

# **CITY COMMISSION AGENDA**

City Hall Commission Chambers

Tuesday, January 3, 2012

7:00 p.m.

MEETING #4873

## **CALL TO ORDER**

## **ROLL CALL**

**INVOCATION** by Pastor Richard Crockett of the First Christian Church

## **PLEDGE OF ALLEGIANCE**

**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).

Character Trait – Availability; Presented by Director of Public Information, Jane Longmeyer

## **CONSENT CALENDAR**

1. Approval of City Commission Work Session minutes, December 19, 2011;
2. Approval of City Commission Meeting minutes, December 19, 2011;
3. Approval of City Commission Special Meeting minutes, December 28, 2011;
4. Appropriation Ordinance No. 24, December 29, 2011
5. Appropriation Ordinance No. 1, January 3, 2012
6. Cereal Malt Beverage License
  - a. Tacos Jalisco, 412 W. Wyatt Earp

## **ORDINANCES & RESOLUTIONS**

**Resolution No. 2012-01:** A Resolution Accepting the Water Lines and Sewer Lines for the Estancia Subdivision. Report by Director of Engineering, Ray Slattery.

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

1. Approval of Trinity Subdivision Plat. Report by Director of Developmental Services, Dennis Veatch.

2. Approval of 2012 State/Federal Legislative Policy. Report by Assistant City Manager, Cherise Tieben.
3. Approval of Payment Plan for CBC Master Developer for STAR Bond Project. Report by City Clerk/Director of Finance, Nannette Pogue.

## **OTHER BUSINESS**

## **ADJOURNMENT**



# AVAILABILITY

## *What Makes Your Team Work?*

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Most of us like the idea of teamwork, but we often resist it when our agendas don't coincide with the team's agenda.

### **Get Perspective**

Teamwork requires individuals to fill gaps and make adjustments in order to help one another succeed.

The more you care about others, the more you will feel the tension between what you want and what you know will benefit others. That's why many new parents become suddenly aware of how selfish they are.

But ironically, if these young parents start living solely for their children, they set themselves up for disillusionment when their children don't live up to expectations. In order to really love, parents must see loving their children as the purpose of parenthood. It will hurt when children fail, but it won't hinder the parents from continuing to show love.

Relating to coworkers and customers also depends on the purpose for work. If you believe work is people cooperating to develop resources and meet needs, you'll respond differently to unique customer requests than you would if you think the purpose of work is solely to make a profit.

### **Set Priorities**

It's easy to keep busy doing just what you feel like doing or just what seems most pressing. Setting priorities allows you to determine what is most important and take responsibility for your schedule...and your life.

Who are you most responsible for, and what tasks have you committed to fulfill? Your loved ones will know how you value them by observing the effort you make to be there when they need you.

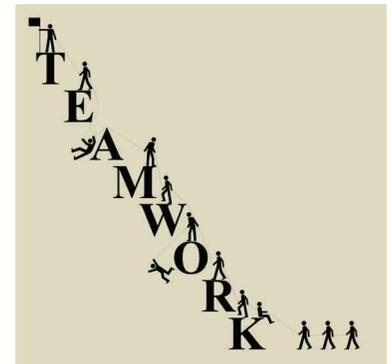
### **Be Prepared**

Develop habits of personal productivity. Take opportunities to learn new skills. Use spare time to read so that you can approach new challenges with greater creativity. Go to bed on time so that you can get up on time. Get up when the alarm goes off so that you will not have to frantically prepare breakfast and rush out the door. Arrange your surroundings so that you do not waste time searching for items.

### **Practice Perseverance**

If you've prepared yourself, set priorities, and have everything in proper perspective...it will still bother you when plans don't work out. But you'll recognize when you have a bad attitude, and you can change your course.

In the final analysis, it isn't what we accomplish that matters as much as our ability to stick together in the process.



**CITY COMMISSION WORK SESSION  
AND EXECUTIVE SESSION AGENDA**

City Hall Commission Chambers

Monday, December 19, 2011

6:00 p.m.

MEETING #4870

**ROLL CALL:** Mayor Rick Sowers, Commissioners Kent Smoll, Monte Broeckelman and Jim Sherer. Michael Weece was absent.

**WORK SESSION**

FEMA Levee Certification Update was presented by Director of Engineering, Ray Slattery.

