

CITY COMMISSION AGENDA

City Hall Commission Chambers

Monday, June 4, 2012

7:00 p.m.

MEETING #4889

CALL TO ORDER

ROLL CALL

INVOCATION by Dr. Jerry Ketner of New Hope on the Plains

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).

CONSENT CALENDAR

1. Approval of City Commission Meeting minutes, May 21, 2012;
2. Approval of City Commission Work Session minutes, May 21, 2012;
3. Appropriation Ordinance No. 11, June 4, 2012;
4. Cereal Malt Beverage Licenses;
 - a. El Charro of DC, LLC, 1209 W. Wyatt Earp

ORDINANCES & RESOLUTIONS

Ordinance No. 3538: 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. Report by Director of Developmental Services, Dennis Veatch.

Ordinance No. 3539: 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. Report by Director of Developmental Services, Dennis Veatch.

Resolution No. 2012-19: A Resolution of the City of Dodge City, Kansas, Authorizing Payment of the Costs of Improvements to the City Public Water Supply System. Report by City Clerk/Director of Finance, Nannette Pogue.

Resolution No. 2012-20: A Resolution Authorizing the Improvement or Reimprovement of Certain Main Trafficways Within the City of Dodge City, Kansas; and Providing for the Payment of the Costs Thereof. Report by City Clerk/Director of Finance, Nannette Pogue.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Prairie Plat Additional Final Plat. Report by Director of Developmental Services, Dennis Veatch.
2. Approval of Bids for Utility Water Supplies. Report by Assistant Superintendent of Public Works, Corey Keller.
3. Approval of Interlocal Agreement between the City of Dodge City, City of Garden City, City of Hutchinson, City of Newton, City of La Junta, CO, City of Lamar, CO, and the City of Trinidad, CO in relation to the Southwest Chief rail line. Report by City Manager, Ken Strobel.
4. Authorization for Staff to Submit a Letter of Support for Garden City REAP Grant request. Report by City Manager, Ken Strobel.

OTHER BUSINESS

ADJOURNMENT

CITY COMMISSION MINUTES

City Hall Commission Chambers

Monday, May 21, 2012

7:00 p.m.

MEETING #4888

CALL TO ORDER

ROLL CALL: Commissioners Rick Sowers, Kent Smoll, Michael Weece, Brian Delzeit and Jim Sherer.

INVOCATION by Gerald Mendenhall of the Friends Church

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Mayor Rick Sowers opened the Public Hearing on Byrne Memorial Justice Assistance Grant for Equipment for the Dodge City Police Department. Mayor Rick Sowers closed the Public Hearing.

PETITIONS & PROCLAMATIONS

National Public Works Week Proclamation was presented by Mike Klein, Superintendent of Public Works. He publically thanked all Public Work Employees for their dedicated service. Kansas APWA presented the Dodge City project Special Events Center as project of the year and are up for a National Award.

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).

Summer Bates, Director of the Carnegie Center for the Arts, talked about the display currently at the Carnegie Center, motorcycle racing history in Dodge City.

CONSENT CALENDAR

1. Approval of City Commission Meeting minutes, May 7, 2012;
2. Approval of City Commission Work Session minutes, May 7, 2012;
3. Appropriation Ordinance No. 10, May 21, 2012;
4. Cereal Malt Beverage Licenses;
 - a. Tianguis's Carniceria LLC, 512 S. 2nd Avenue
 - b. Alpha Git-N-Go, 2305 W. Wyatt Earp Blvd
5. Approval of Lease with Crotts Aircraft Service, Inc. at the Airport.

Commissioner Michael Weece moved to approve the Consent Calendar as presented, seconded by Commissioner Kent Smoll. The motion carried unanimous.

ORDINANCES & RESOLUTIONS

Ordinance No. 3536: Commissioner Jim Sherer moved to approve an Ordinance Levying Special Assessments on Certain Property (Interfaith Housing Project) to Pay the Costs of Internal Improvements in the City of Dodge City, Kansas as Heretofore Authorized by Resolution No. 2010-13 and 2010-04 and Providing for the Collection of Such Special Assessments. Commissioner Michael Weece seconded the motion. Motion passed unanimously.

Ordinance No. 3537: Commissioner Kent Smoll moved to approve an Ordinance Establishing No Parking on 14th Avenue From McArtor Road to the South City Limits and Providing Penalties for the Violation of the Provisions of this Ordinance. Commissioner Brian Delzeit seconded the motion. Motion passed unanimously.

UNFINISHED BUSINESS

NEW BUSINESS

1. Commissioner Jim Sherer moved to approve of Contract with Finney County Committee on Aging for Public Transportation Dispatch. Commissioner Michael Weece seconded the motion. Motion passed unanimously.

OTHER BUSINESS

Commissioner, Jim Sherer:

- Asked about weekly report item from Animal Control and Citations for pit bulls; and
- Speed Limit on Avenue P – has this been resolved with Ford County.

Mayor, Rick Sowers:

- Thanked Staff for State of the City address; and
- Commented on the Events at the Event Center.

Commissioner, Kent Smoll:

- Thanked Mayor Sowers, Ken Strobel and all the Staff who worked on the State of the City address;
- Thanked Public Works and all City Staff – getting ready to start busy season; and
- Encouraged everyone to shop local.

ADJOURNMENT: Commissioner Kent Smoll moved to adjourn the meeting; Commissioner Jim Sherer seconded the motion. The motion carried unanimously.

Rick Sowers, Mayor

ATTEST:

Nannette Pogue, City Clerk

CITY COMMISSION WORK SESSION MINUTES

City Hall Commission Chambers

Monday, May 21, 2012

6:00 p.m.

MEETING #4887

ROLL CALL: Mayor Rick Sowers, Commissioners Michael Weece, Kent Smoll, Brian Delzeit and Jim Sherer.

WORK SESSION

Public Transportation Program Options was presented by Paul Lewis, Director of Parks & Recreation.

Rick Sowers, 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, Ford County

SECTION 1 - LICENSE TYPE

Check One: ☐ New License ☒ Renew License ☐ Special Event Permit

Check One:

- ☒ License to sell cereal malt beverages for consumption on the premises.
☐ License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensee's premises.

