CALL TO ORDER

ROLL CALL

PUBLIC HEARING

For Consideration of Amending STAR Bond District

ORDINANCES & RESOLUTIONS

Ordinance No. 3684: An Ordinance of the Governing Body of the City of Dodge City, Kansas Removing Real Property From the Existing STAR Bond Project District Within The City and Making Certain Findings in Conjunction Therewith.

NEW BUSINESS

1. Approval of Dodge City Middle School Athletic Fields and Drainage Improvements. Report by Director of Engineering Services, Ray Slattery.

ADJOURNMENT
Memorandum

To: City Commissioners
From: Cherise Tieben
Date: April 20, 2018
Subject: Removal of area from STAR Bond District
Agenda Item: Ordinance No. 3684

Recommendation: Staff recommends approval of Ordinance No. 3684 which authorizes the removing of unnecessary land in the Power Center Area from the existing STAR Bond Project District.

Background: As you are aware, this area caused consternation for several citizens and as a part of work with Dodge City Community College, we agreed to remove this land as it was unnecessary to the final project that it is today. We are also removing land to the south of the Farm Credit facility as again, it is not included in the final project.

Justification: The Power Center Area project is a great project for our community and will allow us the opportunity to finish many great projects in our Heritage District area. In addition, with this amendment to the District we will relieve the anxiety of citizens that had concerns with certain properties being included in the District.

Financial Considerations: None

Purpose/Mission: Together we value progress, growth & new possibilities by providing and preparing for the community’s future.

Legal Considerations: The Ordinance was prepared by legal counsel.

Attachments: Ordinance #3684
ORDINANCE NO. 2018-3684

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS REMOVING REAL PROPERTY FROM THE EXISTING STAR BOND PROJECT DISTRICT WITHIN THE CITY AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH

WHEREAS, the City of Dodge City, Kansas (the "City") desires to promote, stimulate and develop the general and economic welfare of the City and the state of Kansas (the "State") and to assist in the development and redevelopment of eligible areas within the City, thereby promoting the general welfare of the citizens of the State and the City, by authorizing cities and counties to acquire certain property and to issue sales tax and revenue (STAR) bonds for the financing of STAR bond projects pursuant to the provisions of K.S.A. 12-17,160 et seq., as amended (the "Act"); and

WHEREAS, pursuant to the Act, on March 19, 2012, the City adopted Ordinance No. 3527 establishing a STAR bond project district within certain eligible areas of the City, as said terms are defined in the Act;

WHEREAS, pursuant to the Act, on October 23, 2014, the City adopted Ordinance No. 3594 expanding the Heritage Area of the existing STAR bond project district within the City and making certain findings in connection therewith;

WHEREAS, pursuant to the Act, on February 3, 2017, the City adopted Ordinance No. 3650 adding the Power Center Area to the existing STAR bond project district within the City and making certain findings in connection therewith, and a map showing the boundaries of the current STAR bond project district (including the Power Center Area) is attached hereto as Exhibit A;

WHEREAS, the City is authorized to remove real property from an existing STAR bond project district and to modify the STAR bond project district plan;

WHEREAS, prior to the removal of more than fifteen percent (15%) of the real property within a STAR bond project district, the City must provide a feasibility study which shows that the tax revenue from the resulting STAR bond project district within which the STAR bond project is located is expected to be sufficient to pay the project costs;

WHEREAS, the City has provided such a feasibility study for the Governing Body's review; and

WHEREAS, upon deliberations at the April 23, 2018 Commission meeting, the Governing Body hereby deems it advisable to make certain findings and to amend the STAR bond project district to remove approximately 184 acres of real property from the Power Center Area and to amend the STAR bond project district plan pursuant to the Act.
NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS:

Section 1. Findings. The Governing Body of the City hereby finds that the STAR bond project district, as amended by this Ordinance, is a STAR bond project as defined by the Act. The Governing Body further finds that the feasibility study shows that the tax revenue from the STAR bond project district, as amended by this Ordinance, is sufficient to pay the STAR bond project costs.