**EXECUTIVE SESSION**

At 6:25 p.m., Commissioner Jim Sherer moved to adjourn to Executive Session to discuss Land Acquisition to include the City Manager, Ken Strobel and City Clerk/Director of Finance, Nannette Pogue for 30 minutes, Commissioner Monte Broeckelman seconded the motion. Motion carried 4-0. Commissioner Kent Smoll did not participate in the Executive Session due to possible conflict of interest.

**ADJOURNMENT**

Commissioner Jim Sherer moved to adjourn the Work Session, Commissioner Monte Broeckelman seconded the motion. The motion carried 3-0.

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Rick Sowers, Mayor

ATTEST:

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Nannette Pogue, City Clerk

# **CITY COMMISSION AGENDA**

City Hall Commission Chambers

Monday, December 19, 2011

7:00 p.m.

MEETING #4871

## **CALL TO ORDER**

**ROLL CALL:** Mayor Rick Sowers, Commissioners Kent Smoll, Monte Broeckelman and Jim Sherer. Michael Weece was absent.

## **PLEDGE OF ALLEGIANCE**

**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).

Director of Public Information, Jane Longmeyer, presented a Statement of Support for the Guard and Reserve.

## **CONSENT CALENDAR**

1. Approval of City Commission Meeting minutes, December 5, 2011;
2. Approval of Jt. City/County Commission Meeting minutes, December 12, 2011;
3. Appropriation Ordinance No. 23, December 19, 2011
4. Cereal Malt Beverage License
  - a. Walgreens #7817, 1801 N. 14<sup>th</sup> Avenue
5. Approval of Change Order No. 1 for Cedar Street Reconstruction.
6. Approval of Change Order No. 1 for Briar Street Improvements.
7. Approval of Change Order No. 1 for Wagon Wheel Addition.
8. Approval of Change Order No. 1 for West Wyatt Earp R/W Fill-In.

Commissioner Jim Sherer moved to approve the Consent Calendar as presented, seconded by Commissioner Kent Smoll. The motion carried 4-0.

## **ORDINANCES & RESOLUTIONS**

**Ordinance No. 3525:** An Ordinance Annexing to the City of Dodge City the Described Property, in Accordance With K.S.A. 12-520 Et. Seq; Providing For the Zoning Thereof, and Placing the Property in a Voting Ward was approved on a motion by Commissioner Jim Sherer, seconded by Commissioner Kent Smoll. Motion carried 4-0.

**UNFINISHED BUSINESS****NEW BUSINESS**

1. Approval of Boot Hill Casino Resort Subdivision was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Jim Sherer. Motion carried 4-0.
2. Bid for Carpet Replacement at the Police Department in the amount of \$27,031.23 from Guthrie Floor Covering was approved a motion by Commissioner Kent Smoll, seconded by Commissioner Monte Broeckelman. Motion carried 4-0.
3. Bid for Front End Loader in the amount of \$167,934.45 with Foley Equipment Company was approved a motion by Commissioner Jim Sherer, seconded by Commissioner Kent Smoll. Motion carried 3-1, with Commissioner Monte Broeckelman voting no.

Paul Dupree with Murphy Equipment and Larry Cummings with Foley Equipment both commented.

4. Bids for Skid Steer Loader in the amount of \$39,110.73 with White Star Machinery was approved a motion by Mayor Rick Sowers, seconded by Commissioner Kent Smoll. Motion carried 4-0.
5. Commissioner Monte Broeckelman moved to not extend the All-4-Fun Agreement Extension. The motion died for lack of a second.

Mayor Rick Sowers moved to approve the All-4-Fun Agreement Extension, motion was seconded by Commissioner Jim Sherer. Motion carried 2-1, with Commissioner Monte Broeckelman voting no. Commissioner Kent Smoll abstained from voting advising there would be a possible conflict of interest with his vote.

6. Approval of Contract with Rodgers Design Group, Inc. for irrigation placement at Mariah Hills Golf Course in the amount of \$36,250 plus reimbursement costs estimated at \$8,268.20 was approved on a motion by Commissioner Kent Smoll, seconded by Commissioner Jim Sherer. Motion carried 4-0.
7. Commissioner Monte Broeckelman moved to table the approval of National League of Cities Service Line Warranty Program and Agreement with Utility Service Partners, seconded by Commissioner Jim Sherer. Motion carried 3-1, with Commissioner Kent Smoll voting against the tabling of the item.