SECTION 2 - APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required): 004-452403005F-01

Name <u>Catherine Rincon</u>	Phone No. <u>620-225-0371</u>	Date of Birth <u>6-22-1978</u>
Residence Street Address <u>1209 W. Wyatt Earp</u>	City <u>Dodge City</u>	Zip Code <u>67801</u>

Applicant Spousal Information

Spouse Name <u>Sylvan Rincon</u>	Phone No. <u>620-225-0371</u>	Date of Birth <u>10-20-1978</u>
Residence Street Address <u>509 Rincon</u>	City <u>Dodge City</u>	Zip Code <u>67801</u>

SECTION 3 - LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)
DBA Name <u>El Chorro of D.C. LLC</u>	Name
Business Location Address <u>1209 W. Wyatt Earp</u>	Address
City <u>Dodge City</u> State <u>KS</u> Zip <u>67801</u>	City State Zip
Business Phone No. <u>620-225-0371</u>	☐ I own the proposed business or special event location. ☐ I do not own the proposed business or event location.
Business Location Owner Name(s) <u>Sylvan: Mike Weber</u>	

SECTION 4 - APPLICANT QUALIFICATION

I am a U.S. Citizen	☒ Yes ☐ No
I have been a resident of Kansas for at least one year prior to application.	☒ Yes ☐ No
I have resided within the state of Kansas for <u>33</u> years.	
I am at least 21 years old.	☒ Yes ☐ No
I have been a resident of this county for at least 6 months.	☒ Yes ☐ 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.	☐ Yes ☒ No
My spouse has previously held a CMB license.	☒ Yes ☐ No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	☐ Yes ☒ No

Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*
From: Dennis Veatch
Date: May 29, 2012
Subject: West Hwy 50 Add. Annex
Agenda Item: Ordinance No. 3538

Recommendation: City staff recommends approval of this annexation ordinance.

Background: Kansas Lodging I, LLC, submitted a petition to annex the proposed property and request that resolution, notice to public hearing in connection with the request be waived and that the matter proceeds before the City Commission for its action.

Justification: This is a voluntary annexation. This property is adjacent to the existing City Limits and city services will be available to the property.

Financial Considerations: None

Purpose/Mission: To provide overall growth to the community and provide city services to developed areas.

Legal Considerations: None

Attachments: Ordinance No. 3538 and a map showing the proposed area.

ORDINANCE NO. 3538

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 THEROF, AND PLACING THE PROPERTY IN A VOTING WARD.

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

SECTION 1: By the virtue of the authority granted by K.S.A. 12-520 and by one or more of the conditions listed therein being fulfilled, the following described real property located in Ford County, Kansas is hereby annexed to, and made part of the City of Dodge City:

Lot Four (4), Block One (1), West HWY 50 Addition, Ford County, Kansas, subject to easements, restrictions and reservations of record.

SECTION 2: The property annexed is currently zoned A, “Agricultural” and will be designated RS, Residential Suburban”, in accordance with the Dodge City Zoning Regulations.

SECTION 3: The property annexed is placed in the 12th voting precinct.

SECTION 4: The City Clerk shall file a certified copy of this ordinance with the County Clerk and Register of Deeds of Ford County, pursuant to K.S.A 12-522.

SECTION 5: This ordinance shall take effect, from and following its publication in the official City paper, as provided by law.

PASSED BY THE CITY OF DODGE CITY GOVERNING BODY, IN REGULAR SESSION AND APPROVED BY THE MAYOR, THIS FOURTH DAY OF JUNE 2012.

RICK SOWERS, MAYOR

ATTEST:

NANNETTE POGUE, CITY CLERK

**BEFORE THE CITY COMMISSION OF THE CITY OF DODGE CITY, KANSAS
PETITION FOR ANNEXATION OF CERTAIN REAL ESTATE**

COMES NOW Kansas Lodging I, LLC. and hereby petitions the City Commission of the City of Dodge, Kansas to annex into the City of Dodge City, Kansas certain real estate owned by The Victory Electric Cooperative Association, Inc. and more specifically described herein:

In support of the Petition, Kansas Lodging I, LLC. alleges and states:

1. Lot Four (4), block One (1), in Final Plat of West Hwy 50 Addition, an Addition in Ford County, Kansas, according to the recorded Plat thereof, subject to easements, restrictions and reservations of record.
2. The above described property adjoins the City;
3. That due to use of said property and the desirability of City services to said property, it is mutually desirable the said described property be annexed into to the City of Dodge City, Kansas;
4. That pursuant to the provisions of K.S.A. 12-520(a)(f), Kansas Lodging I, LLC. hereby requests that resolution, notice and public hearing in connection with this request be waived and that the matter proceed before the City Commission for its action;

Respectfully submitted, Kansas Lodging I, LLC.

by _____

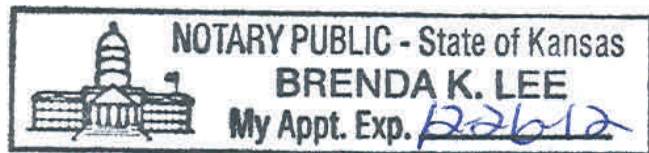
Jonathan Pitman, Member.

STATE OF KANSAS)

) SS

COUNTY OF FORD)

BE IT REMEMBERED, That on this 15th day of May 2011, before me, a notary public in and said county and state, came the above mentioned landowner to me personally known to be the persons who executed the foregoing instrument of writing, and who duly acknowledged the execution of same, in testimony whereof, I have set my hand and affixed my notarial seal the day and year above written.



Brenda K. Lee
Signature: Notary Public

Brenda K. Lee
Print Name: Notary Public

My commission expires: Dec. 26, 2012

Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*
From: Dennis Veatch
Date: May 29, 2012
Subject: Allphin Add No. 2 Annex
Agenda Item: Ordinance No. 3539

Recommendation: City staff recommends approval of this annexation ordinance.

Background: Dharmesh Bhakta, submitted a petition to annex the proposed property and request that resolution, notice to public hearing in connection with the request be waived and that the matter proceeds before the City Commission for its action.

Justification: This is a voluntary annexation. This property is adjacent to the existing City Limits and city services are available to the property.

Financial Considerations: None

Purpose/Mission: To provide overall growth to the community and provide city services to developed areas.

Legal Considerations: None

Attachments: Ordinance No. 3539 and a map showing the proposed area.

ORDINANCE NO. 3539

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 THEROF, AND PLACING THE PROPERTY IN A VOTING WARD.

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

SECTION 1: By the virtue of the authority granted by K.S.A. 12-520 and by one or more of the conditions listed therein being fulfilled, the following described real property located in Ford County, Kansas is hereby annexed to, and made part of the City of Dodge City:

Lots One (1) and Two (2), Block One (1) and Lots One (1) and Two (2), Block Two (2), Allphin Addition No. 2, Ford County, Kansas along with the adjacent Access Road to the South, the 20 foot Alley to the West and all of the Matt Down Right-of-Way to the East subject to easements, restrictions and reservations of record.

SECTION 2: The property annexed is currently zoned A, “Agricultural” and will be designated RS, Residential Suburban”, in accordance with the Dodge City Zoning Regulations.

SECTION 3: The property annexed is placed in the 11th voting precinct.

SECTION 4: The City Clerk shall file a certified copy of this ordinance with the County Clerk and Register of Deeds of Ford County, pursuant to K.S.A 12-522.