Section 2. Amendment to STAR Bond Project District. The STAR bond project district is hereby amended to remove approximately 184 acres of real property within the Power District Area which is generally located along North 14th Avenue, starting at Manor Drive on the northern end to certain property located to the north of Comanche Street on the southern boundary (the "Removed Property"). A map generally depicting the Removed Property in the existing STAR bond project district is attached hereto as Exhibit B. A map depicting the boundaries of the amended STAR bond project district (the "Amended STAR Bond District") is attached hereto as Exhibit C, which is incorporated herein by reference and legally described on Exhibit D.

Section 3. Amended STAR Bond District Plan. The STAR bond project district plan for the Amended STAR Bond District (the "Amended STAR Bond District Plan") is hereby approved. The buildings, facilities and improvements to be constructed or improved in each project area of the Amended STAR Bond District are as follows:

Heritage Area

Within the Heritage Area, the Amended STAR Bond District Plan provides for: (1) the renovation and expansion of the Boot Hill Museum, including modernizing the exhibits and attractions; (2) infrastructure and themed aesthetic improvements to Wyatt Earp, Front Street and other portions of the City along and south of Wyatt Earp and throughout the Heritage Area; (3) a themed water park attraction, and accompanying hotel and campground; and (4) construction, renovation and expansion of regional, specialty-themed retail and restaurants to enhance this portion of the community as a regional, national and international tourist destination.

Entertainment Area

Within the Entertainment Area, the Amended STAR Bond District Plan provides for: (1) the construction of approximately 200,000 to 220,000 square feet of big box and junior anchor stores in one or more buildings; (2) construction of approximately 50,000 to 70,000 square feet of restaurants and other pad sites in multiple buildings; (3) approximately 220,000 to 240,000 square feet of in-line soft goods retail in multiple buildings; and (4) construction of one or more hotels.

Power Center Area

Within the Power Center Area, the Amended STAR Bond District Plan provides for: (1) a 50,000 to 75,000 square foot home improvement store; (2) up to 15,000 square feet of smaller, boutique shop space; (3) up to three (3) out parcels totaling approximately
14,000 square feet of high-volume restaurants or other retail concepts; and (4) construction, renovation and expansion of infrastructure and other aesthetic improvements to 14th Street and the Power Center Area to enhance this portion of the community as a super-regional draw.

Section 4. Further Action. The Mayor, City Manager, City Clerk and other officials and employees of the City, including Stinson Leonard Street, LLP as special counsel and Gilmore & Bell, P.C., Bond Counsel, 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 5. Effective Date. This Ordinance shall be effective upon its passage by the City Commission of the City and publication one time in the official newspaper of the City.

THIS ORDINANCE IS ADOPTED by the Governing Body of the City of Dodge City, Kansas, this 23rd day of April, 2018.

CITY OF DODGE CITY, KANSAS

By: _____________________________

Mayor

(SEAL)

By: ______________________________

City Clerk
EXHIBIT A

Map of Current STAR Bond District
EXHIBIT A (continued)
EXHIBIT B

Map of Removed Property
EXHIBIT C

Map of Amended STAR Bond Project District
EXHIBIT C (continued)

