

**AGENDA**  
**CITY COMMISSION MEETING**  
**301 N. 8<sup>th</sup> Street, Garden City, Kansas**  
**Tuesday, February 4, 2014**  
**1:00 P.M.**

- I. **Note: Pre-meeting at 11:00 a.m. – 11:45 a.m., located in the large meeting room at the City Administrative Center to review the future planning of infrastructure growth. Administrative staff will be present and the pre-meeting is open to the public.**
- II. **REGULAR MEETING CALLED TO ORDER AND CITY CLERK ANNOUNCING QUORUM PRESENT.**
- III. **PLEDGE OF ALLEGIANCE TO THE FLAG AND INVOCATION.**
- IV. **APPROVAL OF THE MINUTES OF THE LAST REGULAR MEETING, WHICH IF NO CORRECTIONS ARE OFFERED, SHALL STAND APPROVED.**
- V. **PUBLIC COMMENT    Agenda Schedule Allowance: 30 minutes (5 minutes per spokesperson)**
  - A. Verlon Mask, Bob's Funnel Cakes, will be present to discuss with Governing Body the fees associated with the Non-Local Itinerant Merchant license.
  - B. David Litton, Check-N-Go will be present to discuss with the Governing Body the Itinerant Merchant license.
- VI. **CONSIDERATION OF PETITIONS, MEMORIALS AND REMONSTRANCES.**
  - A. Governing Body consideration and approval for the Mayor to proclaim February 4, 2014 as Youth Theater Program Day.
  - B. Mr. Daryl Hamlett, President of the Tumbleweed Festival, Inc., requests Governing Body consideration for the use of the west green at Lee Richardson Zoo on August 22, 23, and 24, 2014 for the 23<sup>rd</sup> annual Tumbleweed Festival. The request includes set-up August 18 – 22 and teardown August 25 – 26. The request also includes allowing volunteers to drive in gates at no charge, and closing the drive in gates during the festival to maintain safe walking areas.
- VII. **REPORT OF THE CITY MANAGER.**
  - A. Congratulations to Melinda Hitz, Director of Finance, and her department along with Lewis, Hooper, & Dick, LLC on the occasion of receiving the award for the Certificate of Excellence and Financial Reporting from the Government Finance Officers Association.
  - B. The City has received correspondence from Cox Communication regarding negotiations with KSNB (NBC) and KSNB (Telemundo) and channel line-up changes.
  - C. Staff has provided items of information for Governing Body review including the following: from Communications Specialist Freburg the Communications report, from Finance

Director Hitz the month sales tax report and monthly financials, and from Public Works Director Curran the City projects update.

D. Meetings of note:

- ✓ February 1, 2014 – 2014 Kansas Special Olympics Polar Plunge and Strut at the Big Pool
- ✓ February 4-6, 2014 – 40<sup>th</sup> Underground Overhead Metering School at the Exhibition Building at the Fairgrounds.
- ✓ February 15, 2014 – Legislative Coffee in the cafeteria at St. Catherine Hospital at 10:00 a.m.
- ✓ February 21, 2014 – 2014 National TRiO Day at GCCC Beth Tedrow Student Center at 11:30 a.m.
- ✓ February 26, 2014 – Governing Body Annual Goal Setting Retreat at the Finnup Center from 8:30 a.m. – 4:00 p.m.
- ✓ March 13, 2014 – Garden City Area Chamber of Commerce Annual Banquet at GCCC.
- ✓ March 15, 2014 – Legislative Coffee in the cafeteria at St. Catherine Hospital at 10:00 a.m.
- ✓ March 22-25, 2014 – Western Kansas Congressional Reception in Washington, D.C.
- ✓ April 19, 2014 – Legislative Coffee in the cafeteria at St. Catherine Hospital at 10:00 a.m.
- ✓ April 23, 2014 – Earth Day Celebration “Party for the Planet” at Lee Richardson Zoo from 9:00 a.m. – 2:00 p.m.
- ✓ May 17, 2014 – Legislative Coffee in the cafeteria at St. Catherine Hospital at 10:00 a.m.
- ✓ September 18<sup>th</sup> – 20<sup>th</sup>, 2014 - Diversity Dinner and Multi-Cultural Summit

**VIII. CONSIDERATION OF APPROPRIATION ORDINANCE.**

A. Appropriation Ordinance No. 2357-2014A.

**IX. CONSIDERATION OF ORDINANCES AND RESOLUTIONS.**

- A. Ordinance No. \_\_\_\_\_ - 2014, an ordinance defining and regulating vicious dogs in the City of Garden City, Kansas; amending current Code Sections 10-186 and 10-191; repealing current Code Sections 10-186 and 10-191; all to the Code of Ordinances of the City of Garden City, Kansas.
- B. Ordinance No. \_\_\_\_\_-2014, an ordinance regulating off-street parking and loading in the City of Garden City, Kansas; amending the zoning regulations for the City of Garden City, Kansas; amending zoning regulation Article 24; repealing in its entirety current zoning regulation Article 24; all to the Code of Ordinances of the City of Garden City, Kansas.
- C. Ordinance No. \_\_\_\_\_-2014, an ordinance amending the zoning regulations for the City of Garden City, Kansas; adopting new zoning regulations to regulate signs and outdoor advertising; amending zoning regulation Article 23; repealing in its entirety current zoning regulation Article 23; all to the Code of Ordinances of the City of Garden City, Kansas.

- D. Ordinance No. \_\_\_\_\_-2014, an ordinance amending the fees charged to request an amendment to the zoning regulations or the zoning map, and the fees to file an appeal to the board of zoning appeals, in the City of Garden City, Kansas; amending the zoning regulations for the City of Garden City, Kansas by increasing the fees charged; amending zoning regulation Articles 27 and 28; repealing in their entirety current zoning regulation Articles 27 and 28; all to the Code of Ordinances of the City of Garden City, Kansas.
- E. Resolution No. \_\_\_\_\_ - 2014, a resolution establishing an Arts Grant Program and Arts Grant Committee for the purpose of considering requests for funding grants and making recommendations to the Governing Body of the City of Garden City, Kansas.
- F. Resolution No. \_\_\_\_\_ - 2014, a resolution authorizing the removal of tree nuisance from the property listed below in the City of Garden City, Kansas, pursuant to Section 94-64 of the Code of Ordinances of the City of Garden City, Kansas. (601 Pennsylvania, 202 N. 10<sup>th</sup> Street and 801 N. 1<sup>st</sup> Street)
- G. Governing Body consideration and approval of the customer-owned residential and commercial renewable energy generation facilities standards.
  - 1. Ordinance No. \_\_\_\_\_-2014, an ordinance establishing interconnection and installation standards, metering, and a rate rider for parallel operation of customer owned residential and commercial renewable energy generation facilities; creating new Code Section 90-309; all to the Code of Ordinances of the City of Garden City, Kansas.
- H. Resolution No. \_\_\_\_\_-2014, a resolution authorizing the City of Garden City, Kansas to enter into a municipal lease/purchase agreement (lease no. 5000127-005) for Police Department equipment with Clayton Holdings, LLC. (4 – Police Interceptor Utility AWD command vehicles and 2 motorcycles) NOTE: This Resolution would only need considered following approval of the agreement under XI. A.

**X. OLD BUSINESS.**

- A. None at this writing.

**XI. NEW BUSINESS.**

- A. Governing Body consideration and approval of a lease purchase agreement between the City of Garden City, Kansas and Clayton Holdings, LLC. This request includes authorization for the Mayor and City Clerk to sign the lease purchase documents (4 – Police Interceptor Utility AWD command vehicles and 2 motorcycles).
- B. Lee Richardson Zoo requests Governing Body consideration and approval to begin offering free admission on selected days at the zoo’s vehicle gate.
- C. Governing Body consideration and approval of the purchase of 50 Golf Carts to replace the existing fleet, including direction on financing.
- D. 2:00 p.m. Governing Body consideration and approval of issuing a water utility credit to the City of Garden City’s rate payer’s base rate increase, that was adopted by the revised Ordinance Section 90-176 through Section 90-180 adjusting water rates charged.