8. Approval of Allocation of Alcohol and Drug Sur Tax Funds in the following amounts...

\$1,300.00 - Dodge City Public Library

\$6,500.00 - Dodge City Police Department – Juvenile Underage Drinking Grant Enforcement

\$8,500.00 – Dodge City Police Department (GREAT)

\$68,500.00 – New Chance

\$10,000.00 – Friends of Recovery

\$12,000.00 – Catholic Social Services

was approved on a motion by Mayor Rick Sowers, seconded by Commissioner Jim Sherer. Motion carried 4-0.

9. Commissioner Kent Smoll moved to approve of Letter of Intent from Carr Baier Crandall (CBC) Real Estate Group, and in addition, Staff will propose a payment plan at the first Commission meeting in January, seconded by Commissioner Jim Sherer. Motion carried 4-0.

## **OTHER BUSINESS**

Ken Strobel, City Manager:

- There will be a Special Commission Meeting on December 28<sup>th</sup> at 7:30 a.m. for 2011 Budget Amendments;
- Reminded everyone to shop local; and
- Wished everyone a Merry Christmas.

Commissioner, Jim Sherer:

- Commented that if you missed the Charlie Daniels Band then you missed a good performance.

Mayor, Rick Sowers:

- Thanked Staff and fellow Commissioners for time, effort and respect; and
- Asked about lifting the burn ban.

Commissioner, Kent Smoll:

- Happy Holidays; and
- Remember to shop local and often.

**ADJOURNMENT:** Commissioner Kent Smoll moved to adjourn the meeting; Commissioner Jim Sherer seconded the motion. The motion carried 4-0.

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Rick Sowers, Mayor

ATTEST:

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Nannette Pogue, City Clerk

# **CITY COMMISSION SPECIAL MEETING AGENDA**

City Hall Commission Chambers

Wednesday, December 28, 2011

7:30 a.m.

MEETING #4872

## **CALL TO ORDER**

**ROLL CALL:** Mayor Rick Sowers, Commissioners Kent Smoll, Monte Broeckelman, Michael Weece and Jim Sherer.

## **ORDINANCES & RESOLUTIONS**

**Resolution No. 2011-33:** A Resolution for the Temporary Suspension and Waiver of Certain Provisions of Ordinance No. 2838 and the Uniform Fire Code Pertaining to the Discharge of Fireworks Within the City Limits of the City of Dodge City, Kansas was approved on a motion by Commissioner Jim Sherer, seconded by Commissioner Michael Weece. Motion carried unanimously.

## **NEW BUSINESS**

1. Approval of the Designation Agreement was made on a motion by Commissioner Jim Sherer, seconded by Commissioner Michael Weece. Motion carried 5-0.
2. Approval of 2011 Budget Amendments was made on a motion by Commissioner Kent Smoll, seconded by Commissioner Jim Sherer. Motion carried unanimously.

**ADJOURNMENT:** Commissioner Michael Weece moved to adjourn the meeting; Commissioner Jim Sherer seconded the motion. The motion carried unanimously.

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Rick Sowers, Mayor

ATTEST:

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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

<b>SECTION 1 – LICENSE TYPE</b>	
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.	

<b>SECTION 2 – APPLICANT INFORMATION</b>		
Kansas Sales Tax Registration Number (required): <u>004-K42613037FO1</u>		
Name <u>Rebecca Escalante</u>	Phone No. <u>255-6793</u>	Date of Birth
Residence Street Address <u>1201 First Ave</u>	City <u>Dodge City, KS</u>	Zip Code <u>67801</u>
<b>Applicant Spousal Information</b>		
Spouse Name <u>N/A</u>	Phone No. <u>N/A</u>	Date of Birth
Residence Street Address	City	Zip Code

<b>SECTION 3 – LICENSED PREMISE</b>			
<b>Licensed Premise (Business Location)</b>		<b>Mailing Address</b>	
DBA Name <u>Tacos Jalisco</u>	Name <u>Rebecca Escalante</u>		
Business Location Address <u>412 W. Wyatt Earp</u>	Address <u>P.O. Box 1311</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>620-225-3101</u>	<input 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>Amado Alvarez &amp; Rebecca Escalante</u>			

<b>SECTION 4 – APPLICANT QUALIFICATION</b>	
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>17</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 <sup>1</sup> 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 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

**INDIVIDUAL/SOLE PROPRIETOR  
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**  
(This form prepared by the Attorney General's Office)

