the proposed 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 this 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 January 18, 2011, 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 *Exhibit 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.

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ADOPTED by the Governing Body of the City of Dodge City, Kansas, on December 6, 2010.

(SEAL)

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 2010-29 adopted by the Governing Body of the City on December 6, 2010 as the same appear of record in my office.

DATED: December 6, 2010

Nannette Pogue, City Clerk

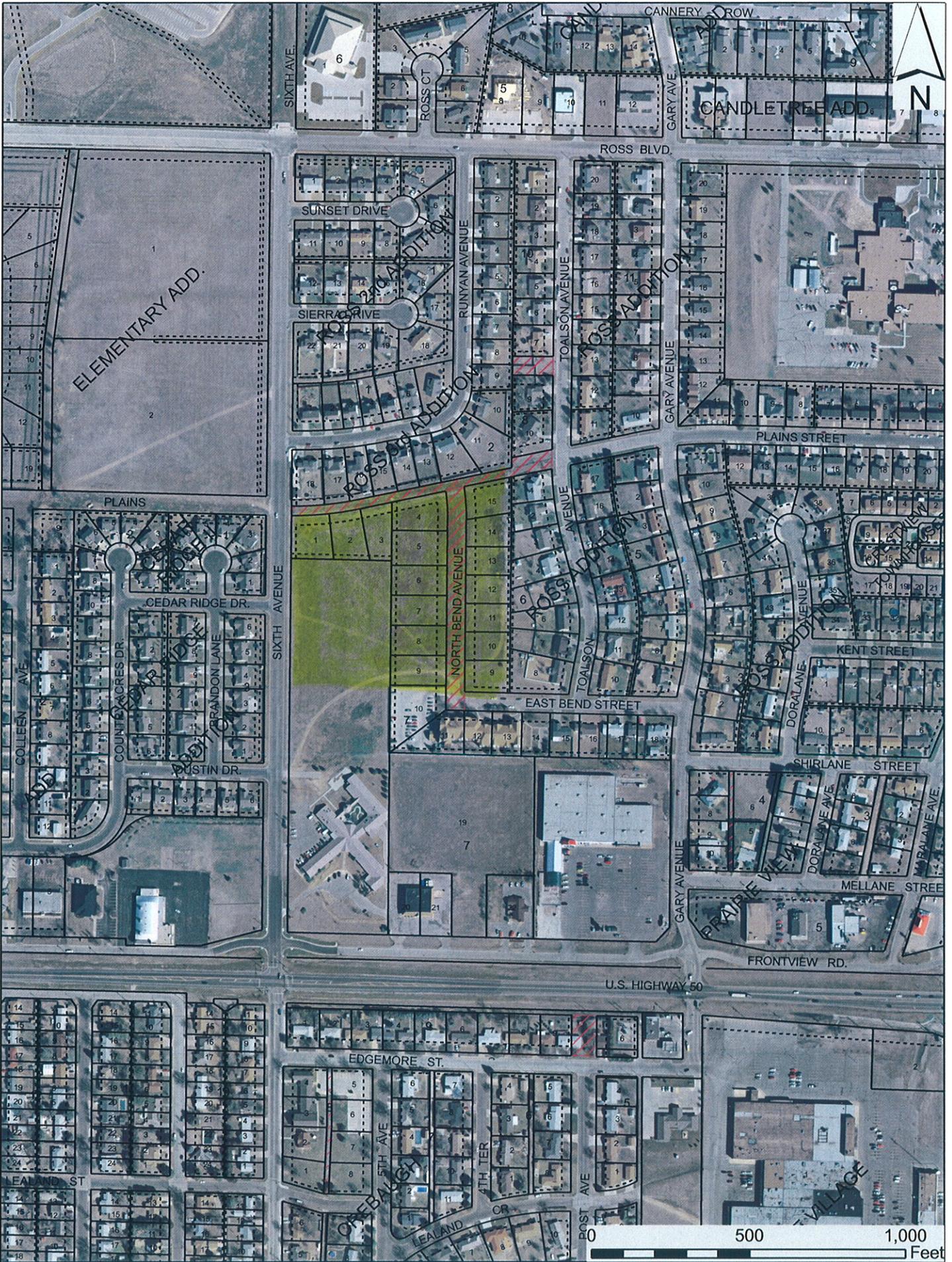
EXHIBIT A

**LEGAL DESCRIPTION OF PROPOSED
RURAL HOUSING IMPROVEMENT DISTRICT BOUNDARIES
FOR LA ESTANCIA PARTNERS LLC PROJECT**

Lots 1, 2, 3, 4 and 5, Block 1, La Estancia Addition to the City of Dodge City, Ford County, Kansas, a Replat of a portion of Blocks 6 & 7, Ross Addition and a Parcel of Land located in the Southeast Quarter of Section 14, Township 26 South, Range 25 West of the 6th Principal Meridian.

