CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

   National Character Counts Week 2012
   National Family Community Education Week

PUBLIC HEARING

   Advisability of Creating a Community Improvement District

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).

   Clayton Carr, Executive Director of Juvenile Services – Presentation of Annual Information.

   Dodge City Public Library Quarterly Update: Cathy Reeves

CONSENT CALENDAR

1. Approval of City Commission Work Session Minutes, September 17, 2012;
2. Approval of City Commission Minutes, September 17, 2012
3. Appropriation Ordinance No. 19, October 1, 2012;
4. Cereal Malt Beverage License
   b. Kate’s, 305 E. Trail Street
ORDINANCES & RESOLUTIONS

Ordinance No. 3547: No Parking along Morgan Blvd. near the Middle School Entrance/Exit. Report by Director of Engineering Services, Ray Slattery.

Ordinance No. 3548: Installation of Stop Signs at the Brier St and 8th Avenue Intersection. Report by Director of Engineering Services, Ray Slattery.


UNFINISHED BUSINESS

NEW BUSINESS

Approval of Bids for Masonry and Brick Repair at Depot. Report by Director of Parks & Recreation, Paul Lewis

OTHER BUSINESS

ADJOURNMENT
PROCLAMATION

WHEREAS, in times of adversity and triumph alike, the American people have been guided by the strength of our character. With resilience and compassion, we have provided for our neighbors, lifted their spirits, and embraced our shared humanity; and

WHEREAS, during National Character Counts Week, we celebrate our country’s core values and commit to passing them on to the next generation; and

WHEREAS, by setting a positive example for our children we can inspire in them the virtues that define our Nation; personal integrity, bold ingenuity, and a drive to serve others. America’s role models from parents and teachers to community leaders and coaches play an integral role in shaping character. They foster patriotism, promote civic pride; and teach young people to live by the Golden Rule by treating others the way they want to be treated; and

WHEREAS, together, all Americans must cultivate moral fortitude, preach, tolerance, and demonstrate the value of respect for those different from ourselves.

WHEREAS, tragic events in our Nation remind us why it is imperative that we create a climate of acceptance and compassion in our schools and communities; and

WHEREAS, our country has mourned as we have heard heartbreaking stories of promising young men and women subjected to harassment and bulling, driving some out of school, and others to ultimately take their own lives; and

WHEREAS, no family should have to endure such a loss, and no child should feel that alone. Let us honor their memories by striving to make our neighborhoods and schools safe and affirming places for every child to learn, grow and dream.

WHEREAS, our Nation’s character is engrained in our past, central to our present, and key to our future. All of us share a responsibility to preserve and uphold the values that have kept our country strong, prosperous, and free. This week, we resolve to stay true to the American spirit and live according to our highest ideals.

NOW, THEREFORE, I, Rick Sowers, Mayor of the City of Dodge City do hereby proclaim October 14 through October 20, 2012 as National Character Counts Week. I call upon public officials, educators, parents, students, and all Americans to observe this week with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of October, 2012.

________________________________________
Rick Sowers, Mayor

_______________________________
Nannette Pogue, City Clerk

SEAL
PROCLAMATION

WHEREAS, the Family is the core of society; and

WHEREAS, the well-being of the Family is dependent upon the development of the value system, and

WHEREAS, Ford County Association for Family and Community Education with the National Association for Family and Community Education join voices in promoting NAFCE week with the campaign “Make a Date with Your Family.”

WHEREAS, the dates that individuals have with their Families will foster communication, love and understanding within each Family and strengthen their communities.

NOW, THEREFORE, I, Rick Sowers, Mayor of the City of Dodge City, do hereby proclaim the week of October 14 through October 20, 2012 as:

“NATIONAL FAMILY COMMUNITY EDUCATION WEEK”

In the City of Dodge City, I urge all citizens to join Family and Community Education Members and “Make a Date With Your Family.”

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of Dodge City to be affixed this 1st day of October, 2012.