SECTION 5 - MANAGER OR AGENT QUALIFICATION			
My place of business will be conducted by a manager or agent.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the following:			
Manager/Agent Name	Rebecca Escalante	Phone No.	227-6030      Date of Birth 11-23-55
Residence Street Address	1201 First Ave	City	Dodge City      Zip Code
Manager or Agent Spousal Information			
Spouse Name	n/A	Phone No.	Date of Birth
Residence Street Address		City	Zip Code
Qualification Statement			
My manager/agent and his/her spouse <sup>2</sup> meets all of the qualifications in Section 4.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct. (K.S.A. 52-601)

SIGNATURE Rebecca Escalante      DATE Dec. 22, 2011

FOR CITY/COUNTY OFFICE USE ONLY:

License Fee Received Amount \$ \_\_\_\_\_ Date \_\_\_\_\_  
(\$25 - \$50 for Off-Premise license or \$25-200 On-Premise license)

\$25 CMB Stamp Fee Received Date \_\_\_\_\_

Background Investigation    Completed Date \_\_\_\_\_    Qualified    Disqualified

New License Approved   Valid From Date \_\_\_\_\_ to \_\_\_\_\_   By: \_\_\_\_\_

License Renewed   Valid From Date \_\_\_\_\_ to \_\_\_\_\_   By: \_\_\_\_\_

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR QUARTERLY REPORT (ABC-301) TO THE ALCOHOLIC BEVERAGE CONTROL, 915 SW HARRISON STREET ROOM 214, TOPEKA, KS 66625-3512.

<sup>1</sup> If renewal application, applicant's spouse not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)  
<sup>2</sup> Spouse not required to be U.S. citizen, Kansas resident or over 21 years of age. K.S.A. 41-2703(b)(9)



# Memorandum

*To: City Manager  
Assistant City Manager  
City Commissioners*

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

*Date: December 27, 2011*

*Subject: Resolution 2012-01 accepting  
Infrastructure Improvement for  
Estancia Subdivision PL1002*

*Agenda: Ordinances and Resolutions*

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**Recommendation:** Approve Resolution as submitted.

**Background:** The City Commission Approved the Estancia Subdivision on November 1, 2010. The developer provided all of the engineering drawings for construction. The developer also contracted for the construction of the water and sewer lines. The City provided the necessary inspection to insure the improvements were installed according to City standards.

**Justification:** To add the infrastructure to the City's inventory, the improvements must be accepted by the City.

**Financial Considerations:** By accepting these improvements, the City will be responsible for future maintenance of these improvements.

**Purpose/Mission:** By installing and accepting these improvements the quality of life has been improved for residents living in this subdivision and the future maintenance needs will be addressed when necessary.

**Legal Considerations:** None

**Attachments:** Certification of Improvements and Resolution 2012-01

CERTIFICATION OF PUBLIC IMPROVEMENTS

CITY OF DODGE CITY

WATER AND SEWER IMPROVEMENTS  
ESTANCIA SUBDIVISION

I, Ray Slattery, P.E., Director of Engineering, hereby certify that the construction of the waterlines and sanitary sewer lines for the Estancia Subdivision were inspected by the City Engineer's Office and found to be in reasonable conformity to the engineering plans and specifications approved by the City of Dodge City and said waterlines and sewer lines should, therefore, be accepted by the City and added to its utility system. These installations were completed on August 5, 2011.

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Ray Slattery, P.E.  
Director of Engineering

RESOLUTION NO. 2012-01

A RESOLUTION ACCEPTING THE WATER LINES AND SEWER LINES  
FOR THE ESTANCIA SUBDIVISION.

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WHEREAS, the City Commission of Dodge City approved extending City water and sewer services to the Estancia Subdivision; and

WHEREAS, the City Engineer's Office approved the plans and specifications for the construction of water lines and sewer lines for the Estancia; and

WHEREAS, the construction of the water lines and sewer lines for the Estancia Subdivision were completed on August 5, 2011; and

WHEREAS, the City Commission of the City of Dodge City, Kansas, is in receipt of a certification from the Director of Engineering that said construction has been found to be in reasonable conformance with the engineering plans and specifications approved by the City of Dodge City and recommending that these improvements be accepted by the City and added to its utility and street system,

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Dodge City, Kansas, that the water lines and sewer lines for the Estancia Subdivision are hereby accepted by the City and added to its utility system and street inventory.