SECTION 5: This ordinance shall take effect, from and following its publication in the official City paper, as provided by law.

PASSED BY THE CITY OF DODGE CITY GOVERNING BODY, IN REGULAR SESSION AND APPROVED BY THE MAYOR, THIS FOURTH DAY OF JUNE 2012.

RICK SOWERS, MAYOR

ATTEST:

NANNETTE POGUE, CITY CLERK

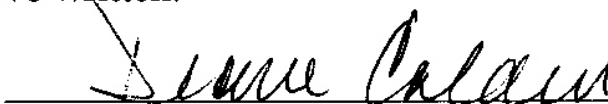
COMES NOW Dharmesh Bhakta, authorized representative of, Ford County, Kansas, and hereby petitions the City of Dodge, Kansas to annex into the City of Dodge City, Kansas certain real estate owned by Dharmesh Bhakta and more specifically described herein: Lots One (1) and Two (2) in Block One (1) and Lots One (1) and Two (2) in Block Two, Allphin Addition No. 2, located in the East Half (E/2) of the Southeast Quarter (SE/4) of Section 28, Township 26 South, Range 25 West of the 6th P.M., Ford County Kansas.

1. That Dharmesh Bhakta is the title owner of the following described property located in Ford County, Kansas, to wit: As per attached Allphin Addition phase 2 subject to easements, restrictions and reservations of record.
2. The above described property adjoins the City;
3. That due to the intended use of said property and the desirability of City services to said property, it is mutually desirable the said property be annexed into to the City of Dodge City, Kansas.
4. That pursuant to the provisions of K.S.A. 12-520(a)(f), Dharmesh Bhakta hereby requests that resolution, notice and public hearing in connection with this request be waived and that the matter proceed before the City Commission for its action;
5. Attached hereto and made part hereof by this reference is a copy of Allphin Addition No. 2 reflecting the location of the above described property.

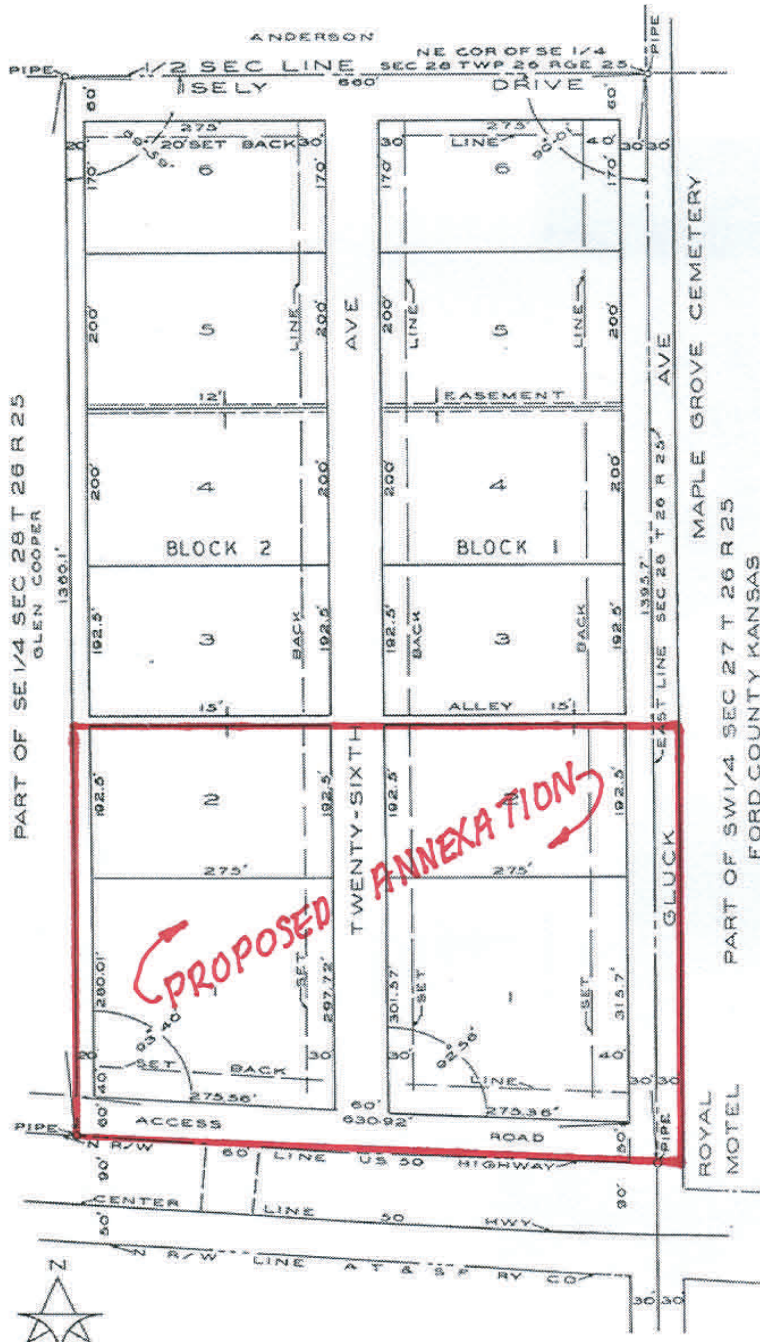
Dharmesh Bhakta

BE IT REMEMBERED, That on the 23rd day of MAY 2012, before me, a notary public In and said county and state, came the above mentioned landowner to me personally known to be the person who executed the foregoing instrument of writing, and who duly acknowledged the execution of same, in testimony whereof, I have set my hand and affixed my notarial seal the day and year above written.

Print Name: Notary Public



ALLPHIN ADDITION NO.2.
DODGE CITY KANSAS
 LOCATED IN THE EAST HALF OF SE 1/4 SEC 28 TWP 26 RGE 25
 FORD COUNTY KANSAS



DEDICATION

WE, THE UNDERSIGNED, CARL R. ALLPHIN AND ALPHIA M. ALLPHIN, HIS WIFE, HEREBY CERTIFY THAT WE ARE THE OWNERS AND PROPRIETORS OF THE FOLLOWING DESCRIBED TRACT OF LAND UPON WHICH ALLPHIN ADDITION NO. 2, AN ADDITION TO THE CITY OF DODGE CITY, KANSAS, LOCATED IN THE EAST HALF OF THE SOUTH EAST 1/4 OF SEC 28 TWP 26 RGE 25 IN FORD COUNTY, KANSAS, TO WIT: BEGINNING AT THE NORTH EAST CORNER OF THE SE 1/4 OF SAID SEC 28; THENCE SOUTH, ALONG THE EAST LINE OF SAID SEC 28, FOR A DISTANCE OF 1395.7 FEET TO THE NORTH RIGHT-OF-WAY LINE OF US HIGHWAY NO. 50; THENCE NORTH-WESTERLY, ALONG SAID NORTH RIGHT-OF-WAY LINE OF US 50 HIGHWAY, FOR A DISTANCE OF 660.92 FEET; THENCE NORTH, PARALLEL WITH THE EAST LINE OF SAID SEC 28, 1360.1 FEET TO THE NORTH LINE OF SAID SE 1/4 OF SEC 28; THENCE EAST 660.0 FEET TO THE POINT OF BEGINNING.