________________________________
Rick Sowers, Mayor

SEAL

_______________________________
Nannette Pogue, City Clerk
<table>
<thead>
<tr>
<th></th>
<th>966</th>
<th>967</th>
<th>968</th>
<th>969</th>
<th>970</th>
<th>336</th>
<th>213</th>
<th>966</th>
<th>967</th>
<th>968</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ethnic</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>White</td>
<td>111</td>
<td>111</td>
<td>111</td>
<td>111</td>
<td>111</td>
<td>111</td>
<td>111</td>
<td>111</td>
<td>111</td>
<td>111</td>
</tr>
<tr>
<td>Female</td>
<td>67</td>
<td>67</td>
<td>67</td>
<td>67</td>
<td>67</td>
<td>67</td>
<td>67</td>
<td>67</td>
<td>67</td>
<td>67</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Age Group</th>
<th>0-6</th>
<th>7-9</th>
<th>10-12</th>
<th>13-15</th>
<th>16-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>Female</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Personal Data</th>
<th>SPV 2010</th>
<th>SPV 2011</th>
<th>SPV 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>White Male</td>
<td>113</td>
<td>113</td>
<td>113</td>
</tr>
<tr>
<td>White Female</td>
<td>39</td>
<td>39</td>
<td>39</td>
</tr>
<tr>
<td>Female</td>
<td>113</td>
<td>113</td>
<td>113</td>
</tr>
</tbody>
</table>

**Juvenile Intake and Assessment**

16th Judicial District Juvenile Services
<table>
<thead>
<tr>
<th>Age Group</th>
<th>Personal Plan</th>
<th>County</th>
<th>Gender</th>
<th>Pre-Release</th>
<th>Program</th>
<th>DIS Exempt</th>
<th>Defendant</th>
<th>Non-Offender</th>
<th>Incarceration</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-6</td>
<td>Female</td>
<td>CHEY</td>
<td>Male</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>6-12</td>
<td>Male</td>
<td>CLARK</td>
<td>Female</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>12-17</td>
<td>Male</td>
<td>PULL</td>
<td>Male</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Total:** 7

**Juvenile Inmate and Assessment**

16th Judicial District Juvenile Services

SPY 2012
Juvenile Justice Custody Case Management

&

Juvenile Intensive Services Probation
### Case Management and ISP Month-End Population for FTZ by Judicial District

<table>
<thead>
<tr>
<th>District</th>
<th>Total Cases</th>
<th>ISP Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>District A</td>
<td>123</td>
<td>45</td>
</tr>
<tr>
<td>District B</td>
<td>345</td>
<td>67</td>
</tr>
<tr>
<td>District C</td>
<td>789</td>
<td>23</td>
</tr>
</tbody>
</table>

### ISP Month-End Population for FTZ by Judicial District

<table>
<thead>
<tr>
<th>District</th>
<th>Total ISP Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>District A</td>
<td>123</td>
</tr>
<tr>
<td>District B</td>
<td>345</td>
</tr>
<tr>
<td>District C</td>
<td>789</td>
</tr>
</tbody>
</table>

---

**Note:** The table and diagram provide a summary of case management and ISP population for FTZs across various judicial districts.
Truancy Prevention, Chronic School Suspensions, CHOICE, USD 443 Long-Term Suspension/Expulsion

Project Educate, USD 443 Long-Term Suspension/Expulsion

Project AIM includes case management services to:

208 served in Project AIM

42 Project Educate, (long-term Suspension/Expulsion

P4 served in Immediate Intervention Program (IIP)

345 served in Juvenile Intake Case Management

651 served in SFY 2011

641 served in SFY 2010

667 served in SFY 2009

Prevention Programming Overview and Demographics
CITY COMMISSION WORK SESSION MINUTES
City Hall Commission Chambers
Monday, September 17, 2012
6:30 p.m.
MEETING #4899

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

WORK SESSION

Presentation of 2011 Audited Financial Statements; Report given by John Henrickson, Kennedy McKee & Company LLP.

________________________________________
Rick Sowers, Mayor

ATTEST:

_______________________________
Nannette Pogue, City Clerk
CALL TO ORDER

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

INVOCATION by John Lucero of the Ford County Jail Ministry

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

Constitution Week Proclamation – September 17, 2012 through September 23, 2012

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).

Bill Mercado –Concerned about Trash Pick-up.