Passed by the Governing Body of the City of Dodge City in regular session and approved by the Mayor this 3<sup>rd</sup> day of January, 2012.

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Rick Sowers, Mayor

ATTEST:

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Nannette Pogue, City Clerk

## *Memorandum*

*To: City Manager  
Assistant City Manager  
City Commissioners*

*From: Dennis Veatch*

*Date: December 28, 2011*

*Subject: Trinity Subdivision  
Agenda Item: New Business*

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**Recommendation:** The Dodge City Zoning Board had to cancel their meeting December 20, 2011 due to the weather. A phone vote was taken and the members of the board voted to recommend approval of this plat.

**Background:** Greg Starks, agent for The Methodist Hospital Assoc. Inc. submitted an application for this plat which will create an additional lot for future development.

**Justification:** This plat conforms to the Dodge City Subdivision Regulations, Dodge City Zoning Regulations and the City Comprehensive Plan.

**Financial Considerations:** None

**Purpose/Mission:** This plat was created to provide additional property for future development.

**Legal Considerations:** None

**Attachments:** Trinity Subdivision



## Memorandum

*To:* City Manager  
City Commissioners  
*From:* Cherise Tieben  
*Date:* December 29, 2011  
*Subject:* Legislative Policy 2012  
*Agenda Item:* New Business

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**Recommendation:** Approve the 2012 State/Federal Legislative Policy.

**Background:** City staff has been actively working on defining the City of Dodge City legislative policy that will be submitted to our state legislators and congressional representatives. The legislative policy will be utilized to offer our stance on various issues that could impact how we deal with issues on a local level.

**Justification:** The legislative policy is a communication tool that enables our legislators to understand our position on issues that might come up during the legislative session. The City also generally supports the provisions of the Statement of Municipal Policy of the League of Kansas Municipalities.

**Financial Considerations:** Not applicable.

**Purpose/Mission:** The legislative policy addresses areas that will improve the quality of life in our community and foster a better future for Dodge City.

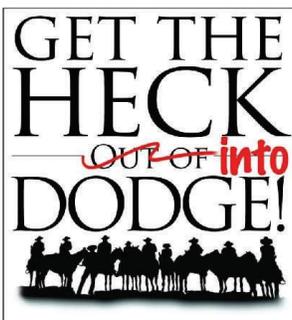
**Legal Considerations:** None

**Attachments:** Legislative Policy 2012



# LEGISLATIVE POLICY

2012



## SUMMARY POSITION

This policy statement presents general state and federal legislative goals and objectives formally adopted by the Governing Body of the City of Dodge City. This statement has been provided to the Dodge City legislative delegation for its consideration at the 2012 Legislative Session. The focus of this policy statement is on general policies and principles. However, some positions on specific legislative proposals are included under appropriate general policy statements. Future revisions to this statement will include additional positions of the City on specific proposals and bills introduced during the 2012 Session.

## CORE PRINCIPLES

- **ANNEXATION:** The ability of Dodge City to grow is inherent to the ultimate success of annexation powers as they are currently established in state statute. We recognize the statutory framework which was amended in 2011 but would oppose any further change which would limit the authority of Dodge City to grow through annexation.
- **EMINENT DOMAIN:** Eminent domain is a fundamental municipal right. The authority to acquire property through condemnation proceedings is critical for public improvement projects and has been long recognized as an economic development tool. We support increased flexibility for local government to use eminent domain for economic development purposes.
- **HOME RULE:** The state legislature should avoid intervention in matters of local affairs and government and should act to encourage and promote the exercise of authority and assumption of responsibility by locally elected, locally responsible governing bodies. Dodge City opposes any direct or indirect attempt to limit or restrict the constitutionally granted Home Rule authority of cities.
- **PUBLIC PROPERTY & RIGHTS-OF-WAY:** We oppose any legislation which would restrict the ability of cities to control and manage public property and rights-of-way or the ability of cities to franchise those entities that utilize the rights-of-way.
- **UNFUNDED MANDATES:** We oppose unfunded mandates. If the state or federal governments seek to promote particular policy objectives, such mandates should be accompanied by an appropriate level of funding.
- **TRANSPORTATION:** Passenger rail, freight rail, commercial aviation, general aviation and adequate highways are critical to the safety of our citizens as well as a vital means of maintaining and growing our local economy. We feel that infrastructure development in the western half of the state should be a top priority as the State of Kansas seeks to select projects through the Transportation Works for Kansas Program.