THAT ALL STREETS, AVENUES AND ALLEYS, AS SHOWN ON THE ACCOMPANYING PLAT ARE HEREBY DEDICATED FOR PUBLIC USE.

Carl R. Allphin.
Alphia M. Allphin

STATE OF KANSAS. ss
 FORD COUNTY

BE IT REMEMBERED THAT ON THIS 5TH DAY OF NOVEMBER 1965, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE AFORESAID, CAME CARL R. ALLPHIN AND ALPHIA M. ALLPHIN, HIS WIFE, WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHO EXECUTED THE WITHIN INSTRUMENT OF WRITING AND THE SAME PERSONS DULY ACKNOWLEDGED THE EXECUTION OF THE SAME.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

R. H. Pittman
 NOTARY PUBLIC

MY COMMISSION EXPIRES
 25 June 1968

SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED, PROFESSIONAL ENGINEER, LICENSED IN THE STATE OF KANSAS, HEREBY CERTIFY THAT ALL MEASUREMENTS OF LOTS, STREETS, AVENUES AND ALLEYS, AS SHOWN ON THE ACCOMPANYING PLAT ARE TRUE AND CORRECT

Eng. J. G. Smith PE.

RECOMMENDED FOR APPROVAL

THE DODGE CITY - FORD COUNTY METROPOLITAN PLANNING COMMISSION THIS 7TH DAY OF DECEMBER, 1965.

James W. Smith
 CHAIRMAN

ATTEST:
M. H. Lee
 SECTY.

APPROVED BY

THE GOVERNING BODY OF THE CITY OF DODGE CITY KANSAS THIS 8TH DAY OF DECEMBER, 1965.

Paul B. Hupel MAYOR
O. J. Baymover COMM
William L. Hembright COMM

ATTEST
M. E. Smith
 CITY CLERK

ATTORNEY'S CERTIFICATE

EXAMINED AND APPROVED THIS 8TH DAY OF DECEMBER, 1965.

James B. Myers
 CITY ATTORNEY

RECOMMENDED FOR APPROVAL
 THIS 8TH DAY OF DECEMBER, 1965.

W. B. Smith PE
 CITY ENGINEER

APPROVED BY
 THE BOARD OF COMMISSIONERS OF FORD COUNTY, KANSAS, THIS 10TH DAY OF DECEMBER, 1965.

R. W. Rouboldt CHAIRMAN
William L. Hupel COMM.
B. Wayne Little COMM.

ATTEST
Nathaniel E. Dingdaiff
 COUNTY CLERK

APPROVED BY
James B. Myers
 COUNTY ATTORNEY

Memorandum

*To: Ken Strobel, City Manager
Cherise Tieben, Assistant City Manager*
From: Nannette Pogue
Date: June 1, 2012
Subject: Approval of Resolution No. 2012-19

Agenda Item Ordinance and Resolutions

Recommendation: I recommend the City Commission approve Resolution No. 2012-19.

Background: The City Commission authorized a Loan Agreement on February 6, 2001, with the Kansas Department of Health and Environment (“KDHE”) to provide initial financing for some waterline and other water system improvements in the original principal amount of \$5,960,300. The Loan Agreement was subsequently amended to finance the Project in the principal amount of \$4,394,239.21. The gross interest rate for the loan is 4.25%. The interest rates are currently lower and we are able to refinance this loan into General Obligation bonds at a savings. The first step to refinance this loan is to approve Resolution No. 2012-19 and send the State of Kansas notice stating our intentions.

Justification: The refinancing of the loan will realize savings, thus freeing money for other water and sewer system improvements.

Financial Considerations: There will be refinancing costs, but these costs will be offset by the savings.

Purpose/Mission: We strive for high service standards

Legal Considerations: Gilmore and Bell prepared the Resolution and are preparing all documents necessary to complete the refinancing of the loan.

Attachments: Resolution No. 2012-19.

RESOLUTION NO. 2012-19

A RESOLUTION OF THE CITY OF DODGE CITY, KANSAS, AUTHORIZING PAYMENT OF THE COSTS OF IMPROVEMENTS TO THE CITY PUBLIC WATER SUPPLY SYSTEM.

WHEREAS, K.S.A. 65-163d through 65-163u, as amended (the “Act”), authorize any municipality to acquire, construct, reconstruct, improve, equip, rehabilitate or extend all or any part of a public water supply system and to issue general obligation bonds to pay all or part of any costs thereof; and

WHEREAS, the City of Dodge City, Kansas (the “City”) is a municipality within the terms of the Act and operates a public water supply system, as said term is defined in the Act (the “System”); and

WHEREAS, the governing body of the City has heretofore found and determined it necessary and advisable to upgrade and rehabilitate the existing System by making the following improvements (collectively the “Project”):

- (a) Construction of a new 1.5MG elevated storage tank including approximately 700 linear feet of 12-inch connecting water line;
- (b) rehabilitation and upgrade of the two existing elevated storage tanks;
- (c) improvements to the existing ground storage reservoir pump station;
- (d) modifications to and upgrade of the existing chlorine rooms and equipment;
- (e) construction of approximately 11,460 linear feet of 12 and 16-inch waterline;
- (f) replacement of the existing SCADA system, and
- (g) miscellaneous site work, telemetry controls, valves, piping, monitoring equipment and all related appurtenances thereto.

WHEREAS, the governing body of the City passed Ordinance No. 3308 on July 16, 2011, authorizing the execution of Loan Agreement No. 2229, effective as of February 6, 2001, with the Kansas Department of Health and Environment (“KDHE”) to provide initial financing for the Project in the original principal amount of \$5,960,300, and Loan Agreement No. 2229 was subsequently amended to finance the Project in the principal amount of \$4,394,239.21 (the “Loan”); and

WHEREAS, the City hereby finds and determines that it is necessary and advisable to provide, pursuant to the provisions of the Act, for the issuance of general obligation bonds of the City to provide for the payment of the costs of the Projects and the retirement of the Loans.

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

Section 1. Project Authorization. The governing body of the City hereby ratifies the improvement of the System by the construction of the Project.

Section 2. Project Financing. The costs of the Project, including construction, engineering fees, acquisition of right-of-way and easements, contingencies and administrative expenses is \$5,960,300. The costs of the Projects, interest on interim financing and the Loan, and associated financing costs shall be payable from the proceeds of general obligation bonds of the City issued under authority of the Act (the “Bonds”).