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, September 4, 2012;
2. Approval of City Commission Special Meeting Minutes, September 10, 2012;
3. Appropriation Ordinance No. 18, September 17, 2012;
4. Approval of Change Order 1 of Concrete Street Repair;
5. Approval of Change Order 1 of Candletree #5;
6. Approval of Contract for Water Service for Tract 3 of Green Acres Sub-Division;
7. Approval to reject all bids for Thurow Park Playground Equipment.

Commissioner Kent Smoll moved to approve the Consent Calendar as presented, seconded by Commissioner Brian Delzeit. The motion carried unanimously.

ORDINANCES & RESOLUTIONS
UNFINISHED BUSINESS

NEW BUSINESS

1. Commissioner Jim Sherer moved to approve the purchases of Citation from Saltus Technologies in the amount of $69,012.06, seconded by Commissioner Brian Delzeit. The motion carried unanimously.

2. Commissioner Jim Sherer moved to approve the 2011 City of Dodge City Audited Financial Statements as presented, seconded by Commissioner Joyce Warshaw. The motion carried unanimously.

OTHER BUSINESS

Commissioner, Jim Sherer
• Saturday, September 29, 2012 will be meeting with Mexican officials.

Commissioner, Rick Sowers
• Thanked Commissioners from Garden City and Liberal for attending Southwest Kansas Coalition Meeting.

ADJOURNMENT

Commissioner Brian Delzeit moved to adjourn the meeting; Commissioner Kent Smoll seconded the motion. Motion carried unanimously.

________________________________________
Rick Sowers, Mayor

ATTEST:

______________________________
Nannette Pogue, City Clerk
**SECTION 1 - LICENSE TYPE**

Check One: [ ] New License  [X] Renew License  [ ] Special Event Permit

[X] 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 licensed premises.

**SECTION 2 - APPLICANT INFORMATION**

Kansas Sales Tax Registration Number (required):

<table>
<thead>
<tr>
<th>Name of Corporation</th>
<th>Principal Place of Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boot Hill Museum, Inc.</td>
<td>500 W. Wyatt Earp</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Corporation City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dodge City</td>
<td>KS</td>
<td>67501</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Articles of Incorporation are on file with the Secretary of State.</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phone No.</td>
<td>620-227-8188</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dodge City</td>
<td>KS</td>
<td>67501</td>
</tr>
</tbody>
</table>

**SECTION 3 - LICENSED PREMISE**

<table>
<thead>
<tr>
<th>Licensed Premise (Business Location or Location of Special Event)</th>
<th>Mailing Address (if different from business address)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DBA Name: Boot Hill Museum, Inc.</td>
<td>Name</td>
</tr>
<tr>
<td>Business Location Address: 500 W. Wyatt Earp</td>
<td>Address</td>
</tr>
<tr>
<td>City: Dodge City</td>
<td>State: KS</td>
</tr>
<tr>
<td>Business Phone No.: 620-227-8188</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant owns the proposed business or special event location.</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

**SECTION 4 - OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK**

List each person and their spouse, if applicable. Attach additional pages if necessary.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date of Birth</th>
<th>Date of Election</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kerri Baker</td>
<td>Chairman</td>
<td>6/12/1945</td>
<td>7/1/2015</td>
</tr>
<tr>
<td>Residence Street Address</td>
<td>11092 Yueca Rd.</td>
<td>City</td>
<td>State</td>
</tr>
<tr>
<td>Spouse Name</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residence Street Address</td>
<td></td>
<td>City</td>
<td>State</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date of Birth</th>
<th>Date of Election</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beth Rhoten</td>
<td>Vice-Chairman</td>
<td>3/26/1964</td>
<td>7/1/2015</td>
</tr>
<tr>
<td>Residence Street Address</td>
<td>3307 Central</td>
<td>City</td>
<td>State</td>
</tr>
<tr>
<td>Spouse Name</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residence Street Address</td>
<td></td>
<td>City</td>
<td>State</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date of Birth</th>
<th>Date of Election</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kelly Henrichs</td>
<td>Sec/Treas.</td>
<td>9/25/1957</td>
<td>7/1/2015</td>
</tr>
<tr>
<td>Residence Street Address</td>
<td>500 St. Joseph</td>
<td>City</td>
<td>State</td>
</tr>
<tr>
<td>Spouse Name</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residence Street Address</td>
<td></td>
<td>City</td>
<td>State</td>
</tr>
</tbody>
</table>

AG CMB Corporate Application (Rev. 6.21.11)
INDIVIDUAL/SOLE PROPRIETOR
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES
(This form has been prepared by the Attorney General's Office)

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 licenses premises.