POWER CENTER AREA
EXHIBIT D

Legal Description of Amended STAR Bond District

Heritage Area of STAR Bond District – Legal Description

Beginning at the intersection of the east r/w line of Fifth Ave. and the south r/w line of Wyatt Earp Blvd. as the point of beginning; thence north along the east r/w line of Fifth Ave. to the extended south line of the north 60 feet of Lots 41, 42, 43 and 44 of Walnut Street, Original Town; thence west along the said extended line to the west line of Lot 44, Walnut Street, Original Town; thence north along the west line of said Lott 44 to the south line of the platted alley; thence east along the south line of said alley to a point that is 82 feet west of the west r/w line of Fifth Ave.; thence north and parallel with a line that is 82 feet west of the west r/w line of Fifth Ave. to the south r/w line of West Spruce Street; thence east along the south r/w line of said West Spruce Street to the extended east line of the n-s alley in Block 20, Original Town; thence north along the said n-s alley to the south r/w line of West Vine Street; thence east along the south r/w line of said West Vine Street to the west r/w line of Third Ave.; thence south along the west r/w line of said Third Ave. to the extended south line of the e-w alley along Lots 17 thru 24, Gunsmoke Street, Original Town; thence east along the south line of said alley and continuing east extending thru the vacated alley along Lots 9 thru 16, Gunsmoke Street, Original Town; thence continuing along the south line of the e-w alley along Lots 1 thru 8, Gunsmoke Street, Original Town to the west r/w line of Central Ave.; thence south along the west r/w line of said Central Ave. to the projected south r/w line of Military Ave.; thence east along the projected south r/w line of said Military Ave. to the west line of Lot 12, Block 2, F.W. Boyd’s Addition; thence south along the west line of said Lot 12 for a distance of 160 feet to the north line of an e-w alley; thence east along the north line of said e-w alley to the projected west line of Lot 1, Block 9, Centennial Addition; thence south along the projected west line of said Lot 1 to a point that intersects the south r/w line of Wyatt Earp Blvd.; thence east for a distance of 387.07 feet; thence south for a distance of 187.9 feet to the north r/w line of the B.N.&S.F. Railroad; thence west along the north r/w line of said B.N.&S.F. Railroad to the extended east r/w line of Central Ave.; thence south along the extended east r/w line of said Central Ave. to the north r/w line of the BN&SF Railroad; thence west along the north r/w of said BN&SF Railroad which is also the south r/w line of Wyatt Earp Blvd. to extended west line of Lot 49, West Trail Street, Original Town; thence south along the extended west line of said Lot 49 to the north r/w line of West Trail Street; thence east along the north r/w line of said West Trail Street to the west r/w line of South Second Ave.; thence south along the west r/w line of said South Second Ave. to the north line of the Arkansas River; thence in a southwesterly direction along the north line of said Arkansas River to the east line of Young’s Place; thence north along the east line of said Young’s Place to a point that is 528 feet south of the south r/w line of Park Street; thence east for a distance of 245 feet; thence north for a distance of 528 feet to the south line of Park Street; thence east along the south r/w line of said Park Street to the west/north line of the Burlington Northern/Cimarron Valley Railroad; thence northeasterly along the north line of said Burlington Northern/Cimarron Valley Railroad and extending to the point of beginning.

AND

A tract of land beginning at a point along the south r/w line of Military Ave. and the west line of Lot 12, Block 2, F.W. Boyd’s Addition; thence south along the west line of said Lot 12 for a distance of 160 feet to the north line of an e-w alley; thence east along the north line of said e-w alley to the projected west line of Lot 1, Block 9, Centennial Addition; thence south along the projected west line of said Lot 1 to a point that intersects the south r/w line of Wyatt Earp Blvd.; thence east for a distance of 387.07 feet;
thence south for a distance of 187.9 feet to the north r/w line of the B.N. & S.F. Railroad; thence east along the said north r/w line of the B.N. & S.F. Railroad to the southeast corner of Western Beverage; thence northeasterly to the southwest corner of Lot 1, Santa Fe Plaza; thence easterly along the south line of Santa Fe Plaza to the southeast corner of Lot 5, Santa Fe Plaza; thence north along the east line of said Lot 5 to the south r/w line of Wyatt Earp; thence west along the south r/w line of Avenue B; thence north along the extended west r/w line of said Avenue B to the northeast corner of Lot 7, Block 9, Centennial Addition; thence west along the south r/w line of military Ave. to the extended east line of Lot 29, Block 2, Original town; thence north along the extend east line of said Lot 29, Block 2, Original Town to the south r/w of Spruce Street; thence west along the south r/w of said spruce street to the northwest corner of Lot 21, Block 2, Original Town, said corner being on the east r/w line of Avenue A; thence south along the east r/w line of said Avenue A extending to the south r/w line of military Ave.; thence west along the south r/w line of Military Ave. to the point of beginning.

AND

A track of land beginning at a point along the south r/w line of Wyatt Earp Blvd. And the west r/w Line of Second Ave.; thence south along the west line of Second Ave. to the south r/w line of South Front Street as platted in Original Town; thence east along the south r/w line of South Front Street to a point that is 250 feet east of the east r/w line of Second Ave.; thence north to the north r/w line of the B.N. & S.F. Railroad; thence west along the north r/w line of said B.N. & S.F. Railroad, said line also being the extended south r/w line of Wyatt Earp Blvd. to the point of beginning.