1. Wheatland Electric Cooperative Requests Governing Body consideration and approval of a motion to authorize the Mayor to sign a “Statement in Support of Wheatland Electric Cooperative, Inc. Motion for Issuance of Interim Rates.” Staff recommends adding this option requested by Wheatland Electric Cooperative in the evaluation of options under XI. D.

E. 2:15 p.m. – Nicole Lucas, Executive Director and representatives from Downtown Vision Inc. will be present to review the quarterly report.

F. Advisory Board Recommendations:

1. Arts Grant Committee – 1 appointment
2. Police Citizens Advisory Board – 1 appointment

G. **Consent Agenda for approval consideration:** (The items listed under this “consent agenda” are normally considered in a single motion and represent items of routine or prior authorization. Any member of the Governing Body may remove an item prior to the vote on the consent agenda for individual consideration.)

1. Governing Body consideration and approval of bids received on January 24, 2014 for the renovation project at the Windsor Hotel. The request includes authorization for the Mayor and City Clerk to execute the contracts.
2. Quit Claim Deed from Suzanne E. Smith transferring Space 8, Lot 41, Zone G of Valley View Cemetery to the City of Garden City, Kansas.
3. Quit Claim Deed from the Heir of J.R. Kiehl transferring Space 3, Lot 191, Zone A of Valley View Cemetery to Michael J. and/or Yalaunda Sue Hahn.

4. Licenses:

**(2014 Renewal)**

- |   |                      |
|---|----------------------|
| a) Bernard Adam .....                             | Class B General      |
| b) Dave Tabor Construction.....                   | Class B General      |
| c) Diamondz Construction .....                    | Class B General      |
| d) Franchise Strategies, Inc.....                 | Class B General      |
| e) Jackson Construction .....                     | Class B General      |
| f) Johnson Septic Tank Service, LLC .....         | Class B General      |
| g) Ryman Construction .....                       | Class B General      |
| h) S&S Enterprises .....                          | Class B General      |
| i) Tim Fuller Construction .....                  | Class B General      |
| j) Integrity Siding & Windows, LLC .....          | Class C General      |
| k) Mark Young Construction, Inc. ....             | Class D-M Mechanical |
| l) Evinger’s Heating & Air, Inc.....              | Class D-M Mechanical |
| m) Lin R. Rogers Electrical Contractors, Inc..... | Class D-E Electrical |
| n) Quality Electrical.....                        | Class D-E Electrical |
| o) Wildcat Electric, LLC .....                    | Class D-E Electrical |
| p) Crist Plumbing .....                           | Class D-P Plumbing   |
| q) Dan’s Electrical Service.....                  | Class D-P Plumbing   |
| r) Dreiling Construction, LLC .....               | Class D-P Plumbing   |
| s) James Bunney Plumbing Service.....             | Class D-P Plumbing   |
| t) Johnson Septic Tank Service, LLC .....         | Class D-P Plumbing   |

- u) Partin Electric .....Class D-P Plumbing
- v) BJ Concrete..... Class E-SOC Specialized
- w) Cartmill Enterprises ..... Class E-SOC Specialized
- x) Ed's Handyman Service ..... Class E-SOC Specialized
- y) Swank Landscaping & Sprinklers (sprinklers) ..... Class E-SOC Specialized
- z) Swank Landscaping & Sprinklers (arborist)..... Class E-SOC Specialized

**XII. CITY COMMISSION REPORTS.**

A. Commissioner Doll

B. Mayor Fankhauser

C. Commissioner Law

D. Commissioner Cessna

E. Commissioner Dale

**XIII. ADJOURN.**

## THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

January 21, 2014

The regular meeting of the Board of Commissioners of the City of Garden City was held at 1:00 p.m. at the City Administrative Center on Tuesday, January 21, 2014 with all members present. Commissioner Dale opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Commissioner Cessna moved to approve a request from Nalin Rees, Girls Scouts of Kansas Heartland, to allow the Mayor to proclaim the month of February 2014 as Girl Scout Cookie Month. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve a request from Kellie Pitts, USD 457, to allow the Mayor to proclaim February 5, 2014 as SADD Shines Day. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Mayor Fankhauser and City Manager Allen recognized the Police Department as the recipient of the annual 2013 Department Safety Award, the Police Department as the recipient of the annual "Most Improved Safety Record" award, Lester Ummel, Street Department as the recipient of the 4th Quarter Safety Recognition Award and Kenny Becker, Street Department as the recipient of the 2013 Safety Recognition Award overall winner. The Safety Committee reviewed the number of accidents/workers' compensation claims per department from 2013 and 2012 and the Safety Recognition Program nominations.

Governing Body set Wednesday, February 26, 2014 for the Commission Goal Setting Retreat.

Staff provided several items of information for Governing Body review including the following: from Director of Aviation Powell the monthly enplanement report, from Community Development Director Kentner the monthly building report, from Police Chief Hawkins the monthly activity report, from Public Utilities Director Muirhead the quarterly report and from Zoo Director Sexson the monthly report.

Meetings of note:

- ✓ January 18, 2014 – Police Citizens Academy from 9:00 a.m. – 12:00 p.m. (ten weeks)
- ✓ January 27, 2014 – Southwest Kansas Night out in Topeka
- ✓ January 30, 2014 – FOLRZ Annual Dinner with speaker Dale Leeds, Curator of Toyota's Elephant Passage at Denver Zoo at 6:30 p.m. at the Finnup Center
- ✓ February 1, 2014 – 2014 Kansas Special Olympics Polar Plunge and Strut at the Big Pool
- ✓ February 4-6, 2014 – 40<sup>th</sup> Underground Overhead Metering School at the Exhibition Building at the Fairgrounds.
- ✓ March 13, 2014 – Garden City Area Chamber of Commerce Annual Banquet at GCCC.
- ✓ March 22-25, 2014 – Western Kansas Congressional Reception in Washington, D.C.
- ✓ April 23, 2014 – Earth Day Celebration "Party for the Planet" at Lee Richardson Zoo from 9:00 a.m. – 2:00 p.m.

- ✓ September 18<sup>th</sup> – 20<sup>th</sup>, 2014 - Diversity Dinner and Multi-Cultural Summit

Appropriation Ordinance No. 2356-2014A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$3,603,237.93,” was read and considered section by section. Commissioner Dale moved to approve and pass Appropriation Ordinance No. 2356-2014A. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Resolution No. 2564 - 2014, A RESOLUTION AUTHORIZING THE REMOVAL OF NUISANCE CONDITIONS FROM THE PROPERTY LISTED BELOW IN THE CITY OF GARDEN CITY, KANSAS, PURSUANT TO SECTION 38-139 OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS, (411 N. 1st Street)” was read and considered section by section. Commissioner Law moved to approve Resolution No. 2564-2014. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Resolution No. 2565 - 2014, A RESOLUTION AUTHORIZING THE REMOVAL OF MOTOR VEHICLE NUISANCES FROM CERTAIN PROPERTIES IN THE CITY OF GARDEN CITY, KANSAS, PURSUANT TO SECTION 38-63 OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS, (505 Bancroft – Beige Nissan Maxima and 711 N. 1st Street – Silver Grand Prix)” was read and considered section by section. Commissioner Doll moved to approve Resolution No. 2565-2014. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Ordinance No. 2635 - 2014, AN ORDINANCE REGULATING BUILDING SETBACKS IN THE CITY OF GARDEN CITY, KANSAS; AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS; AMENDING ZONING REGULATION ARTICLES 2 AND 25; REPEALING IN THEIR ENTIRETY CURRENT ZONING REGULATION ARTICLES 2 AND 25; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS”, was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2634-2014. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The Kansas Department of Transportation is soliciting Transportation Alternative project requests for FY 2014. The Governing Body previously authorized an application for East US-50/400 landscaping. A draft of the Kansas Avenue application is attached. A Resolution authorizing the applications is required.

Resolution No. 2566 - 2014, A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF GARDEN CITY, KANSAS, TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF TRANSPORTATION ALTERNATIVE FUNDS SET FORTH BY THE FEDERAL MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT FOR PROJECTS IN GARDEN CITY AND AUTHORIZING THE CITY ENGINEER TO SIGN THE APPLICATION”, was read and considered section by section. Commissioner Law

moved to approve Resolution No. 2566-2014. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve the semi-annual report for the City’s Community Development Block Grant Revolving Loan Fund from Great Plains Development, Inc. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve the distribution of 2014 AFAC funds recommended by the Alcohol Fund Advisory Committee.