SECTION 2 - APPLICANT INFORMATION
Kansas Sales Tax Registration Number (required): 004-481236736-F01
Name: Riley E. Skaggs
Phone No.: 620-225-9466
Residence Street Address: 305 E. Trail St.
City: Dodge City, KS
Date of Birth: Feb 21, 43
Zip Code: 67801

Applicant Spousal Information
Spouse Name
Residence Street Address
Phone No.
Date of Birth
City
Zip Code

SECTION 3 - LICENSED PREMISE
Licensed Premise (Business Location or Location of Special Event)
DBA Name: Kates
Business Location Address: 305 E. Trail St.
City: Dodge City, KS
State: KS
Zip Code: 67801
Business Phone No.: 620-225-9466
Business Location Owner Name(s): Riley E. Skaggs
Mailing Address (If different from business address)
Name: Kates
Address: 305 E. Trail St.
City: Dodge City, KS
State: KS
Zip Code: 67801

I own the proposed business or special event location.
I do not own the proposed business or event location.

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 67 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
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

AG CMB Individual Application (Rev. 6.21.11)
Memorandum

To: City Manager
   Assistant City Manager
   City Commissioners

From: Ray Slattery,
      Director of Engineering
      Services

Date: September 21, 2012

Subject: Ordinance 3547
No Parking near the Dodge City Middle School

Agenda Item: Ordinances and Resolutions

Recommendation: Approve Ordinance No. 3547

Background: In 2010 the school district reconfigured the entrance/exit to the Dodge City Middle School. As part of this project the Morgan Blvd. crosswalk was moved east to the new entrance/exit location. The City also installed a traffic signal and provided a dedicated left turn lane for east bound traffic and a dedicated right turn lane for west bound traffic at this location. As a result of this work No Parking Zones were established along Morgan Blvd. in the area of the new entrance/exit and crosswalk per Ordinance 3510. The No Parking Zones were needed to provide both site distances for the crosswalk and a lane for the thru traffic around the turn lanes. Earlier this year there were some issues with the No Parking Zone and what was perceived to be a No Parking Zone. This Ordinance will reduce the length of the No Parking Zone past the entrance/exit and crosswalk along the south side of Morgan Blvd. This will provide more parking area for school activities held along Morgan Blvd.

Justification: Per the Standard Traffic Ordinance for Kansas Cities adopted by the City, there shall not be any parking allowed near a crosswalk or fire hydrant. Also parking should not be allowed within the travel lanes of a street.

Financial Considerations: The cost of the installation of a No Parking Sign and painting the curb.

Purpose/Mission: One of the City’s core values in Safety. With the No Parking Zone, the City will be able to provide a safe pedestrian crossing and travel way for the community.

Legal Considerations: N/A
Attachments: Ordinance 3547 and a map of the area.
Ordinance No. 3547

AN ORDINANCE ESTABLISHING NO PARKING ZONE AND LOADING ZONE IN THE VICINITY OF A PUBLIC SCHOOL, REPEALING CONFLICTING ORDINANCE AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

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

Section 1: REPEAL. Sections 2.7.4 and 2.7.5 of Ordinance 3501 (No Parking along Morgan Blvd. near the Entrance), adopted on the 6th day of December, 2010, is hereby repealed.

Section 2: The following traffic control measures are hereby established in the vicinity of DODGE CITY MIDDLE SCHOOL.

2.1 A NO PARKING, STOPPING, OR STANDING ZONE is hereby established along the southern curb of Morgan Blvd. beginning 131’ west of the crosswalk traffic signal west of the school entrance and extending easterly for 215’.

2.2 A NO PARKING, STOPPING, OR STANDING ZONE is hereby established along the northern curb of Morgan Blvd. beginning 213’ east of the crosswalk traffic signal west of the school entrance and extending westerly for 278’.