Section 3. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

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ADOPTED AND APPROVED by the governing body of the City of Dodge City, Kansas, on June 4, 2012.

(Seal)

Mayor

ATTEST:

Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 2012-____ of the City of Dodge City, Kansas, adopted by the governing body on June 4, 2012, as the same appears of record in my office.

DATED: June 4, 2012.

Clerk

Memorandum

*To: Ken Strobel, City Manager
Cherise Tieben, Assistant City Manager*
From: Nannette Pogue
Date: June 1, 2012
Subject: Resolution No. 2012-20

Agenda Item Ordinances and Resolutions

Recommendation: I recommend the approval of Resolution No. 2012-20

Background: So that the City can obtain financing for construction projects in the form of general obligation bonds, the project first needs to be authorized by Resolution of the City of Dodge City. In 2012, the City will need new money funding for some of the 2012 Street Projects that the City Commission previously authorized. Those projects are: Beeson Road (mill & overlay) from Kelly Avenue to Minneola Road in the amount of \$175,000; Trail Street (mill & overlay) from 2nd to the east in the amount of \$175,000; and 14th Avenue (asphalt replacement) from Wyatt Earp Blvd. through Spruce Avenue Intersection in the amount of \$130,000. The resolution authorizes these projects.

Justification: To issue General Obligation Bonds or Temporary Notes to fund these projects, street projects needs to be authorized by Resolution.

Financial Considerations: Once the projects are authorized, funding will be issued to fund these projects.

Purpose/Mission: To maintain and improve the infrastructure in Dodge City.

Legal Considerations: None

Attachments: Resolution No. 2012-20

RESOLUTION NO. 2012-20

A RESOLUTION AUTHORIZING THE IMPROVEMENT OR REIMPROVEMENT OF CERTAIN MAIN TRAFFICWAYS WITHIN THE CITY OF DODGE CITY, KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

WHEREAS, K.S.A. 12-687 provides that the governing body of any city shall have the power to improve or reimprove or cause to be improved or reimproved, any main trafficway or trafficway connection designated and established under the provisions of K.S.A. 12-685 *et seq.* (the “Act”), and such improvement or reimprovement may include grading, regrading, curbing, recurbing, guttering, reguttering, paving, repaving, macadamizing, remacadamizing, constructing, reconstructing, opening, widening, extending, rounding corners, straightening, relocating, building any necessary bridges and approaches thereto, viaducts, overpasses, underpasses, culverts and drainage, trafficway illumination, traffic control devices, pedestrian ways, or other improvements or any two or more of such improvements or reimprovements and the acquisition of right-of-way by purchase or condemnation when necessary for any of such purposes; and

WHEREAS, the Act provides that all costs of improvements or reimprovements authorized thereunder, including acquisition of right-of-way, engineering costs, and all other costs properly attributable to such projects, shall be paid by the city at large and may be funded, among others, by the issuance of general obligation bonds; and

WHEREAS, the governing body of the City of Dodge City, Kansas (the “City”), has heretofore designated certain streets within the City as main trafficways, as provided by and under the authority of the Act; and

WHEREAS, said governing body hereby finds and determines that it is necessary to improve or reimprove said main trafficways, and to provide for the payment of the costs thereof, all as provided by and under the authority of the Act.

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

Section 1. Project Authorization. It is hereby deemed and declared to be necessary to improve or reimprove the main trafficways hereinafter set forth under the authority of the Act (collectively the “Project”):

<u>Project Description</u>	<u>Main Trafficway Designation</u>	<u>Project Location</u>	<u>Estimated Cost</u>
Beeson Road (mill & overlay)	Ord. 3169	From Kelley Ave. to Minneola Rd.	\$175,000
Trail Street (mill & overlay)	Ord. 2297	From 2nd Ave. to the East	175,000
14th Avenue (asphalt replacement)	Ord. 3016	From Wyatt Earp Blvd. through Spruce St. intersection	130,000

The Project shall be constructed in accordance with plans and specifications therefor prepared or approved by the City Engineer.

Section 2. Financing Authority. The estimated costs of the Project, interest on interim financing and associated financing costs shall be payable from the proceeds of general obligation bonds of the City issued under authority of the Act (the “Bonds”).

Section 3. Reimbursement. The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation §1.150-2.

Section 4. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

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ADOPTED AND APPROVED by the governing body of the City of Dodge City, Kansas, on June 4, 2012.

(Seal)

Mayor

ATTEST:

Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 2012-____ of the City of Dodge City, Kansas adopted by the governing body on June 4, 2012, as the same appears of record in my office.

DATED: June 4, 2012.

Clerk

Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*
From: Dennis Veatch
Date: May 30, 2012
Subject: 11-15 Prairie Pointe Add.

Agenda Item: New Business

Recommendation: The Dodge City Zoning Board met January 24, 2012 to review the final plat for Prairie Pointe Addition. They are recommending approval of this plat.

Background: Jeff Hancock, SMH Consultants, has submitted an application on behalf of Kansas Builders, LLC, for this plat which will create additional lots for proposed future housing.