### 2014 AFAC Requests

Agency	Amount Requested	Amount Recommended
Catholic Social Services	\$10,000	\$5,000
City on a Hill	\$17,000	\$8,500
Seeds of Hope Jail Ministry	\$7,740	\$3,120
25th Judicial Community Corrections	\$18,450	\$13,000
Spirit of the Plains CASA	\$12,500	\$10,000
25th Judicial Youth Services	\$20,000	\$15,000
Real Men Real Leaders	\$9,640	\$0
Finney County Community Health Coalition	\$4,375	\$2,380
Southeast Asian Mutual Assistance Association	\$11,000	\$4,000
Garden City Family YMCA	\$10,000	\$1,200
USD 457 Junior Leadership Corp	\$20,000	\$10,000
Compass Behavioral Health	\$15,800	\$7,800
Summer Playground Program	\$6,500	\$0*
Big Brothers Big Sisters	\$25,000	\$20,000
Girl Scouts of the Kansas Heartland	\$10,000	\$0*
<b>Total</b>	<b>\$198,005</b>	<b>\$100,000</b>

Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve the distribution of 2014 Community Grant funds recommended by the Alcohol Fund Advisory Committee.

### 2014 Community Grant Requests

Agency	Amount Requested	Amount Recommended
Alta Brown Elementary School Library	\$2,000	\$500
Communities in Schools	\$5,000	\$2,000
Community Daycare Center	\$6,000	\$0**
Community Mexican Fiesta	\$2,000	\$250
Kristin Doering	\$3,000	\$0
Dominican Sisters Ministry of Presence	\$1,500	\$1,500
Edith Scheuerman Tigerrific Sign Choir	\$600	\$500
Families Together, Inc.	\$700	\$700

Friends of Lee Richardson Zoo	\$2,177	\$2,100
Finney County United Way	\$1,000	\$0
Downtown Vision	\$2,000	\$0**
Girl Scouts of the Kansas Heartland	\$5,000	\$4,600
K-State Research and Extension	\$3,500	\$2,400
Senior Center of Finney County	\$5,000	\$5,000
Southeast Asian Mutual Assistance Association	\$14,000	\$0*
Summer Playground Program	\$6,500	\$5,000
RSVP	\$1,500	\$1,500
United Methodist Mexican American Ministries	\$2,940	\$1,450
Youth Entrepreneurs	\$2,000	\$1,000
<b>Total</b>	<b>\$66,417</b>	<b>\$28,500</b>

Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Advisory Board Recommendations:

Commissioner Cessna moved to approve and appoint Shawna Deal and Brian Seagraves to the Arts Grant Committee for 3-year board appointments from January 2014 – January 2016. Mayor Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Law moved to approve and appoint Charles Allen and Sabrina Rodriguez to the Police Citizens Advisory Board for a 3-year board appointments from January 2014 – December 2016. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve and appoint Anna May Velez the Transit Advisory Board for a 2-year board appointment as the City Representative from January 2014 – December 2016. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Dale moved to approve the following:

1. Governing Body consideration and acceptance of bids received January 16, 2014 for the 2014 Street Tree and Stump Removal project and authorization for the Mayor and City Clerk to execute the contracts.

Pro-Cut Tree Service, Garden City, KS	\$8,806.00
Alfred's Superior Tree Service, Wichita, KS	\$22,950.00

2. Governing Body consideration and approval of the Development Agreement between the City of Garden City, Kansas and K & A Transport, LLC.
3. Governing Body consideration and acceptance of bids received January 15, 2014 for the purchase of the 2014 Sideload Solid Waste Collection Truck from the low bid received from Maupin-Western Star Truck for \$135,165.00

Bidders	List Price	Less Trade-In	Net City Cost	Delivery Date	Exceptions & Comments
Maupin-Western Star Truck	\$156,915.00	(\$21,750.00)	\$135,165.00	24-28 weeks	Freightliner Champion
Dodge City International	\$169,380.68	(\$27,500.00)	\$141,880.68	24-28 weeks	2014 Int'l 7400 Kann Mfg – Model SLEC
Downing Sales & Service Inc.	\$179,967.00	(\$30,000.00)	\$149,967.00	210-260 days (30-38 weeks)	2015 Freightliner M2-106 Kann Mfg.

4. Governing Body consideration and approval of the Master Agreement between the City of Garden City and HNTB Corporation for Professional Services at the Garden City Regional Airport.
5. Governing Body consideration and acceptance of bids received on January 3, 2014 for installation of conduit, fiber and splicing of the fiber at the Wastewater Treatment Plant.

Contractor	Conduit install	Fiber install	Fiber patch panels	Total
Dick Construction	No Bid	No Bid	No Bid	No Bid
Dreiling Construction	\$10,614.20	\$14,030.00	\$15,168.00	\$39,812.20
Lee Construction	No Bid	No Bid	No Bid	No Bid
Speer Construction	\$32,120.00	\$9,200.00	\$18,680.00	\$60,000.00
Underground Specialists	No Bid	No Bid	No Bid	No Bid
Ideatek	No Bid	No Bid	No Bid	No Bid
Electricomm	\$11,242.00	\$2,783.00	\$10,000.00	\$24,025.00
Engineer's Estimate	\$14,600.00	\$5,750.00	\$3,000.00	\$23,350.00

6. Governing Body consideration and acceptance of a renewable, one year Farm Lease Agreement for approximately 130 acres of City property with Sterling Farms.
7. Quit Claim Deed from Primitivo A., Jr. &/or Gregoria M. Romo transferring Space 4, Lot 41, Zone K of Valley View Cemetery to the City of Garden City, Kansas.
8. Quit Claim Deed from Suzanne Smith transferring Space 7, Lot 41, Zone G of Valley View Cemetery to the City of Garden City, Kansas.
9. Quit Claim Deed from Suzanne E. Smith &/or Earnest Smith transferring Space 5, Lot 54, Zone K of Valley View Cemetery to the City of Garden City, Kansas.
10. Permission for Paulette Baughman to reserve Space 2, Lot 14, Zone J of Valley View Cemetery for the consideration of \$50.00 for the period of one year.

11. Licenses:

(2014 New)

- a) Dodge City Home Builders .....Class A General
- b) Ornder Construction Company, Inc.....Class A General
- c) Mr. G Plumbing..... Class D-P Plumbing w/ Gas
- d) Overland Contracting, Inc. .... Class E-SOC Specialized Other

(2014 Renewal)

- e) Joyeria Amercia..... Pawnbroker
- f) Joyeria America..... Precious Metal Dealer
- g) Dondlinger & Sons Construction Co., Inc.....Class A General
- h) G&R Concrete Specialists – Precision Builders, Inc.....Class A General
- i) Hill Crest Development, Inc.....Class A General
- j) Rabb's Construction, LLC.....Class A General
- k) Woodco, Inc. .... Class A General
- l) Aqua Shield Roofing & Constructions, LLC ..... Class B General

- m) Brak-Hard Concrete Const. Co., LLC ..... Class B General
- n) Byerly Construction..... Class B General
- o) J&J Construction..... Class B General
- p) Lonnie Sassaman ..... Class B General
- q) Prairie Wind Aquatics, LLC ..... Class B General
- r) Service First Contracting ..... Class B General
- s) Superior Home Improvement, LLC..... Class B General
- t) N8”s Construction..... Class C General
- u) IMAC & Heating ..... Class D-M Mechanical
- v) Weber Refrigeration & Heating, Inc..... Class D-M Mechanical
- w) Tatro Plumbing Co., Inc ..... Class D-M Mechanical
- x) Electrical Solutions Company..... Class D-E Electrical
- y) Weber Refrigeration & Heating, Inc..... Class D-E Electrical
- z) Tatro Plumbing Co., Inc ..... Class D-P Plumbing w/ Gas
- aa) Bamford Fire Sprinkler Co., Inc. .... Class E-BF Backflow Test
- bb) Tatro Plumbing Co., Inc ..... Class E-BF Backflow Test
- cc) Continental Fire Sprinkler Company ..... Class E-F Fire Sprinkler & Protection
- dd) National Fire Suppression..... Class E-F Fire Sprinkler & Protection
- ee) Garden True Value (fence) ..... Class E-SOC Specialized Other
- ff) Garden True Value (sprinklers) ..... Class E-SOC Specialized Other
- gg) J’s Fencing & Ironworks, LLC ..... Class E-SOC Specialized Other
- hh) PB Hoidale Co., Inc. .... Class E-SOC Specialized Other
- ii) Roth Glass and Framing, LLC..... Class E-SOC Specialized Other
- jj) Westhusing’s Inc..... Class E-SOC Specialized Other

Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve and accept bids received on December 2, 2013 for the purchase of two Police Motorcycles for use by the Garden City Police Department.