Section 3: This ordinance shall not repeal or alter the limits of any school zone, or school crossings.

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

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

Passed by the Governing Body of the City of Dodge City and approved by the Mayor, this 1st day of October, 2012.

________________________________________
Rick Sowers, Mayor

Attest:

________________________________________
Nannette Pogue, City Clerk
Memorandum

To: City Manager
   Assistant City Manager
   City Commissioners

From: Ray Slattery,
      Director of Engineering Services

Date: September 21, 2012

Subject: Ordinance No. 3548
   Installation of Stop Signs

Agenda Item: Ordinances and Resolutions

Recommendation: Approve Ordinance No. 3548

Background: The city has received a request that we look at the possibility of installing a Stop Sign at the intersection of Brier St. and 8th Ave. There is a site distance issue at this intersection because of the terrain in the northeast corner of the intersection. Staff set out counters and found that during a 7 day period 10,636 vehicles traveled 8th Ave. and only 4,048 vehicles traveled Brier St. With the 2.5:1 ratio a vehicle traveling 8th Ave. is probably surprised by a vehicle entering the intersection from Brier St.

Justification: Due to the site distance issues, the installation of Stop Signs will make traveling through this intersection safer.

Financial Considerations: The cost of the installation of the Stop Signs.

Purpose/Mission: One of the City's core values in Safety. With the installation of the Stop Signs, the City will be able to provide a safer route for the traveling public.

Legal Considerations: N/A

Attachments: Ordinance 3548 and a map of the intersection.
Ordinance No. 3548

AN ORDINANCE DIRECTING THE INSTALLATION OF A STOP SIGN AT THE INTERSECTION OF 8TH AVE. AND BRIER STREET AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

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

Section 1: A stop sign shall be installed at the intersection of 8th AVE. and BRIER STREET, stopping traffic on BREIR STREET at the intersection.

Section 2: Any person convicted of a violation of the provisions of this ordinance shall be subject to penalties provided by Chapter I, Section 1-116 of the Code of the City of Dodge City.

Section 3: This ordinance shall take effect following its publication in the official City newspaper as provided by law, and after posting of the appropriate signs advising the motoring public of the provisions of this ordinance.

Passed by the Governing Body of the City of Dodge City and approved by the Mayor, this 1st day of October, 2012.

Rick Sowers, Mayor

Attest:

Nannette Pogue, City Clerk
Memorandum

To: Ken Strobel, City Manager
   Cherise Tieben, Assistant City Manager
From: Nannette Pogue
Date: September 27, 2012
Subject: Public Hearing – Advisability of Creating a Community Improvement District
   Ordinance No. 3549 – Making Certain Finding on the Advisability of
   Creating a Community Improvement District

Agenda Item: Public Hearing and Ordinances and Resolutions

Recommendation: I recommend the City Commission open the Public Hearing and hear any comments from the public. If after the public hearing, the Commission finds it advisable to create the Community Improvement District, adopt Ordinance No. 3549.

Background: A petition was filed for the establishment of a community improvement district at the location of the future IHOP restaurant. The Petition was signed by the owners of record at that time for the total property within the proposed community improvement district. After the petition was filed, the sale of the property to IHOP was complete, and the new owner, which is IHOP, sent a letter consenting to the community improvement district. This petition was accepted at the September 4th meeting.

The City Commission adopted Resolution No. 2012-29, on September 4, 2012, that directed that a public hearing be held to consider the advisability of creating a community improvement district and required the City Clerk to give notice of such public hearing. A notice was published in the Dodge City Daily Globe for 2 consecutive weeks, at least 7 days prior to the October 1 meeting notifying the public of consideration of the CID. A notice was also sent to the property owner that filed the petition and the new property owner which is IHOP.

Later in the meeting after the public hearing is complete, the Commission will consider the Ordinance. This ordinance states that the governing body of the City of Dodge City finds and determines it to be advisable to create the proposed community improvement district, authorizes the project, approves the estimated cost of the project, sets forth the boundaries of the district, levies the community improvement district sales tax, and approves the method of financing.