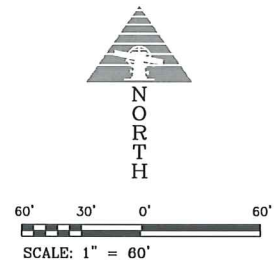
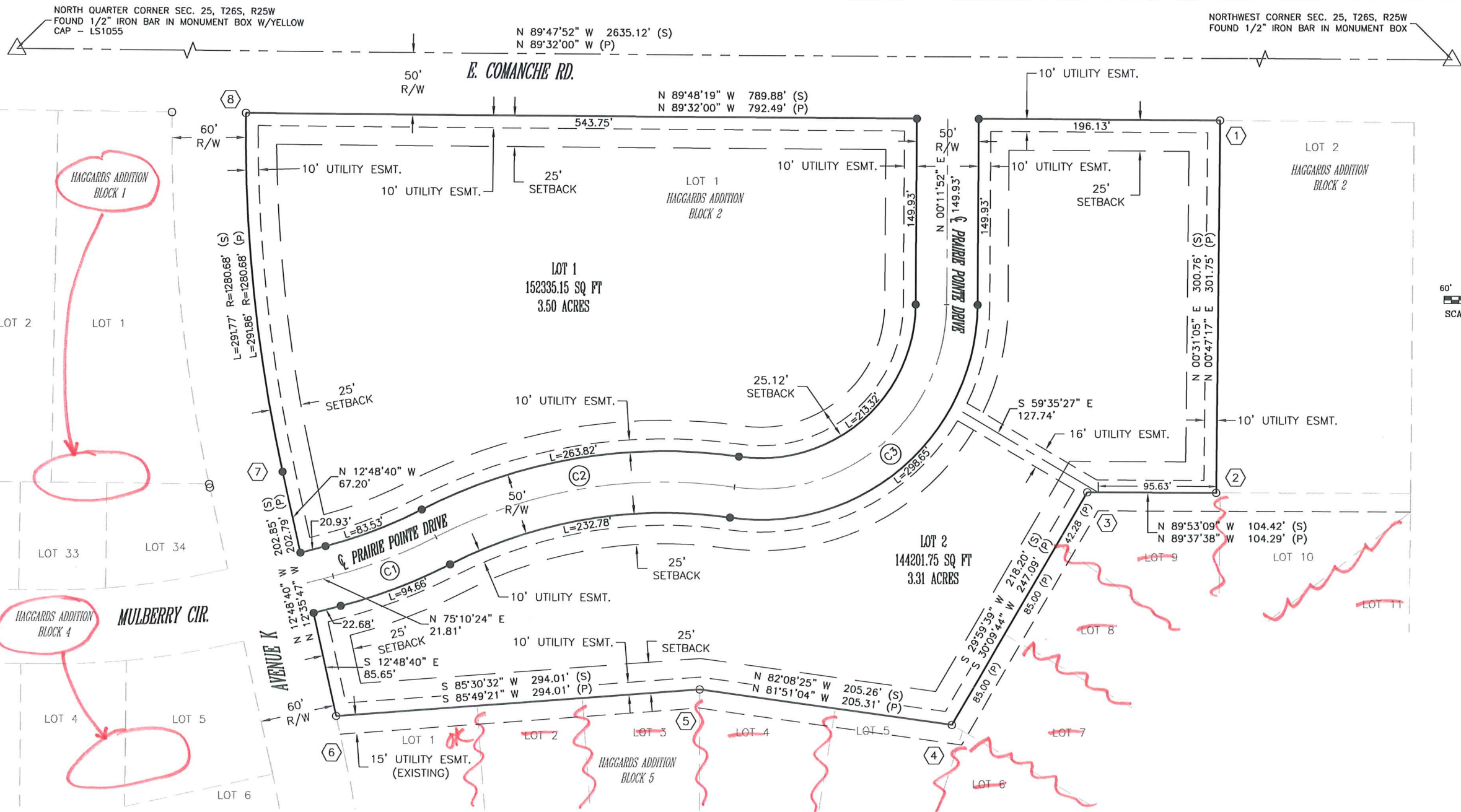
Justification: This plat conforms to the Dodge City Subdivision Regulations, Dodge City Zoning Regulations and the City Comprehensive Plan.

Financial Considerations: None

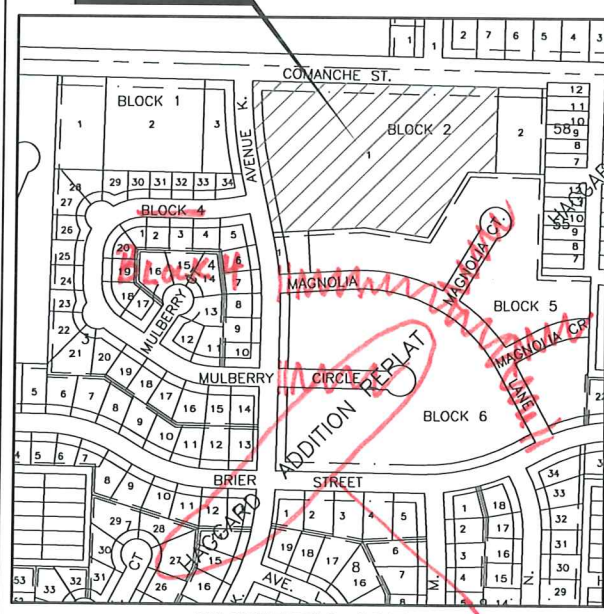
Purpose/Mission: This plat will provide additional property for proposed future housing development.

Legal Considerations: None

Attachments: Plat



PROJECT LOCATION



VICINITY MAP
(NOT TO SCALE)

Prairie Pointe Addition Closure Table

Point ID	Ang Rt	Bearing	Distance	Point ID	Northing	Easting
5		S 00°31'05"W	300.76	6	1715654.68	879221.23
6	90°24'14"	N 89°53'09"W	104.42	7	1715654.88	879116.81
7	240°07'12"	S 29°59'39"W	218.20	654	1715465.91	879007.73
654	112°08'04"	N 82°08'25"W	205.26	652	1715493.97	878804.40
652	192°21'03"	S 85°30'32"W	294.01	655	1715470.95	878511.29
655	98°19'12"	N 12°48'40"W	202.85	903	1715668.75	878466.31

CURVE DEF: Arc
RAD: 1280.68
CHORD: 291.14
SEG: 1612.08

LEN: 291.77
MO: 8.30
TRI: 185221.84

TAN: 146.52
EXT: 8.35

CURVE DIR: CW
CEN. ANG: 13°03'13"
DEGREE: 4°28'26"
SEC: 186833.92

903	90°04'21"	N 77°06'59"E	1280.68	907	1715954.31	879714.75
907	346°56'47"	N 89°49'49"W	1280.68	8	1715958.10	878434.08
903	173°32'45"	N 06°21'25"W	291.14	8	1715958.10	878434.08
8	83°26'54"	S 89°48'19"E	789.88	5	1715955.42	879223.95
5	89°40'36"					

Perimeter: 2407.15 Cumulative Perimeter: 2407.15

Approx: Sq. Feet: 334789.15 Acres: 7.686
Approx: Total - Sq. Feet: 334789.15 Acres: 7.686

Correct Ending Coordinates, North: 1715955.42 East: 879223.95

Ending Coordinates, North: 1715955.42 East: 879223.95
Error, N: -0.01 E: 0.00 Total: 0.01 Brg: N 15°36'55"W
Distance Traversed: 2406.52 Closure: 458800

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	89.09	400.00	12°45'43"	N 68°47'33" E	88.91
C2	248.30	400.00	35°34'00"	S 80°11'42" W	244.34
C3	255.99	150.00	97°46'50"	N 49°05'17" E	226.04

LEGEND

- MONUMENT FOUND (1/2" REBAR), ORIGIN - CORRECTION MAP FINAL PLAT, REPLAT OF A PORTION OF HAGGARDS ADDITION.
- 1/2" X 24" REBAR W/CLS 66 CAP SET.
- (S)(P) SURVEYED DISTANCE AND/OR PLAT DISTANCE

BEARINGS USED FOR THIS SURVEY WERE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER SECTION 25 - TOWNSHIP 26 SOUTH - RANGE 25 WEST, BEARING BEING ASSUMED N 89°47'52" W.