EXHIBIT B

**MAP OF PROPOSED
RURAL HOUSING IMPROVEMENT DISTRICT BOUNDARIES
FOR LA ESTANCIA PARTNERS LLC PROJECT**



UTILITY CONTACTS

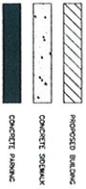
ELECTRIC: ACTORV ELECTRIC COOP ASSOCIATION, INC.
 2320 N. 14TH AVE.
 DODGE CITY, KS 67801
 (620) 227-2139

TELEPHONE: A&E COMMUNICATIONS
 1101 WESTERN BLVD
 DODGE CITY, KS 67801
 (620) 227-4888

WATER: UNITED TELEPHONE ASSOCIATION, INC.
 1101 WESTERN BLVD
 DODGE CITY, KS 67801
 ALAN SELWANSKY

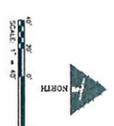
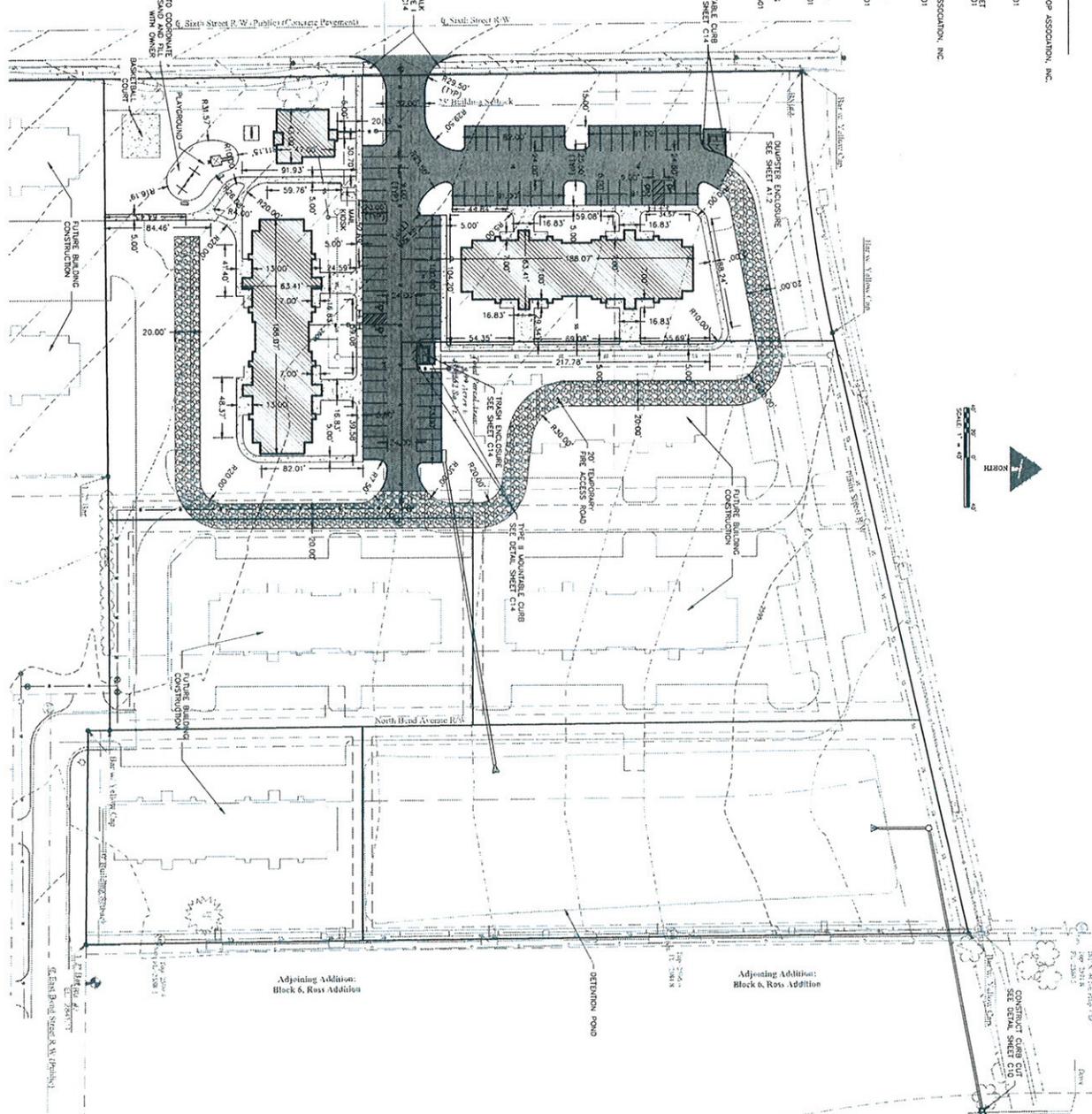
SEWER: CITY OF DODGE CITY
 P.O. BOX 840
 DODGE CITY, KS 67801
 WENDY KESTER