Vendor	Make & Model	Mileage	Net City Cost	Delivery Time	Exceptions & Comments
Victory Motorcycles	2014 Victory Commander I	New	\$32,305.65	84 days from order	Meets all specifications as outlined by the bid.

(The following bids are non-conforming to the bid specifications and were not received by the original deadline. A second request was made for their nearest comparable model.)

Harley Davidson of Dodge City	2014 HD Electra-Glide	New	\$27,312.88	Depends on factory availability	Does not meet all specifications as outlined in the bid.
BMW of Lakewood, CO	2014 BMW R 1200 RT-P	New	\$26,668.55	3-6 months depending on paint color	Does not meet all specifications as outlined in the bid.

Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Doll moved to approve and accept bids received on January 11, 2014 for four (4) Police Patrol vehicles for use by the Garden City Police Department.

Vendor	Location of Vendor	Net Cost to City (per vehicle)	Delivery Time	Exceptions and Comments
Burtis Motors Co.	GCKS	\$27,219	8-9 weeks	**2% local dealer
Lewis Ford	Dodge City, KS	No bid received	No bid received	No bid received
Mel Hamilton	Wichita, KS	\$27,100	12 weeks	Lowest bid

Ford				
Olathe Ford	Olathe, KS	\$27,990	10-12 weeks	n/a
KHP Partners/GSA Auto	Internet	\$27,656	Unknown	n/a

Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Mayor Fankhauser adjourned the meeting since there was no further business before the Governing Body.

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Dan Fankhauser, Mayor

ATTEST:

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Celyn N. Hurtado, City Clerk

**City Commission Reports**

Commissioner Dale stated it was great to see the Girl Scouts in attendance at the meeting for the Cookie Month proclamation. Commissioner Dale thanked and congratulated City employees for being safety conscientious while working and claim being lower than last year and also for less employees being injured than last year. Commissioner Dale saluted the Police Department for their “Most Improved Record” award.

Commissioner Doll thanked City employees for their hard work regarding to safety issues while working. Commissioner Doll congratulated the Garden City Airport for over 24,000 enplanements in 2013. Commissioner Doll congratulated Downtown Vision for their work with Sandhill Arts & Knights of Columbus for their recent award for Favorite Community Event in the Garden City Telegram.

Mayor Fankhauser thanked the Airport for their work and congratulated them on a 29% increase on enplanements from 2012. Mayor Fankhauser stated the Airport is being used. Mayor Fankhauser echoed the thoughts of the other Commissioners on the Girl Scouts and also the safety of the City employees.

Commissioner Law thanked the Girl Scouts for being in attendance at the meeting and for the cookies they delivered. Commissioner Law congratulated the winning departments and also to all other City employees for their hard work. Commissioner Law stated he will be meeting with City Manager Allen to have an update on Horsethief Reservoir, possibly in March.

Commissioner Cessna echoed the thoughts on the Girl Scouts and thanked them for the cookies. Commissioner congratulated and thanked everyone for their work on keeping employees safe. Commissioner Cessna thanked the AFAC Committee on their hard work for funding for the community agencies.

# Petitions

# PROCLAMATION

- WHEREAS, The Garden City Recreation Commission's Youth Theater program performed *The Little Mermaid JR* and *Thoroughly Modern Millie JR* in 2013 and is slated to perform *Treasure Island*, *Annie*, and *Willy Wonka JR* in 2014; and
- WHEREAS 19 students, 9 parents, and 2 Directors from Garden City attended the 2014 Junior Theater Festival in Atlanta, Georgia this January, bringing students, teachers and Broadway professionals together under one roof to celebrate outstanding student musical theater productions; and
- WHEREAS, The Garden City Recreation Commission group performed a selection from their summer youth musical, *The Little Mermaid JR*, for professional adjudication by distinguished international theatre professionals; and
- WHEREAS, Garden City Recreation Commission was honored with an Excellence in Ensemble Work award for its production of *The Little Mermaid JR*; and
- WHEREAS, Director Brian Seagraves was named one of eight directors and teachers chosen for the prestigious Freddie G Experience in New York this summer;

NOW, THEREFORE, I, DAN FANKHAUSER, as Mayor of the City of Garden City, Kansas, hereby proclaim February 4, 2014 as

## Youth Theater Program Day

in Garden City, Kansas and urge all citizens to acknowledge and express their pride in this outstanding achievement and to encourage our youth in their endeavors towards theatrical excellence.

Signed this 4th day of February 2014

---

DAN FANKHAUSER, Mayor

ATTEST:

---

CELYN N. HURTADO, City Clerk



January 16, 2014

Matt Allen, City Manager

City of Garden City  
301 N. 8<sup>th</sup>  
Garden City, Ks 67846

Dear Matt,

I am writing to you on behalf of the Tumbleweed Festival board of directors, to request use of the green on the west end of the Lee Richardson Zoo. Our request to you and the city commissioners is to hold our event on August 22, 23 and 24, 2014. We are also requesting permission to set up beginning Monday August 18 through August 22 and tear down August 25 and 26. No special needs are required on setup or tear down except that our volunteer helpers are able to drive in during those dates without charge. During the festival we would request that the drive in gates be closed to the general public so that we can maintain safe walking areas for our Tumbleweed guests.

It doesn't seem possible that our festival is celebrating its 23rd year of producing family friendly entertainment for our city and other regional friends. We would appreciate you sharing with your staff and the commissioners, our gratitude for great people who are helpful and supportive of our event. What a pleasure it is to work with you and I think it safe to say that without the city of Garden City the Tumbleweed festival would not be a success. We will be again working with the Zoo, Police, road and solid waste departments.

Thank you again for all you have done in the past twenty two years for the Tumbleweed Festival and thanks in advance for what we anticipate will be another great partnership in making our community a better place to call home. If you have any questions, please call me anytime.

Working together,

A handwritten signature in black ink, appearing to read "Daryl Hamlett", with a long horizontal line extending to the right.

Daryl Hamlett, President  
Tumbleweed Festival Inc

# Report of the City Manager



Government Finance Officers Association

**Certificate of  
Achievement  
for Excellence  
in Financial  
Reporting**

Presented to

**City of Garden City  
Kansas**

For its Comprehensive Annual  
Financial Report  
for the Fiscal Year Ended

**December 31, 2012**

Executive Director/CEO



The Government Finance Officers Association  
of the United States and Canada

*presents this*

## AWARD OF FINANCIAL REPORTING ACHIEVEMENT

*to*

**Melinda A. Hitz**

Finance Director  
City of Garden City, Kansas



*The award of Financial Reporting Achievement is presented by the Government Finance Officers Association to the individual(s) designated as instrumental in their government unit achieving a Certificate of Achievement for Excellence in Financial Reporting. A Certificate of Achievement is presented to those government units whose annual financial reports are judged to adhere to program standards and represents the highest award in government financial reporting.*

Executive Director

Date January 22, 2014

# Certificate of Achievement For Excellence in Financial Reporting

## Summary of Grading

Name of Unit: City of Garden City  
Fiscal Year of Report FY2012

Report # 3,440.00

The Certificate of Achievement Program Special Review Committee (SRC) has completed its review of your comprehensive annual financial report (CAFR). Listed below are the grading categories used and a summary of the SRC's evaluation of your CAFR. The detailed comments and suggestions for reporting improvements on the attached listing are grouped under similar grading categories. Any category which received a grade of "Needs Significant Improvement" indicates an area of particular concern to the SRC and the related comments and suggestions for improvement in this category should be given special attention. An indication is provided on the list by the specific comments(s) or category(ies) that were the cause of receiving this grade. For each item, the notation also states whether it is 1) the basis or part of the basis for the CAFR not receiving the Certificate of Achievement, 2) a serious deficiency which will almost certainly preclude the awarding of the Certificate of Achievement if it is not corrected in your next CAFR, or 3) a deficiency, that if not corrected in future CAFRs, could result in the Certificate of Achievement not being awarded.