Entertainment Area Legal Description

All of the Replat of Mariah Center Lot 1, Block 1, a subdivision of land in Dodge City, Ford County, Kansas excluding Lot 6 and a tract of land described as follows: Commencing at a point that intersects northerly r/w line of Comanche Street with the westerly r/w line of U.S. Highway 50; thence northeasterly along the westerly r/w line of said U.S. Highway 50 for a distance 104 feet to the point of beginning; thence northwesterly and perpendicular with the westerly r/w line of said U.S. Highway 50 for a distance of 50 feet; thence northeasterly and parallel with the westerly r/w line of said U.S. Highway 50 for a distance of 30 feet; thence southeasterly and perpendicular with the westerly r/w line of said U.S. Highway 50 for a distance of 50 feet; thence southwesterly along the westerly r/w line of said U.S. Highway 50; thence a distance of 30 feet to the point of beginning.

And all of BHC Resort Subdivision, a subdivision of land in Dodge City, Ford County, Kansas excluding Lot 1A.

Power Center Area Legal Description

A tract of land located in the east ½ of Section 22, and the west ½ of Section 23, Township 26 south, range 25 west of the 6th principle meridian Ford County, Kansas for the uses of STAR Bond and described as follows: beginning at the southeast corner of Lot 1 of the Fourteenth and Soule Subdivision said point also being on the west right of way line of Fourteenth Ave and on the South line of the northeast quarter of Section 22; thence west along said south line to a point on said line intersecting the extension of the west line of the Fourteenth and Soule Subdivision Unit Two; thence northeasterly to the northern most northwest corner of the Fourteenth and Soule Subdivision Unit Two; thence east along the north line of the Fourteenth and Soule Subdivision Unit Two to the northeast corner thereof also being on the west right of way line of Fourteenth Avenue; thence north along said west right of way line to a point directly across from and perpendicular to a point on the east right of way of Fourteenth Avenue that intersects the extension of the south right of way line of Speirs Street to Northern Street to Manor Drive; thence east to the east right of way line of Fourteenth...
Avenue and the intersection of the south right of way line of Spiers Street to Northern Street to Manor Drive; thence easterly and southerly along said south right of way line and extension thereof to the northerly right of way line of Soule Street; thence westerly along said north right of way line to the southeast corner of Lot 1 Block 1 of the Replat of Rostine Hills; thence northerly and westerly along the eastern boundary of the Replat of Rostine Hills to the east right of way line of Fourteenth Avenue; thence south along said east right of way line to the northwest corner of Lot 2, Block 3 Rostine Hills Addition; thence east along the north line of said Lot 2 to the west right of way line of Thirteenth Avenue; thence south along said west right of way line to the southeast corner of Lot 3, Block 3, Rostine Hills Addition; thence west along the south line of said Lot 3 to the east right of way line of Fourteenth Avenue; thence south along said east right of way line to the northwest corner of Lot 1, Green Hills O'Ford No. 2; thence east along the north line of said Lot 1 to the northeast corner thereof; thence south along the east line of said Lot 1 to the southeast corner thereof; thence west along the south line of said Lot 1 and extension thereof to the west right of way line of Fourteenth Avenue; thence north along said west right of way line to the point of beginning.
Memorandum

To: City Manager  
City Commissioners

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

Date: April 20, 2018

Subject: DCMS Athletic Fields & Drainage Improvements, PL 1604

Agenda Item: New Business

Recommendation: Approve the use of the western portion of the Fire Station and Fire Training Facility property for detention structures due to the school expansion improvements and construction of athletic fields. Authorize staff to send a commitment letter to the School District with your decision. If use of City property is approved, staff recommends including the following stipulations:

- Any deviation from approved plan has to have prior approval.
- All property pins be reestablished after construction.
- Any damage to City Utilities shall be repaired or the cost to repair be reimbursed to the City.
- All City building codes be followed.