TV: CITY OF DODGE CITY
 P.O. BOX 840
 DODGE CITY, KS 67801
 WENDY KESTER
 COX COMMUNICATIONS
 710 N. 5TH STREET
 DODGE CITY, KS 67801
 SAM GREEN



LEGEND

CALL BEFORE YOU DIG - DIAL - 811
 KANSAS ONE-CALL SYSTEM, INC.
 (800) 244-7233
 (316) 581-3183
 (743)



SMH CONSULTANTS
 4201B Ardmore Avenue, Suite 2 • Wauvich, Kansas 66201
 (785) 776-2544 • FAX 776-3706 • Email: SMH@smhconsultants.com

APARTMENT C1
 SHEET 15-2768
 DATE: 11-30-2010
 JOB: 15-2768

CAUTION - NOTICE TO CONTRACTOR:
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL AREAS TO ORIGINAL OR BETTER CONDITION AFTER CONSTRUCTION IS COMPLETE.

MAINTENANCE / DISCUSSION:
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL AREAS OF THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE LIGHTING AND SAFETY BARRIERS AT ALL CONSTRUCTION AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE SIGNAGE AND NOTIFICATION TO ALL ADJACENT PROPERTIES AND PUBLIC AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING LANDSCAPE AND PLANTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING HISTORIC STRUCTURES AND MONUMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING CULTURAL RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING ENVIRONMENTAL RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING ARCHITECTURAL AND HISTORIC RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING SCIENTIFIC AND HISTORIC RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING CULTURAL AND HISTORIC RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING ENVIRONMENTAL AND HISTORIC RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING ARCHITECTURAL, HISTORIC, SCIENTIFIC, AND CULTURAL RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING ENVIRONMENTAL, ARCHITECTURAL, HISTORIC, SCIENTIFIC, AND CULTURAL RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING ARCHITECTURAL, HISTORIC, SCIENTIFIC, AND CULTURAL RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE PROTECTION FOR ALL EXISTING ENVIRONMENTAL, ARCHITECTURAL, HISTORIC, SCIENTIFIC, AND CULTURAL RESOURCES.

NOTES:
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL AREAS TO ORIGINAL OR BETTER CONDITION AFTER CONSTRUCTION IS COMPLETE.

ESTANCIA APARTMENTS
 NEW APARTMENT COMPLEX
 DODGE CITY, KANSAS

JONES GILLAM RENZ
 Architects Planners Designers
 785 S. 10th St., Suite 100 • Dodge City, KS 67801
 (785) 827-0386 • (785) 827-0392 Fax
 jgr@jgrarchitects.com

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: La Estancia Partners, L.L.C.
7500 College Blvd., Suite 500
Overland Park, KS 66210

2009 Assessed Valuation: Land: \$23,694.00
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 include five (5) multi-family sixteen (16) unit apartment complexes. The apartment complexes will be constructed in two phases which are currently planned to include the following:

Phase I: Two (2) multi-family sixteen (16) unit apartment complexes and a club house facility.

Phase II: Three (3) multi-family sixteen (16) unit apartment complexes.

A portion of the multi-family units may be developed as affordable rental housing. The complex will include a community clubhouse with computer and fitness rooms and office area for the on-site manager. Walking paths, green space and a playground area will also be provided. Each apartment unit will include individual laundry facilities, cable television hook-ups and on-site parking.

Public Facilities

Public improvements will include the extension of water 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 sanitary sewer, storm sewer, storm water detention, streets and street lighting. The public improvements will be constructed as necessary to serve each 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 La Estanica Partners, 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 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. The analysis estimates 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. The estimates indicate that the revenue realized from the project would be adequate to pay the costs of the public infrastructure.

CERTIFICATE OF DELIVERY AND PUBLICATION

STATE OF KANSAS)
) §:
COUNTY OF FORD)

The undersigned, City Clerk of the City of Dodge City, Kansas (the "City"), does hereby certify, as follows:

- (a) On December 7, 2010, I caused a certified copy of Resolution No. 2010-29 with *Exhibits A* thru *E* attached (the "Resolution"), to be delivered to the following:
 - (1) the Board of County Commissioners of Ford County, Kansas;
 - (2) the Board of Education of U.S.D. No. 443; and
 - (3) the Planning Commission of the City.