### Grading Category

### Grade

Cover, table of contents, and formatting	Proficient
Introductory section	Proficient
Report of the independent auditor	Proficient
Management's discussion and analysis (MD&A)	Proficient
Basic financial statements (preliminary considerations)	Proficient
Government-wide financial statements	Proficient
Fund financial statements (general considerations)	Proficient
Governmental fund financial statements	Proficient
Proprietary fund financial statements	Proficient
Fiduciary fund financial statements	Proficient
Summary of significant accounting policies (SSAP)	Proficient
Note disclosure (other than the SSAP and pension-related disclosures)	Proficient
Pension-related note disclosures	Proficient
Required supplementary information (RSI)	Proficient
Combining and individual fund information and other supplementary information	Proficient
Statistical section	Proficient
Other considerations	Proficient



901 S. George Washington Blvd.  
Wichita, Kansas 67211  
316.260.7000 tel  
www.cox.com

January 28, 2014

Mr. Dan Fankhauser  
Mayor of Garden City  
P.O. Box 499  
Garden City, KS 67846

Dear Mr. Fankhauser,

On or after Thursday, Feb. 27, we will be adding Syfy (SD channel 50, HD channel 2050) to our Cox TV Economy package. In addition to its current tier in Cox TV Essential, Syfy will be available to Cox TV Economy subscribers with a digital receiver or CableCARD and DTA.

We are truly grateful for the opportunity to serve your community. If you have any questions regarding these changes, please contact me at (785) 215-6720 or [coleen.jennison@cox.com](mailto:coleen.jennison@cox.com).

Best Regards,

A handwritten signature in cursive script that reads "Coleen Jennison".

Coleen Jennison  
Government Affairs Director  
Cox Communications



In harmony with the Cox Conserves eco-friendly program, we are proud to print on Forest Stewardship Council-certified paper.



901 S. George Washington Blvd.  
Wichita, Kansas 67211  
316.260.7000 tel  
www.cox.com

January 24, 2014

Mr. Dan Fankhauser  
Mayor of Garden City  
P.O. Box 499  
Garden City, KS 67846

Dear Mr. Fankhauser,

As you know, Cox is required to obtain permission from local broadcast stations and cable networks to provide their signals on our video channel lineup. Our company is in discussions to renew agreements with the following programmers and broadcasters:

Station	SD Channel	HD Channel
KSNG (NBC)	11	2011
KSNG (Telemundo)	308 & 37	

Should we be unable to reach equitable terms for a new agreement by their expiration dates, these networks have the right to require Cox to remove their programming from our lineup.

We continue to actively negotiate with these networks and are working toward renewing our agreements without any disruption of service to our customers. We are meeting this obligation through a newspaper notification.

We will keep you updated with any new information. Please feel free to contact me at 785-215-6720 should you have any questions.

Sincerely,

Coleen Jennison  
Government Affairs Director  
Cox Communications Central Region



In harmony with the Cox Conserves eco-friendly program, we are proud to print on Forest Stewardship Council-certified paper.

# Staff Reports



## MEMORANDUM

**TO:** Governing Body  
**FROM:** Ashley Freburg, Communications Specialist  
**DATE:** January 30, 2014  
**RE:** City of Garden City Communication Update

---

### CITY COMMISSION

DAN FANKHAUSER  
Mayor

ROY CESSNA

MELVIN DALE

JANET DOLL

CHRIS LAW

MATTHEW C. ALLEN  
City Manager

MELINDA A. HITZ, CPA  
Finance Director

RANDALL D. GRISELL  
City Counselor

### Issue

The following is intended to provide members of the Governing Body an update on the performance of the City's communication tools: Bi-Monthly Newsletter, Channel 8, City Website, Facebook Page, and Twitter Account.

### City Website

Analytics in attachment 1 show that the City's website, [www.garden-city.org](http://www.garden-city.org) was visited 6,131 times in December 2013. Of those visits, 2,102 were made on mobile devices. The home page ("Garden City, KS –Official Website" in analytic data) continues to be the most frequently viewed page on the site, with 9,643 page views in December. Once on the website, visitors utilized the search function for such terms as "bids," "Christmas parade," "map," "curfew," "mayor," and "recycling."

Of website visitors, 2,282 were direct entries, meaning users logged on by typing [www.garden-city.org](http://www.garden-city.org) into their web address bar. Another 3,387 used search engines to find the City's website. Several external websites also directed users to the City's site. Those external pages included the school district's website, the police department's website, Finney County's website, Facebook, and Twitter

The City's website currently has 2,621 registered users. Registered users are those who have created a user account to gain access to certain areas of the site. After creating a login username and password, these users are able to sign up for Notify Me civic alerts and report issues or ask questions using Request Tracker.

In December, 40 new users signed up for online bill payment. This brought the total number of new users for 2013 to 649 people. Throughout the year, 2,560 payments totaling \$66,795 were made online.

### Social Networking

#### Facebook

Attachment 2 provides the Governing Body an overview of the users and interactions on the City of Garden City's Facebook page in December. At the end of 2013, the City of Garden City Facebook Page had 2,904 "Likes" or "Fans." Of the users reached through Facebook posts, 1,274 list Garden City as their home. The majority of users are female (65%). The most common age range of our fans is those who are 25-34 years old. Photos remain the most popular posts on the City's Facebook Page.

### CITY ADMINISTRATIVE CENTER

301 N. 8<sup>TH</sup>  
P.O. Box 998  
GARDEN CITY, KS  
67846-0998  
620.276.1160  
FAX 620.276.1169  
[www.garden-city.org](http://www.garden-city.org)



## CITY COMMISSION

DAN FANKHAUSER

Mayor

ROY CESSNA

MELVIN DALE

JANET DOLL

CHRIS LAW

MATTHEW C. ALLEN  
City Manager

MELINDA A. HITZ, CPA  
Finance Director

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City Counselor

CITY ADMINISTRATIVE  
CENTER  
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FAX 620.276.1169  
[www.garden-city.org](http://www.garden-city.org)

### **Twitter**

The City's Twitter feed remains a source of information on local government activity for followers. The City currently has 824 Twitter followers. Staff continues to build influence by retweeting and following other organizations that have integrated Twitter into their communications plans. Staff continues to work to increase the frequency of tweets, which regularly regard construction advisories and upcoming meetings and events.

### **Channel 8**

Channel 8 reaches Cox Cable subscribers in Garden City and the surrounding area. In December, Communications staff worked with staff in the IT Department on a strategy to increase the reliability of the technology used to broadcast on Channel 8. Content was updated to include a description of each department as well as contact information for staff. Photos were also updated. Currently, Commission meetings are scheduled to rebroadcast at 7 p.m. nightly from the Wednesday to Tuesday following each Commission meeting.

### **City Newsletter**

The City's newsletter is distributed bimonthly in utility bills. The November issue featured articles on the Jameson Energy Center, the Christmas Tree Recycling Program, and Cat Canyon. The newsletter scheduled for January distribution featured articles warning residents against the use of unlicensed contractors, informing residents that micro utility vehicles are now allowed on some city streets, and detailing the groundbreaking of Schulman Crossing Phase 2.

### **Recommendation**

There is no recommendation. This report was generated for the Governing Body's review.