BOUNDARY REFERENCE TIES

SEE SHEET 2 FOR REFERENCE TIES

Final Plat
**PRAIRIE POINTE
ADDITION**

an Addition, City of Dodge City,
Ford County, Kansas



4201B Anderson Avenue, Suite 2 • Manhattan, Kansas 66503
(785) 776-0541 FAX 776-9760 • Email: tim@sloanandmeier.com

Project #110830DE DD #87

JANUARY 2012

Memorandum

*To: City Manager
Assistant City Manager
City Commissioners*

From: Corey Keller

Date: May 31, 2012

Subject: Utility Water Supplies, Bids

Agenda Item: New Business

Recommendation: On May 22, 2012 seven bids were received and opened for Utility Water Supplies. The bid package consists of couplings, meters, brass items, meter jars and lids, repair clamps, gate valves, fire hydrants, mechanical joint fittings and shut off boxes. Supplies will be utilized to maintain and upgrade the City's water system.

As you will notice from the bid tabulation, the major expense of \$ 102,594.75 is for meters. (400 5/8 inch, 20 one inch and 5 two inch) The meters are radio read which will be replacing the old manual read meters. To date we have installed 6,492 radio read meters, 2,166 meters to be changed over to radio read with a total of 8,658 water accounts.

Bid tabulation is attached for your review. Based on the bids received, staff would recommend the following:

Municipal Supply, Hastings, NE

Water Meters	\$ 102,594.75
Other Items	\$ 1,824.00

Total \$ 104,415.75

Water Products, McPherson, KS

Couplings	\$ 5,731.54
Brass	\$ 11,561.99
Repair Clamps	\$ 2,959.80
Fire Hydrants	\$ 22,006.95

Total \$ 42,260.28

HD Supply Waterworks, Wichita, KS

Gate Valves \$ 14,010.00

D-C Wholesale, Concordia, KS

Jars and Lids \$ 6,475.50

Wichita Win Water, Wichita, KS

MJ Fittings \$ 1,064.00

Grand Total \$ 168,228.53

Background: Annually the Water Department restocks the general supplies to make repairs and upgrade the water distribution system.

Justification: Maintaining the water system to provide excellent customer service and fire protection for the citizens of Dodge City.

Financial Considerations:

2012 Budget Fund and Amount:	Water Department, General Supplies	\$ 350,000.00
	Expenditures to date	\$ 96,407.44
	Utilities Supplies Purchase	<u>\$ 168,228.53</u>
	Line Item Balance	\$ 85,364.03

The remaining balance will be utilized through out the year to replace supplies as needed.

Attachments: Bid Tabulation

UTILITY (WATER) SUPPLIES BID 2012

	Couplings	Meters	Brass	Jars & Lids	Mechanical Fittings	Gate Valves	Repair Clamps	Fire Hyd.	Other Items
Municipal Supply	6,788.66	102,594.75	13,655.00	No Bid	1,340.32	14,900.74	3,521.58	22,650.00	1,824.00
Hajoca Corp.	No Bid	No Bid	13,983.00	No Bid	No Bid	15,041.50	No Bid	23,130.00	1,850.00
Water Products Inc	5,731.54	No Bid	11,561.99	6,769.92	1,960.40	*10,422.45	2,959.80	22,006.95	No Bid
HD Supply	6,278.00	No Bid	12,036.00	No Bid	1,792.00	14,010.00	3,130.00	22,485.00	2,754.00
Salina Supply	8,242.44	No Bid	13,992.82	No Bid	No Bid	16,207.62	3,983.56	23,143.80	1,846.00
DC Wholesale	No Bid	No Bid	No Bid	6,475.50	No Bid	No Bid	No Bid	No Bid	No Bid
Winwater	8,398.00	No Bid	14,484.75	7,125.30	1,064.00 Tyler Domest	*9,990.00 Clow	4,091.00	20,205.00 CLOW	No Bid

*Winwater spec was Clow brand, not the ones specified

*Water products partial bid

TOTAL COST OF BID 2011 \$168,228.53

Memorandum

To: Commissioners
From: Ken Strobel, City Manager
Date: 05-31-12
Subject: Amtrak Coalition Interlocal Agreement
Agenda Item: New Business

Recommendation: Staff recommends approval of the Interlocal Agreement of the Amtrak Coalition.

Background: Due to maintenance issues on the BNSF rail lines, Amtrak may be forced to relocate from the Southwest Chief route. Seven communities in Kansas and Colorado have agreed to join resources in an attempt to correct issues on this route line which may allow the retention of the Southwest Chief's transportation service to our area.

Justification: The interlocal agreement provides for the financing of certain services in an effort to retain the Southwest Chief and provides for the accounting of the funds through the Southwest Kansas Coalition account.

Financial Considerations: Funds were approved at the March 6th meeting.

Purpose/Mission: By working to improve the Southwest Chief line throughout several states, we are working to assure ongoing improvement of this transportation method and provide safe transportation now and in the future.

Legal Considerations: None

Attachments: Interlocal Agreement

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT (Agreement) made and entered into this ____ day of _____, 2012, by and between the CITY OF GARDEN CITY, KANSAS, (**Garden City**), the CITY OF DODGE CITY, KANSAS, (**Dodge City**), the CITY OF HUTCHINSON, KANSAS, (**Hutchinson**), the CITY OF NEWTON, KANSAS, (**Newton**), the CITY OF LA JUNTA, COLORADO, (**La Junta**), the CITY OF LAMAR, COLORADO, (**Lamar**), and the CITY OF TRINIDAD, COLORADO, (**Trinidad**), collectively referred to as **Municipalities**.

WHEREAS, it is the desire of the **Municipalities** to make the most efficient use of their powers by cooperating to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of the community; and

WHEREAS, it is necessary for the **Municipalities** to enter into this Agreement to specify the arrangement between the **Municipalities** for funding the purpose of this Agreement.

NOW, THEREFORE, in consideration of the terms and conditions set forth below, the **Municipalities** agree as follows:

1. **PURPOSE.** The **Municipalities** enter into this Agreement for the purpose of retaining the services of Alston & Bird LLP (Alston & Bird) to provide services to the **Municipalities** related to the funding for, or continuation of, the Southwest Chief rail line servicing the **Municipalities**. Specifically, Alston & Bird will pursue a federal legislative strategy to advocate on behalf of the **Municipalities**, including outreach and contact with the Executive Branch and Congress, all as more specifically set forth in an engagement letter from Alston & Bird.

This Agreement shall represent an organization of local governments coming together for the purpose of studying a common rail transportation problem. In addition, it is a goal of the parties to this Agreement to promote intergovernmental cooperation in furtherance of the continuation of the Southwest Chief rail service.

2. **FUNDING.** The **Municipalities** agree to fund the services of Alston & Bird by contributing funds in the following amounts:

Garden City	\$20,000
Dodge City	\$20,000
Hutchinson	\$20,000
Newton	\$15,000
La Junta	\$20,000
Lamar	\$10,000
Trinidad	\$20,000

3. **ACCOUNT.** The funds from the **Municipalities** will be placed in an account at Western State Bank, Dodge City, Kansas, maintained by the Southwest Kansas Coalition, although the funds are for the specific purpose of this Agreement, and for the benefit of the **Municipalities**, and not for any other purpose associated with the Southwest Kansas Coalition. The funds shall be paid on or before July 1, 2012.