- (b) I caused a copy of the Resolution to be published one time in *The Dodge City Daily Globe*, the official newspaper of the City, on December ____, 2010, which date was not less than one week nor more than two weeks after preceding the date fixed for the public hearing. A true copy of the affidavit of publication of the Resolution is attached to this Certificate.

WITNESS my hand and seal on December ____, 2010.

(Seal)

Nannette Pogue, City Clerk

Memorandum

To: City Manager
Assistant City Manager
City Commissioners

From: Paul Lewis

Date: December 2, 2010

Subject: Hennessy Re-roof bids

Agenda Item: New Business



Recommendation: Staff recommends accepting the bid from Diamond Roofing in the amount of \$228,990 for re-roofing and \$11.75/s.f. for deck repair for Hennessy Hall on the St. Mary Complex.

Background: Previously the east half of the main structure and the Chapel area were re-roofed and those areas remain in good condition and the roof systems are performing well. This project re-roofs the west half of the main structure and corrects problem areas around numerous door overhangs and ledges.

The west section is seriously compromised and requires immediate attention. In some areas, the roof system has deteriorated to the point the concrete roof deck is exposed and is beginning to spall. If left untreated, water penetration will increase and the structural integrity of the roof deck and building will be compromised.

Justification: The roof systems on the west section of the main structure has deteriorated to the point that serious damage to the structure will begin to occur if a short period of time. If this project is not undertaken, the future usefulness and long term integrity of the facility is compromised.

Financial Considerations: Funding for this project comes from the SMPC trust funds the City accrues. Currently there is a little over \$106,000 in the fund and the City will receive the annual distribution from the endowment later this month of another \$11,000.

The remainder needed to finance the project will come from an internal loan from the building fund. The building fund will be repaid over time using the endowment revenues. Although down this year, the annual distribution is typically around \$20,000 providing an expected payoff of around six years.

A factor that may significantly influence that payoff is the opportunity to offset some of the cost through the sale of tax credits. Hennessy is listed on the State and National Registers of Historic Places. Because of that distinction, qualified preservation projects are eligible to receive 25% state tax credits, which in this case amount to approximately

\$57,000. Those credits are transferable so the City would be able to market the credits and apply the proceeds against the construction costs. If this project is approved staff will submit the appropriate application to the State Historical and Preservation Office for tax credits.

Purpose/Mission: A central component of the City's mission is the preservation of our heritage. Hennessy is the historical icon of St. Mary of the Plains College whose roots in the community trace back all the way to the early 1900's. Completing this project is entirely consistent with the mission of the City.

Legal Considerations: The City has lease agreements with four tenants in the building. Under those leases, the City is required to maintain the physical structure of the building to provide an occupable space. If the decision is to not repair the structure, notice should be given to the tenants to advise them to begin seeking other space.

Attachments: Bid Tabulation



Memorandum

To: City Commissioners
From: Ken Strobel
Date: December 2, 2010
Subject: General Insurance and Workers
Compensation
Agenda Item: New Business

Recommendation: Staff recommends approval of placement of the general insurance and worker's compensation with Travelers through the local agent Keller Leopold.

Background: The general insurance and workers compensation was put out to bid this year. Three bid packets were provided and two proposals were received. Travelers proposal totaled \$621,594 and Public Risk Management proposal totaled \$652,061.

Justification: Travelers is the low bidder. Keller Leopold has always provided timely quality service to the City.

Financial Considerations: We have adequate funds available, given that the difference in bids was \$26,467. Funds required do not exceeded budgetary amount. The renewal proposal provides coverage for the SEC, ARFF, four new water wells and two new message boards over and above last year.

Purpose/Mission: Protects City assets there by better protecting our community.

Legal Considerations: none

Attachments: spread sheet providing expiring insurance coverage costs and bidders proposed premiums are attached.

Coverage	Expring	Travelers	Public Risk
Property	75,086	136,126	117,000 Expiring blanket limit 66,849,345 Renewal blanket limit 111,909,002
Crime	1,647	incl	250
Inland Marine	13,961	incl	4,500
General Liability	44,819	41,493	35,000
Liquor Liability	722	864	incl
Employee Benefit Liability	381	343	incl
Law Enforcement Liability	35,577	30,955	41,673
Public Officials	5,884	5,157	26,233
EPLI	23,882	20,252	incl
Auto Liability	24,133	24,856	50,000
Auto Physical Damage	16,152	19,522	incl
Work Comp	342,415.00	294,323	337,405 Estimated Renewal Payroll 10,918,400
Brokers Fee		47,703	40000
TOTAL	584,659.00	621,594	652,061
Broker Commission included in Expiring total			63,310