Dashboard

Visitors

Actions

Website

GARDEN CITY, KS

Referrers

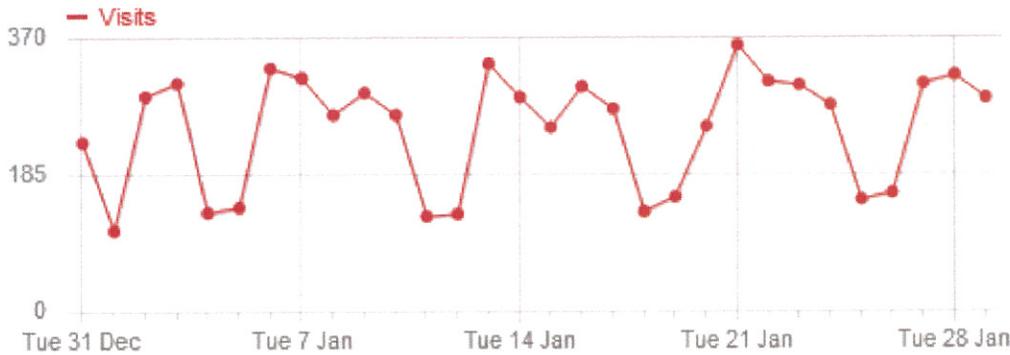
Goals

DATE RANGE: **2014-01-29**

ALL VISITS ▼

WIDGETS & DASHBOARD ▼

### Visits Over Time



ANNOTATIONS 30 ▼

### Page Titles

PAGE NAME	PAGEVIEWS	UNIQUE PAGEVIEWS ▼	BOUNCE RATE	AVG. ON PAGE TIME
Garden City, KS - Official Website	697	188	35%	3 min
Page Name not defined	158	49	0%	0s
Garden City, KS - Official Website - Online Paymen...	43	29	0%	2 min
Garden City, KS	34	20	33%	1 min
Garden City, KS - Official Website - Police Depart...	26	19	0%	1 min
Garden City, KS - Official Website - Paying Your B...	17	16	0%	1 min

Garden City, KS - Official Website - Employment	14	13	0%	1 min
Garden City, KS - Official Website - Bids & RFPs	8	8	67%	1 min
Garden City, KS - Official Website - Public Utilit...	9	8	25%	27s
Garden City, KS - Official Website - Departments	7	7	25%	21s

1-10 of 83 [NEXT >](#)



10 ▼

Related reports:  
 Entry page titles  
 Exit page titles

### Site Search Keywords

KEYWORD	SEARCHES ▼	SEARCH RESULTS PAGES	% SEARCH EXITS
2014 budget	1	1	100%
city park at east cambridge	1	1	0%
coroner	1	1	100%
curfew	1	1	100%
demographic information	1	1	100%
garden city airport	1	1	0%
gis	1	1	0%
hotels	1	1	100%
important sites	1	2	0%
plans for new city park	1	1	0%

1-10 of 12 [NEXT >](#)



10 ▼

### Visitor Browser

BROWSER	UNIQUE VISITORS ▼
Internet Explorer	110

 Safari	57
 Chrome	51
 Firefox	23
Unknown	13

1-5 of 7 [NEXT >](#)

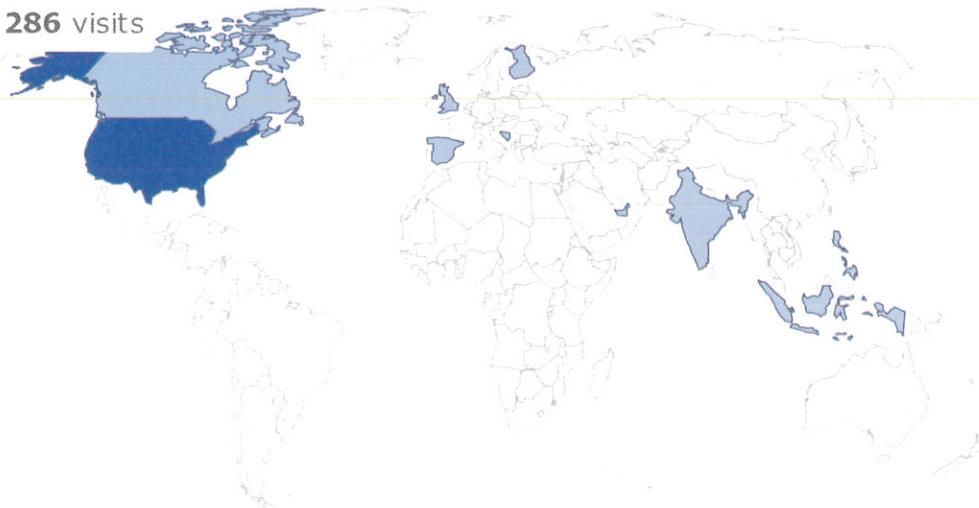


5 ▼

Related report: [Browser version](#)

### Visitor Map

286 visits



  Countries

World-Wic ▼

Visits ▼

### Mobile vs Desktop

MOBILE VS DESKTOP

	UNIQUE VISITORS ▼
 Desktop	174
 Mobile	69
Unknown	14

1-3 of 3



5 ▼

Related report: [Type of screen](#)



City of Garden City, KS – Local Government

Ads Manager Export Data

Overview Likes Reach Visits Posts People

Your Fans People Reached People Engaged Check-ins

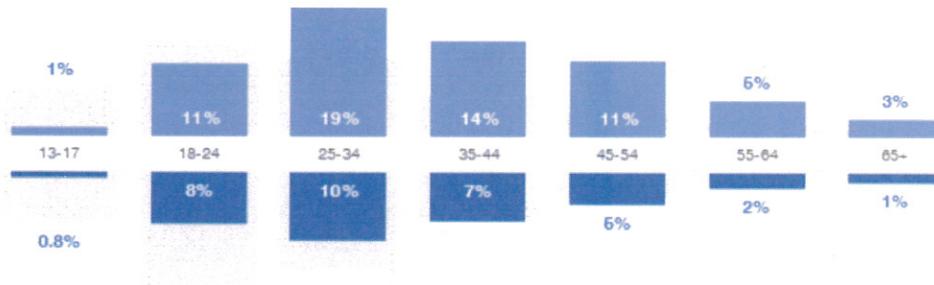
The people who like your Page

Women

65% Your Fans  
46% All Facebook

Men

34% Your Fans  
54% All Facebook



Country	Your Fans	City	Your Fans	Language	Your Fans
United States of America	2,830	Garden City, KS	1,274	English (US)	2,770
Mexico	11	Wichita, KS	112	English (UK)	81
Brazil	5	Holcomb, KS	58	Spanish	27
United Kingdom	4	Topeka, KS	45	Spanish (Spain)	5
India	3	Lawrence, KS	39	Portuguese (Brazil)	4
Germany	3	Dodge City, KS	36	German	4
Canada	3	Kansas City, MO	29	Arabic	3
Philippines	3	Manhattan, KS	26	English (Pirate)	3
China	2	Hays, KS	26	Turkish	2
Costa Rica	2	Lakin, KS	25	Vietnamese	1

Chat (20)

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Facebook © 2014 · English (US)