Background: Per the City’s Strom drainage Ordinance, when any improvements are done to a non-residential property a storm drainage study must be completed. The goal of the study is to determine the amount of additional run-off from the impervious improvements and minimize downstream flooding. This additional run-off is required to be detained or retained. If detained, the release rate from any detention structure cannot be greater than the run-off rate of the pre-improvement condition. As you are aware, the School District has made improvements to the three nearby schools, DCMS, Northwest and Soule Elementary. The School District also proposes to construct two athletic fields east of DCMS and Soule Elementary. During the review of the individual school plans the School District indicated that they wanted to provide a regional detention facility to offset the quantity and rate of storm water run-off from the school improvements. Staff felt this was a better approach than individual detention facilities. The School District was allowed to proceed with the improvements at the individual schools while the regional detention concept was studied and designed. Staff mentioned to the School District’s design team that in the past the 3rd Ave. drainage basin has seen flooding and if possible look at using a larger storm event to calculate the required detention facility. The design team studied the effects of the individual school improvements and the installation of two athletic fields on the amount of run-off generated and the rate at which it can leave the property. The design team was able to build-in some extra storage capacity in the detention facilities based on using a 100 year storm event. The ordinance requires the drainage study look at a 10 year storm event.

Engineering Staff has reviewed the drainage study provided for the three schools and the athletic
fields along with the final revised plans of the Athletic Fields and Drainage Improvements. The biggest concern was to protect the basement of Fire Station #1 from having detained water enter the building. Based on the Athletic Fields and Drainage Improvements plans the finished floor of the basement is 2.95’ feet above the emergency spill way of the detention structure. The emergency spillway will not be utilized in a 100 year event. Calculations show that in the 500 year event the water elevation of the detention pond will still be 2.12’ below the finished floor of the basement as water flows out the emergency spillway.

**Justification:** In order for the school district to complete their project, a portion of City property will need to the utilized for the detention facilities.

**Financial Considerations:** The City will not have any financial obligation in the project.

**Purpose/Mission:** The completion of this project with the School District would align with the City’s core value of Ongoing Improvements.

**Legal Considerations:** The commitment letter issued to the School District.

**Attachments:** Plan sheets from the DCMS Athletic fields and Drainage Improvements.
LANDSCAPE NOTES:

1. All planting areas shall be mulched with 3-4" of premium cypress mulch. Apply pre-emergent herbicide to beds prior to mulch installation. See Project Specifications.

2. All shrub and groundcover bed areas shall be undercut and graded as required to allow for specified depths of mulch materials. Construct natural landscaped edge along all bed borders that are adjacent to turf grass areas (See Detail 1, Sheet L-918).

3. All trees shall be staked or guyed and tree saucers mulched with 3-4" of premium cypress mulch.

4. All planting beds shall be irrigated with a drip or pop-up spray head system. Irrigation system shall be designed and installed by Owner.

5. Construct natural landscaped edge between all planting beds and turf areas. See Detail 1, Sheet L-918.

6. See Landscape Specifications for additional project requirements.

7. All tree and shrub species listed in this plan are subject to change at the discretion of the Architect, Owner, and City of Dodge City. All plant materials shall meet USDA Hardiness Zone 5B or higher.

SITE LEGEND

EXISTING TREE
PROPOSED TURF
SEEDING. SEE SPECS.
PROPERTY LINE
UTILITY EASEMENT LINE
EXISTING BUILDING WALL

LANDSCAPE PLAN

PLANT SCHEDULE

<table>
<thead>
<tr>
<th>CODE</th>
<th>COMMON NAME</th>
<th>CONT</th>
<th>QTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>SML</td>
<td>ShadeMaster Locust</td>
<td>B &amp; B</td>
<td>9</td>
</tr>
</tbody>
</table>

FLOWERING TREES

<table>
<thead>
<tr>
<th>CODE</th>
<th>COMMON NAME</th>
<th>CONT</th>
<th>QTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>OW</td>
<td>Oklahoma Whitebud</td>
<td>15 gal</td>
<td>5</td>
</tr>
</tbody>
</table>

DECIDUOUS TREES

<table>
<thead>
<tr>
<th>CODE</th>
<th>COMMON NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONT</td>
<td>QTY</td>
</tr>
<tr>
<td>SML</td>
<td>9</td>
</tr>
<tr>
<td>OW</td>
<td>5</td>
</tr>
</tbody>
</table>

C6.0