Justification: The Community Improvement District is an economic development tool authorized by the State of Kansas that allows eligible construction costs to be reimbursed
to the developer. The additional sales tax collected in the improvement district is the only amount reimbursed to the developer.

**Financial Considerations:** none

**Purpose/Mission:** We value progress and business growth for the community.

**Legal Considerations:** All legal considerations are being met with the public hearing and adoption of the ordinance. The ordinance will be forwarded to the Director of Taxation for the State of Kansas.

**Attachments:** Ordinance No. 3549.
ORDINANCE NO. 3549

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS MAKING CERTAIN FINDINGS AS TO THE ADVISABILITY OF CREATING A COMMUNITY IMPROVEMENT DISTRICT.

WHEREAS, pursuant to the provisions of the Kansas Community Improvement District Act, K.S.A. 12-6a26 et seq. (the “Act”) cities are authorized to establish community improvement districts, to authorize the performance of community improvement district projects, and to authorize the financing of such projects from the imposition of a community improvement district sales tax to be levied on the sale of tangible personal property or rendering or furnishing of taxable services within the proposed community improvement district in accordance with the Act; and

WHEREAS, the Governing Body of the City of Dodge City, Kansas (the “City”) determined to consider the advisability of creating a community improvement district as described in a petition (the “Petition”) filed for the establishment of a community improvement district in accordance with the Act, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Petition was signed by the owners of record of more than 55% of the total land area and total assessed value of property within the proposed community improvement district; and

WHEREAS, pursuant to the Act, the governing body of the City of Dodge City, Kansas, by Resolution No. 2012-29, adopted on September 4, 2012, directed that a public hearing be held to consider the advisability of creating a community improvement district and requiring the City Clerk to give notice of such public hearing as set forth in the Act; and

WHEREAS, the governing body of the City of Dodge City, Kansas hereby finds and determines it to be advisable to create the proposed community improvement district, authorize the project, approve the estimated cost of the project, set forth the boundaries of the district, levy the community improvement district sales tax, and approve the method of financing.

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

Section 1. Authorization of the Project. The project set forth in Exhibit B, attached hereto and incorporated by reference, is hereby authorized.

Section 2. Approval of the Estimated Cost of the Project. The estimated cost of the project, $2,335,000, is hereby approved.

Section 3. Legal Description and Map of District. The community improvement district created hereunder is described and depicted in a legal description and map exhibit, attached hereto, and incorporated by reference, in Exhibit C and Exhibit D, respectively.

Section 4. Levy of Community Improvement District Sales Tax. A 1.00% community improvement district sales tax is hereby levied within the community improvement district in accordance with the Act on the sale of tangible personal property or rendering or furnishing of taxable services within the community improvement district.
Section 5. **Approval of Method of Financing.** The proposed method of financing for the community improvement district, either by reimbursement of costs on a “pay-as-you-go” basis or the issuance of special obligation bonds, is hereby approved.

Section 6. **Effective Date.** This ordinance shall take effect from and after its passage by the governing body of the City of Dodge City, Kansas and publication in the official City newspaper. This ordinance shall also be filed in the register of deeds in the county in which the community improvement district is located, and a copy of this ordinance shall be provided to the director of taxation of the State of Kansas in accordance with the Act.

**ADOPTED** by the governing body of the City of Dodge City, Kansas on this 1st day of October, 2012.

__________________________
Rick Sowers, Mayor

ATTEST:

__________________________
Nannette Pogue, City Clerk

__________________________
Brad Ralph, City Attorney
EXHIBIT A

Community Improvement District Petition
EXHIBIT B

Community Improvement District Project

The general nature of the proposed project is to promote the development of a new commercial building along a portion of Wyatt Earp Boulevard, as is more particularly described in the Petition, by providing community improvement district financing in accordance with this Petition and with the Act to finance the construction, maintenance, and procurement of certain improvements, costs, and services within the District, including, but not limited to: land acquisition, infrastructure related items, sidewalks, parking lots, buildings, tenant improvements, utilities, landscaping, lighting, signage, marketing and advertisement, cleaning and maintenance, security, soft costs of the Projects, and the City and the petitioner’s administrative costs in establishing and maintaining the District, and any other items permitted to be financed within the District under the Act.
EXHIBIT C