- **KANSAS OPEN MEETINGS ACT (KOMA) and KANSAS OPEN RECORDS ACT (KORA):** We support all levels of government being subject to the same open meetings requirements which promote citizen involvement without being unduly burdensome. Open Records laws should balance the public's right to access with the necessity of protecting the privacy of individual citizens and the ability of public agencies to conduct essential business functions.
- **REVENUE SHARING:** The State Legislature should reinstate existing revenue sharing programs. In the event that the State is unable to fully fund these, the Legislature should authorize cities to impose alternative revenue sources in order to maintain appropriate levels of funding for the health, safety, and welfare of our citizens.
- **EDUCATION:** The City of Dodge City supports legislative action that serves to continue a stabilized tax distribution funding formula for all levels of education in Kansas.



## PUBLIC EMPLOYEES

City employees are the foundation of effective city government. City governing bodies must have the authority to develop personnel policies in order to attract and maintain a high quality public workforce.

### *State/Federal*

- **PEERA/Collective Bargaining.** We support the current statutory process in the Public Employer-Employees Relations Act. We oppose any state/federal mandate which would require collective bargaining at the local level.

### *State*

- **KPERS/KP&F:** We support the State's efforts to maintain the solvency of the Kansas Public Employees Retirement System by providing employees with a diverse professional investment portfolio that will offer long-term security.

## IMPROVE THE PATH TO CITIZENSHIP

The Kansas Legislature and United States Congress should engage the immigration issue in a sensible way, a way that is built upon the recognition that Dodge City not only requires a reduction in time and distance barriers between an immigrant and his or her pursuance of legal residency, but also require additional resources in the process of integrating immigrants into the community.

### *State/Federal*

- Many rural and micropolitan-sized areas depend on immigrant and refugee labor. In fact, many such areas are experiencing significantly lower unemployment rates than the rest of the country in a time of economic downturn. Therefore, immigration policy must be sensible—meaning it should consider the many aspects of a complicated issue. Assistance should include, but not be limited to, the establishment of a dedicated outreach program or service center offering immigration services consistent with the services provided by Federal Immigration Offices.

## HOUSING

The Kansas Legislature and United States Congress should pursue housing policies that include communities that serve as regional trade centers, and whose populations exceed 20,000 yet are less than 50,000. The Legislature and Congress, by implementing such change, would allow communities like those described to engage in housing programs designed to provide assistance regarding housing development and infrastructure.

### *Federal*

- Communities that are over 20,000 in populations, yet under 50,000 and which are located more than 100 miles from a metropolitan community, are in need of assistance with housing development incentive programs. These communities often serve as regional trade centers and provide a major source of employment for smaller neighboring communities. Current USDA regulations exclude these communities from access to such USDA initiatives, and severely limit funding opportunities for housing and infrastructure development, which in turn, limits opportunities for growing the economy in these and surrounding communities.

# ECONOMIC DEVELOPMENT

## *State*

Modify the IMPACT Act so that the Kansas Department of Commerce can better meet the needs of businesses in the region. Businesses in the region have struggled to remain competitive in recruitment and retention efforts due to the inflexibility of incentive programs offered by the State. As such, the Kansas Legislature should act to:

- Modify the IMPACT Act in order to allow it to more effectively meet the needs of Kansas companies while also allowing their recruitment and retention efforts to remain competitive.
- Allow choice of debt service or cash based financing thereby maximizing investment value to the State and the businessmen.
- Eliminate the 95% withholding limit.
- Set targets for rural and small business opportunities.
- Allow unallocated funds to carry over from year to year.
- Streamline and simplify investment and job creation tax credit programs.
- Simplify qualified investment calculation.
- Create investment credits and job creation credits.
- Allow Kansas Department of Commerce the flexibility to create a “deal closing” fund.
- Create “Investment in Kansas Employment” (IKE), a job creation incentive that is payroll withholding tax driven and serves as a cash-equivalent incentive for job creation.

# TRANSPORTATION

## *State/Federal*

Passenger rail, freight rail, commercial aviation, general aviation and adequate highways are critical to the safety of our citizens as well as a vital means of maintaining and growing our local economy.