**CITY OF GARDEN CITY, KANSAS**  
**ANALYSIS OF COUNTY-WIDE SALES TAX RECEIPTS**

MONTH RECEIVED	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
JANUARY	98,895	82,749	119,104	99,080	87,049	90,999	89,620	90,890	96,504	112,365	136,559	194,148	172,402	201,675	215,987	207,262
FEBRUARY	102,071	135,771	115,633	119,867	107,746	112,817	106,162	108,918	117,464	120,392	112,708	168,090	206,332	201,136	213,048	
MARCH	57,317	111,517	94,385	89,945	83,994	93,138	83,528	84,800	91,096	111,384	127,434	176,275	176,089	187,616	198,757	
APRIL	123,837	110,045	92,941	86,892	88,516	82,176	88,156	88,367	97,920	97,076	105,529	136,058	140,393	176,191	179,735	
MAY	97,870	111,720	98,017	94,809	97,270	92,019	96,607	100,809	103,484	113,955	102,518	173,875	182,165	217,621	215,823	
JUNE	82,439	99,148	93,362	101,379	98,922	86,040	82,884	99,561	98,793	107,235	110,225	174,577	192,468	197,406	205,745	
JULY	110,519	111,647	91,208	99,915	97,573	91,205	88,888	95,381	109,492	130,863	126,193	163,203	175,188	199,698	238,623	
AUGUST	103,623	113,844	98,717	96,327	91,715	97,295	101,836	104,308	99,317	123,221	103,580	180,595	178,778	209,006	213,331	
SEPTEMBER	99,996	84,773	99,232	88,585	102,820	94,038	87,159	93,570	106,941	133,521	111,381	174,612	178,054	180,008	232,303	
OCTOBER	* 107,914	129,697	106,658	102,705	97,918	90,696	105,259	101,146	112,166	117,796	108,343	174,202	189,062	203,819	218,503	
NOVEMBER	82,861	103,094	97,348	82,869	78,619	89,706	95,946	94,231	107,500	117,428	111,973	153,378	174,342	208,611	184,384	
DECEMBER	75,058	97,466	89,406	101,296	96,993	94,616	88,792	94,570	109,693	114,846	160,409	161,622	196,711	182,159	236,524	
TOTAL RECEIPTS	<u>1,142,399</u>	<u>1,291,473</u>	<u>1,196,011</u>	<u>1,163,668</u>	<u>1,129,136</u>	<u>1,114,745</u>	<u>1,114,837</u>	<u>1,156,551</u>	<u>1,250,370</u>	<u>1,400,082</u>	<u>1,416,852</u>	<u>2,030,635</u>	<u>2,161,984</u>	<u>2,364,946</u>	<u>2,552,763</u>	<u>207,262</u>
PERCENTAGE CHANGE	2.13%	13.05%	-7.39%	-2.70%	-2.97%	-1.27%	"FLAT"	3.74%	8.11%	11.97%	1.20%	43.32%	6.47%	9.39%	7.94%	

\*REFLECTS HERE & THEREAFTER THE NET AMOUNT OF COUNTY-WIDE SALES TAX.  
CITY REIMBURSES TO COUNTY THE DEDICATED 1/4 CENT FOR FAIRGROUNDS PROJECT.

(1) REFLECTS HERE & THERE AFTER INCREASE IN COUNTY TAX FROM .75¢ TO 1¢

CITY OF GARDEN CITY, KANSAS

ANALYSIS OF CITY SALES TAX RECEIPTS

MONTH RECEIVED	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
JANUARY	383,636	310,710	390,595	379,780	309,257	357,335	335,673	351,457	351,627	409,255	529,129	415,161	432,278	483,869	508,705	480,712
FEBRUARY	360,909	447,336	389,764	444,123	419,884	434,310	423,853	416,061	444,506	465,707	415,062	416,555	509,745	497,844	514,511	
MARCH	191,835	371,146	344,152	321,705	304,720	346,371	316,320	317,599	338,956	418,336	461,822	432,675	426,585	438,777	468,745	
APRIL	467,188	364,979	334,588	303,909	313,029	317,571	318,835	321,431	358,967	361,119	388,668	328,743	328,309	409,253	411,491	
MAY	343,692	377,482	356,202	340,131	354,013	345,880	351,143	372,027	382,562	426,812	362,989	430,701	442,882	502,577	481,623	
JUNE	284,831	344,293	341,573	336,435	356,920	340,240	319,314	364,552	363,536	398,458	413,934	423,173	471,595	457,884	469,940	
JULY	382,217	361,811	331,627	359,143	329,005	338,923	330,628	350,754	394,947	456,516	469,538	402,144	431,189	453,965	554,262	
AUGUST	365,112	369,837	350,737	342,529	322,875	376,955	371,521	377,510	372,473	456,809	373,995	433,641	420,914	490,394	504,212	
SEPTEMBER	364,871	304,050	363,139	324,385	366,794	362,024	323,475	341,558	388,244	463,398	421,706	415,115	433,117	424,160	529,341	
OCTOBER	362,872	449,981	382,926	368,395	357,624	341,725	369,193	365,725	408,881	446,179	411,421	425,392	450,833	468,586	501,467	
NOVEMBER	319,267	332,271	355,951	296,743	287,373	339,384	337,133	351,892	352,723	435,767	402,883	390,433	412,877	474,976	422,213	
DECEMBER	270,677	327,755	323,048	381,904	364,126	338,971	338,058	356,317	396,872	432,701	461,792	412,973	481,207	424,131	501,046	
TOTAL RECEIPTS	<u>4,097,107</u>	<u>4,361,650</u>	<u>4,264,300</u>	<u>4,199,181</u>	<u>4,085,619</u>	<u>4,239,689</u>	<u>4,135,146</u>	<u>4,286,883</u>	<u>4,554,294</u>	<u>5,171,057</u>	<u>5,112,939</u>	<u>4,926,706</u>	<u>5,241,531</u>	<u>5,526,416</u>	<u>5,867,556</u>	<u>480,712</u>
PERCENTAGE CHANGE	0.17%	6.46%	-2.23%	-1.53%	-2.70%	3.77%	-2.47%	3.67%	6.24%	13.54%	-1.12%	-3.64%	6.39%	5.44%	6.17%	



**City of Garden City**  
**Monthly Financial Report FY 2013**  
**For the Twelve Months Ended December 31, 2013**  
 Unaudited--Intended for Management Purposes Only

The following is a summary of the City's financial results for the General Funds and Utility Funds. The subsequent pages provide some narrative, comparison cash balances, line item analysis, and graphic display of revenue trends for the City's General and Utility Funds. This report is intended to assist the City Commission and the City's Administrative team in managing the operational budget. This information is summarized from unaudited financial statements for the monthly period that ended December 31, 2013.

**GENERAL FUND AT A GLANCE**

Category	Revised 2013 Budget	2013 YTD Actual	2012 YTD Actual
Revenues	20,119,157	21,217,210	19,084,519
Expenditures	20,212,990	19,960,616	19,482,546
<b>Revenues Over(Under)</b>	<b>(93,833)</b>	<b>1,256,594</b>	<b>(398,027)</b>

**UTILITY FUND REVENUES AT A GLANCE**

Category	Revised 2013 Budget	2013 YTD Actual	2012 YTD Actual
Electric	28,187,154	29,772,763	26,025,490
Solid Waste	2,806,886	2,901,706	2,840,173
Drainage Utility	205,798	207,401	208,646
Water and Sewage	7,642,379	8,505,524	7,734,422
<b>TOTAL</b>	<b>38,842,217</b>	<b>41,387,394</b>	<b>36,808,732</b>

**SELECTED REVENUES AT A GLANCE**

Category	Revised 2013 Budget	2013 YTD Actual	2012 YTD Actual
City Sales Tax	5,525,000	5,867,555	5,526,417
County Sales Tax	3,295,000	3,537,817	3,305,021
Franchise Tax			
Gas Utility	430,000	453,755	332,689
Telephone	75,000	72,756	77,436
CATV	220,000	229,528	220,344
Building Permits	165,250	215,691	177,375
Municipal Court Fines	1,010,000	1,042,044	914,329



**City of Garden City  
 Monthly Financial Report FY 2013  
 For the Twelve Months Ended  
 December 31, 2013**

**General Fund**

General Fund Revenues collected through December were \$21,217,210. The December revenues represent 105.46% of the total revenues expected in the General Fund. Property tax distribution was 99.68% for the fifth of five payments in 2013.

General Fund Expenses are at 98.75% of the total expenditures expected in the General Fund.