Legal Description

Lots Six (6) and Seven (7), Block Twenty-five (25), Enterprise Addition to the City of Dodge City, Ford County, Kansas according to the recorded Plat thereof, except the South Four (4) Feet of Lot Seven;

Lot Eight (8), except the South Four (S4) feet thereof, and all of Lot Nine (9), Block Twenty-five (25), Enterprise Addition, an Addition to the City of Dodge City, Ford County, Kansas, according to the recorded Plat thereof;

The West 92 feet of Lot Fifteen (15), Block Twenty-Six (26), in Enterprise Addition, an Addition to the City of Dodge City, Ford County, Kansas, according to the recorded Plat thereof; and

The South 20.00 feet of Lots 5 and 10, and all of that part of the vacated alley lying between the South 20.00 feet of Lots 5 and 10, all in Block 25, Enterprise Addition, Dodge City, Ford County, Kansas

-AND-

Lots 7 & 8, BLK 26, LESS ROW; ENTERPRISE ADDITION, Dodge City, Ford County, Kansas
Memorandum

To: City Manager
Assistant City Manager
City Commissioners

From: Paul Lewis, Parks & Recreation Director

CC: Melissa McCoy

Date: September 25, 2012

Subject: Depot Restoration Bids
Agenda Item: New Business

Recommendation: Staff recommends accepting the bid from Mid-Continental Restoration in the amount of $134,660 for Project A, repair of stone work and masonry, and rejecting all bids for Projects C, D & E, window and door repairs and plaster repairs.

Background: On August 23rd, bids were opened for three separate contracts for repairs to the Santa Fe Depot. Project A and B was to repair stone work and re-point masonry as necessary (A for the entire building and B for the south and west elevations only.) Project C and D was to repair and repaint windows and doors and repaint soffits and downspouts again with C encompassing the entire building and D for only the south and west faces. Finally project E was to repair damaged plaster on interior walls of the facility.

Two bids were received for Project A and B. Mid-Continental was the low bid and complied fully with the scope of the project. Their bid included raking out all of the mortar on the stone course and replacing it with a rounded bead similar to the original installation. They will also rake and re-point brick mortar as necessary around the building. Mid-Continental has good references for historical restoration work and they are a contractor that has worked on the building previously and we are pleased with their work.

Two bids were also received for the project that would repair the windows and doors and re-paint soffits. However there were issues with both bids, one bid failed to include an addendum that split the project into segments and was also considerably more expensive than expected. The other bid did not include painting soffits or a contingency number that contractors were asked to include in their bids. Therefore staff recommends that bids for project C and D be rejected and the work bid again in the spring. The architect has offered to provide his services again for a re-bid at no additional expense.

Only one bid was received for the interior plaster work. Both staff and the architect felt it was high and recommend it be rejected. Other options will be explored to facilitate that work.
**Justification:** Completion of this work is essential for the long term sustainability of the building. Presently the stone course around the base of the building is deteriorating and allowing moisture into the wall spaces that is causing the plaster problems inside. That moisture is also causing the stone to flake away and will ultimately fail without these preventive measures. The re-pointing of the brick is also necessary to prevent moisture intrusion into the building.

These projects have been submitted to the Tourism Task Force and CFAB for their approval. Both groups concur with this recommendation and recommend City Commission approval.

**Financial Considerations:** The bid for the mortar and stone work was less than the initial estimate for the project. Funds are budgeted in the Tourism Task Force budget allocated from the organizational funding from Why Not Dodge sales tax.

Because the Depot is listed on the state Historical Register, maintenance work qualifies for tax credits issued by the State of Kansas. Those credits equal 25% of eligible project costs. In this instance the City will receive approximately $33,665 in credits once the project is complete. Those credits will be offered for sale to businesses and individuals and the income received will offset the contract amount. Ultimately the net project cost will be closer to $105,000 after the sale of the tax credits.

**Purpose/Mission:** This project represents the City’s core value of Ongoing Improvement by providing and preparing for the communities future.