- We feel that infrastructure development in the western half of the state should be a top priority as the State of Kansas seeks to select projects through the Transportation Works for Kansas Program.
- Preserving cross-country rail service through Dodge City and Southwest Kansas is important as rural regions must offer as many alternative modes of transportation as possible if they are expected to satisfy citizens’ needs and attract or retain businesses. We ask that our delegation ensure continued state and federal support of passenger rail service to Southwest Kansas. The State and Federal Government should invest in rail modernization to preserve passenger and freight rail service in Western Kansas and would be doing so to preserve and foster economic development.
- Essential Air Service (EAS) is critical to maintaining commercial air service to Southwest Kansas. We encourage continued support from our Congressional Delegation.



## WATER USE

### *State*

We support legislation adding ‘conservation’ as a beneficial use of water.

- Conservation use would allow a water right holder to stop pumping without being subject to the use it or lose it provisions.

In order to provide for the future growth of a community, cities must be diligent in purchasing water rights. However, when water rights are converted to municipal use from agriculture use, there is a reduction in the amount allowed for consumption. Agriculture consumption is in the form of irrigation. Most of the water consumption incurred by municipalities occurs during the summer months by irrigation. Consequently, one would think that municipalities would not have a reduction when converting water rights.

- The City of Dodge City supports the removal of the ‘conversion factor’ policy for municipal use.



## FEMA

### *Federal*

New Special Flood Hazard Areas, as part of any map modernization or remapping of Flood Insurance Rate Maps, should be in consultation with FEMA and local government.

- We support legislation that requires FEMA to consult with the local government when considering adding previously unmapped or any new special flood hazard areas to flood insurance rate maps.
- We support legislation that would extend the accreditation time period to current certification allowing cities to responsibly budget the financing necessary to meet the required improvements to the levy system.
- We support legislation giving FEMA funding for levy maintenance operations.

# GAMBLING

The legislation that allowed for expanded gambling in Kansas and brought the Boot Hill Casino and Resort to Dodge City created a 2% Problem Gambling Fund. Grants are to be awarded for the direct treatment of pathological gambling and for research regarding the impact of gambling on residents of Kansas, including determining the effectiveness of education and prevention efforts.

- The 2% Problem Gambling Fund needs to be protected for the purpose it is intended and needs to be allocated throughout the state with an emphasis on the gaming zones where people are at a greater risk to develop issues with problem gambling.
- The State should not pursue legislation which negatively effects existing gaming facilities, due to the impact on communities which have dedicated public funds for infrastructure and growth related to such facilities.



The City generally supports state legislative initiatives which would improve the quality of life for our citizens and enhance the effectiveness of local governments consistent with Home Rule. The City generally supports the provisions of the Statement of Municipal Policy of the League of Kansas Municipalities.

## CITY MANAGER

806 N. 2ND AVENUE  
P.O. BOX 880  
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## *Memorandum*

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

*From: Nannette Pogue*

*Date: December 28, 2011*

*Subject: Approval of Funding Plan for Master Developer for Star  
Bond Project*

*Agenda Item: New Business*

**Recommendation:** I recommend the City Commission approve the suggested funding plan for the Master Developer of the Star Bond Project

**Background:** CBC submitted a proposal and was approved to provide services as Master Developer for the City's potential star bond project. This was approved at the December 19, 2011 City Commission meeting and the City Commission asked staff to present to them a plan for funding the developer services. The initial proposal is in the amount of \$280,000 plus expenses. The City Manager suggested in his original memo that \$500,000 be reserved for the project. My suggestion is that the initial \$280,000 plus expenses be paid from the Development and Growth Fund. This fund is the fund that the expanded lottery tax is being deposited. It has been approved that this fund be used to fund infrastructure improvements. Currently there is a cash balance of \$731,225.77 in the Development and Growth Fund. We deposit approximately \$50,000 per month from the expanded lottery tax into that fund. In 2012, \$300,000 is budgeted to transfer to the Bond and Interest Fund to make principal and interest payments on bonds which are primarily for street improvement projects. So, there is available cash in this fund.

After the initial contract is complete and more funds are needed to complete this project, I would suggest that we look at the Water Fund at that time.

After the Star Bonds are issued, the money will be repaid to wherever the funds were originally paid from.

**Justification:** The Star Bond Project will be a great asset to the community adding additional retail and receipts to the City of Dodge City.

**Financial Considerations:** Initial outlay of funds for the master developer, to be repaid when the bonds are issued.

**Purpose/Mission:** We value progress, growth and new possibilities