4. DURATION/TERMINATION. This Agreement shall terminate upon the completion of services by Alston & Bird, or the exhaustion of all funds in the Southwest Kansas Coalition account, whichever occurs first. Should funds remain in the account upon termination of this Agreement, they will be returned to the **Municipalities** on a pro-rata basis according to the percentage of funds initially contributed for this Agreement.

5. AUTHORITY TO CONTRACT. The **Municipalities** possess the power, privilege, and/or authority to enter into this Agreement.

6. ADOPTION. The **Municipalities** shall take all appropriate action to adopt and approve this Agreement by ordinance, resolution, or motion.

7. SEPARATE ENTITY/ADMINISTRATION. It is not the intent of the **Municipalities** to create a separate legal or administrative entity to perform the functions of this Agreement. The City Managers or City Administrators shall be responsible for administration of this Agreement, subject to approval by the governing bodies of the **Municipalities**. The City Managers of Garden City and/or Dodge City shall be vested with the authority to sign an engagement letter with Alston & Bird.

8. MANNER OF FINANCING. The manner of financing to support the purpose of this Agreement shall be through expenditure of general funds as appropriated annually by the **Municipalities**.

9. LEGAL RESPONSIBILITY. It is not the intent of the **Municipalities** to relieve any party of any obligation or responsibility imposed upon a party by law.

10. CONTROL OF LEGISLATURE. The **Municipalities** acknowledge and agree that this Agreement is subject to change, termination, or limitations, as may be determined by the Legislatures of the State of Kansas or the State of Colorado.

11. EFFECTIVE DATE. This Agreement shall take effect on June 1, 2012, and after its approval by the governing bodies of the **Municipalities**.

12. GENERAL COVENANTS.

(a) All notices which are required or which may be given hereunder shall be considered as properly given if delivered in writing, personally, or sent by certified mail, postage prepaid, and addressed as follows:

- | | | |
|-----|----------------------------|--|
| (1) | If to Garden City : | City Manager
P. O. Box 998
Garden City, Kansas 67846 |
| (2) | If to Dodge City : | City Manager
P. O. Box 880
Dodge City, Kansas 67801 |

- (3) If to **Hutchinson**: City Manager
125 East Avenue B
Hutchinson, Kansas 67501
- (4) If to **Newton**: City Manager
P. O. Box 426
Newton, Kansas 67114
- (5) If to **La Junta**: City Manager
601 Colorado Avenue
La Junta, Colorado 81050
- (6) If to **Lamar**: City Administrator
102 East Parmenter Street
Lamar, Colorado 81052
- (7) If to **Trinidad**: City Manager
135 North Animas Street
Trinidad, Colorado 81082

Notices served by mail shall be deemed to be given on the date on which such notice is deposited in the United States mail.

- (b) This document incorporates all the obligations, agreements, and understandings of the **Municipalities** hereto, and there are no oral agreements or understandings between the **Municipalities** hereto concerning the purpose covered by this Agreement.
- (c) This Agreement may be amended, changed, or modified, only upon the written consent of all of the **Municipalities**.
- (d) This Agreement shall be binding upon and inure to the benefit of the parties hereto, their respective personal representatives and permitted assigns, subject to approval of the governing bodies of the **Municipalities**.
- (e) This Agreement shall be construed in accordance with the laws of the State of Kansas.

IN WITNESS WHEREOF, the parties hereto have approved this Agreement as indicated herein.

CITY OF GARDEN CITY, KANSAS

Dated: _____

By _____
DAVID D. CRASE, MAYOR

CITY OF DODGE CITY, KANSAS

Dated: _____

By _____
RICK SOWERS, MAYOR

CITY OF HUTCHINSON, KANSAS

Dated: _____

By _____
DAVID RAZO, MAYOR

CITY OF NEWTON, KANSAS

Dated: _____

By _____
RACQUEL L. THIESEN, MAYOR

CITY OF LA JUNTA, COLORADO

Dated: _____

By _____
DON RIZZUTO, MAYOR

CITY OF LAMAR, COLORADO

Dated: _____

By _____
ROGER STAGNER, MAYOR

CITY OF TRINIDAD, COLORADO

Dated: _____

By _____
JOHN RINO, MAYOR

Memorandum

To: City Commissioners
From: Ken Strobel
Date: 6-1-12
Subject: Letter of Support
Agenda Item: New Business

Recommendation: Staff recommends the Commission authorize the City Manager and Mayor to sign the letter of support for the Garden City 2013 Affordable Airfare Grant Application.

Background: In 2011, the City of Dodge City fully embraced the efforts of regionalism, as we assisted, the City of Garden city in securing the first Affordable Airfare Grant to be received in western Kansas. Through the assistance of Dodge City and the grant the financing gap necessary for Garden City to secure American Eagle's regional jet service was filled.

Justification: The regional effort has benefited both the Dodge City Regional Airport through increased enplanements and provided the citizens of Western Kansas with dual hub service with west bound service through Dodge City and east bound service through Garden City.

Financial Considerations: None

Purpose/Mission: Through regional cooperative efforts, we have improved our air service for our citizens and citizens in Western Kansas

Legal Considerations: None

Attachments: Letter of Support

Mr. Joe Yager
Chief Executive Officer
REAP
1845 Fairmont
P.O. Box 155
Wichita, KS 67260

June 1, 2012

RE: Garden City 2013 Affordable Airfares Program Grant Application

Dear Mr. Yager,

Please accept this letter as evidence of the support of the City of Dodge City for the application of the City of Garden City, for a Grant from the Affordable Airfare Fund in the amount of \$250,000.00 for the purpose of assisting in the establishment of a Regional Airport in Western Kansas.

As reflected in the Garden City application, the regional jet service has been very successful for the area. In addition, our Dodge City Regional enplanements have increased for west bound service through Denver.

In Dodge City we believe the goal of the Affordable Airfares Fund has been met with great success through the funding assistance it has provided Garden City Regional Airport to enable them and American Eagle to keep airfares affordable for citizens of the region. The request also fulfills the regionalization concept that REAP itself has promoted and western Kansas has embraced in order to better serve our citizens. Therefore, the City of Dodge City encourages the REAP Executive Committee to approve the Affordable Airfare Fund grant requested by the City of Garden City to assist in maintaining the regional jet service provided by American Eagle.

Thank you for this opportunity to participate in this important venture and for your favorable consideration of the grant request as submitted by the City of Garden City, Kansas.

Sincerely,

Rick Sowers
Mayor

Ken Strobel
City Manager