**Legal Considerations:** The Depot is listed on the national and state Historical Registers. In order to maintain that status and to qualify for the tax credits, all restoration work has to comply with Dept. of Interior standards for historical renovations. Specifications for this project included that language and the contractor for this project is aware of the requirement and is qualified to perform the work in that manner.

**Attachments:** Bid tabs for Projects A&B, C&D, and E.
<table>
<thead>
<tr>
<th>CONTRACTOR</th>
<th>Bid Security (Yes or No)</th>
<th>ADDENDA 1-4 (Yes or No)</th>
<th>HISTORIC DOC. (Yes or No)</th>
<th>BASE BID</th>
<th>ALTERNATES</th>
<th>UNIT PRICES:</th>
<th>BASE BID + ALTERNATES</th>
<th>Calendar Days Base Bid</th>
<th>Calendar Days (Deduct) Alt 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>MidContinental Restoration Co Project B</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$134,660.00</td>
<td>Alt 1: $17,549 for A &amp; B</td>
<td>$56,496.00</td>
<td>$10,756.00</td>
<td>$32.00</td>
<td>$217.00</td>
</tr>
<tr>
<td>Restoration &amp; Waterproofing Contractors Project B</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$162,830.00</td>
<td>Alt 2: $10,168.00</td>
<td>$68,600.00</td>
<td>$5,644.00</td>
<td>$45.00</td>
<td>$1,350.00</td>
</tr>
</tbody>
</table>
## BID TABULATION - SANTA FE DEPOT - PROJECT 'C' & PROJECT 'D'

**Owner:** City of Dodge City, Kansas  
**Bid Date:** August 23, 2012  
**Bid Opening:** 2:00 pm

<table>
<thead>
<tr>
<th>CONTRACTOR</th>
<th>Bid Security (Yes or No)</th>
<th>ADDENDA 1-4 (Yes or No)</th>
<th>HISTORIC DOC. (Yes or No)</th>
<th>BASE BID</th>
<th>ALTERNATES</th>
<th>UNIT PRICES:</th>
<th>BASE BID + ALTERNATES</th>
<th>Calendar Days (Base Bid)</th>
<th>Calendar Days (Deduct) Alt 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pishny Restoration Project C</td>
<td>Yes</td>
<td>1-4 through 3</td>
<td>Yes</td>
<td>$339,900.00</td>
<td>No Change</td>
<td>$100.00</td>
<td></td>
<td>180</td>
<td></td>
</tr>
<tr>
<td>Pishny Restoration Project D</td>
<td>Yes</td>
<td>1-4 through 3</td>
<td>Yes</td>
<td>$262,500.00</td>
<td>No Change</td>
<td>$100.00</td>
<td></td>
<td>180</td>
<td></td>
</tr>
<tr>
<td>Sutherland Builders Inc. Project C &amp; D</td>
<td>Yes</td>
<td>1-4 through 3</td>
<td>Yes  &amp; faxed</td>
<td>$291,200.00</td>
<td>18,800.00 Da/Ba 128800 Project D</td>
<td>$14,000.00</td>
<td>$9.00</td>
<td>240</td>
<td></td>
</tr>
</tbody>
</table>

**Note:**  
- **Addenda:** 1-4 (Yes or No)  
- **Historic Documents:** (Yes or No)  
- **Security:** (Yes or No)  
- **Calendar Days:** (Base Bid) or (Deduct) Alt 2
<table>
<thead>
<tr>
<th>CONTRACTOR</th>
<th>Bid Security (Yes or No)</th>
<th>ADDENDA 1-4 (Yes or No)</th>
<th>HISTORIC DOC. (Yes or No)</th>
<th>BASE BID</th>
<th>ALTERNATES</th>
<th>UNIT PRICES:</th>
<th>BASE BID + ALTERNATES</th>
<th>Calendar Days Base Bid</th>
<th>Calendar Days (Deduct) Alt 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pishny Restoration</td>
<td>Yes</td>
<td>one through 3</td>
<td>Yes</td>
<td>$52,100.00</td>
<td>No Change</td>
<td>$12.00</td>
<td></td>
<td>60</td>
<td></td>
</tr>
</tbody>
</table>

Bid Date: August 23, 2012
Bid Opening: 2:00 pm