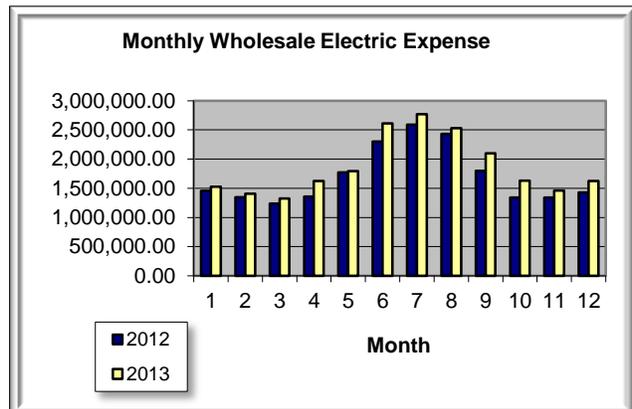
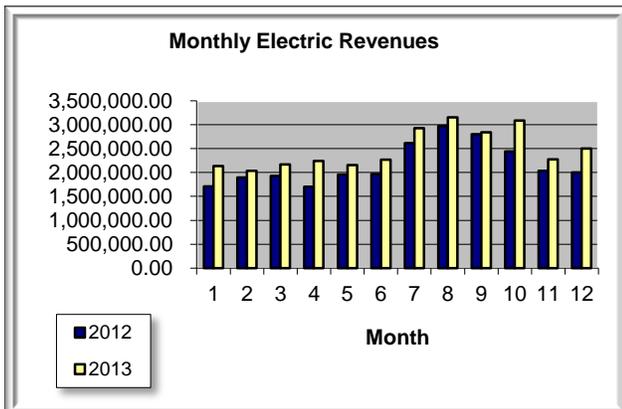
**Selected Revenues**

- City Sales Tax—Ahead by \$341,138 compared to December 2012 year to date collections, 6.17% ahead of 2012 for the twelve months ended.
- County Sales Tax— Collections for the twelve months ended are ahead of 2012 by \$232,796 or 7.04%.
- Franchise Tax—Budget estimates for 2013 remain approximately the same as 2012 with the exception of Gas utility, due to the increase in fee from 4% to 5%. Franchise fees are slightly higher than 2012 with the exception of telephone.
- Building Permits—Budget estimates for 2013 are based on 2012 revenues. Receipts are higher than this period in 2012.
- Municipal Court Fines—Budget estimates are slightly higher than 2012 budget and collections through December were ahead of 2012.

**Utility Funds**

A summary of Utility Fund revenue performance is outlined below:

- Electric revenues – revised budget at \$28,187,154 for 2013 were \$29,772,763 through twelve months or 105.63% of budget.

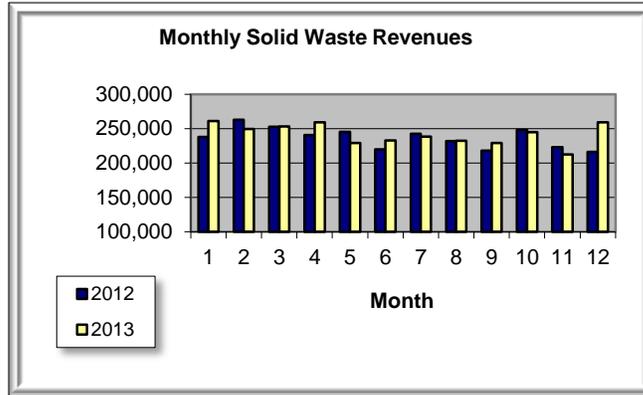


A main expense is Wholesale Electric in the Utility Fund. The 2013 revised budget for wholesale electric is \$21,212,000. The wholesale electric expense for December is \$1,624,200.

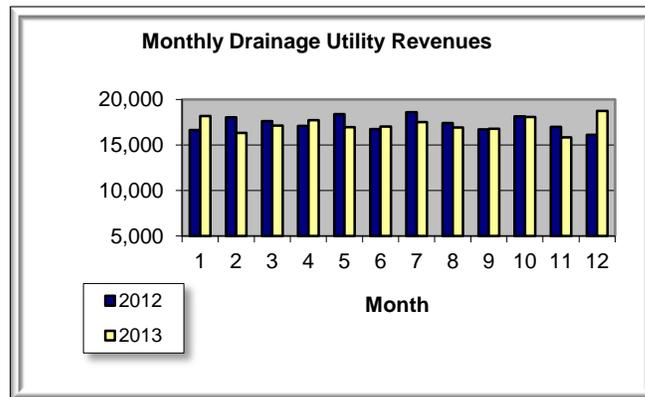


**City of Garden City  
 Monthly Financial Report FY 2013  
 For the Twelve Months Ended  
 December 31, 2013**

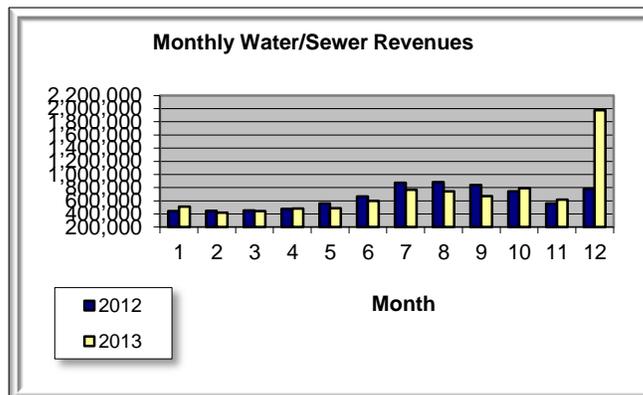
■ Solid Waste revenues – revised budget at \$2,806,886 for 2013 were \$2,901,706 through twelve months or 103.38% of budget.



■ Drainage Utility revenues – revised budget at \$205,798 for 2013 were \$207,401 through twelve months or 100.78%.



■ Water and Sewage revenues - revised budget at \$7,642,379 for 2013 were \$8,505,524 through twelve months or 111.29% of budget.





CITY OF GARDEN CITY, KANSAS  
 Comparison of Cash Balances with Encumbrances and Composition of Cash  
 For the Twelve Months Ended December 31, 2013

Fund	Unencumbered Cash Balance 1/1/2013	Receipts and Transfers	Expenditures and Transfers	Unencumbered Cash Balance 12/31/2013	Add Payables and Encumbrances	Treasurer's Cash 12/31/2013
1 General	3474369.34	21217209.67	19960615.92	4730963.09	241403.93	4972367.02
<u>Debt Service Fund</u>						
40 Bond and Interest	276747.01	1928994.05	1811454.00	394287.06	0.00	394287.06
<u>Special Revenue Funds</u>						
5 Capital Improvement	672380.26	64101.12	46110.18	690371.20	11485.81	701857.01
6 Community Development Loan Fund	9371.84	7565.22	2270.00	14667.06	0.00	14667.06
7 Cemetery Endowment	20579.97	6443.51	0.00	27023.48	0.00	27023.48
8 Community Trust	1361809.82	735761.74	820072.07	1277499.49	0.00	1277499.49
10 DEA Forfeiture	33248.70	34366.09	25894.64	41720.15	160.06	41880.21
11 Drug Enforcement	32830.09	9667.67	23983.89	18513.87	2554.58	21068.45
12 DJBX-0188 2012 Grant	0.00	15813.45	15813.45	0.00	0.00	0.00
15 Enhanced Wireless 911 Fund	216839.73	180677.23	104362.97	293153.99	3417.76	296571.75
18 Finnup Trust Fund	53040.88	183500.00	181788.70	54752.18	54029.86	108782.04
25 Recreation	1339.33	923367.36	924706.69	0.00	0.00	0.00
26 Special Improvements	111919.69	2673.74	27823.36	86770.07	163.80	86933.87
27 Special Liability	153098.02	30000.00	19666.98	163431.04	5000.00	168431.04
29 Special Alcohol Programs	27365.02	89720.57	75880.00	41205.59	19500.00	60705.59
30 Special Recreation and Parks	92354.57	106628.27	108721.00	90261.84	1396.00	91657.84
31 FOLRZ Projects	0.00	469512.11	469512.11	0.00	0.00	0.00
32 Special Trafficway	962465.80	691799.47	682721.70	971543.57	27942.90	999486.47
50 Community Development Grant	0.00	63874.93	63874.93	0.00	0.00	0.00
52 Economic Development	311551.07	61484.85	1047.07	371988.85	0.00	371988.85
53 Project Development	214993.64	119680.27	143056.72	191617.19	58382.81	250000.00
54 RHID Security Fund	0.00	0.00	0.00	0.00	0.00	0.00
Total Special Revenue	4275188.43	3796637.60	3737306.46	4334519.57	184033.58	4518553.15
<u>Capital Projects Funds</u>						
41 2013-GO Bond Projects	0.00	7752294.48	6775573.31	976721.17	178787.68	1155508.85
42 2011-GO Bond Projects	698172.49	0.00	698172.49	0.00	0.00	0.00
43 2011-Temporary Notes Projects	760.90	179205.00	179965.90	0.00	0.00	0.00
44 2012-Temporary Notes Projects	14336.50	627381.54	641718.04	0.00	0.00	0.00
45 2012-GO Bond Projects	924141.32	0.00	151330.21	772811.11	51758.60	824569.71
46 2012- Temporary Notes Durango Proj	4205085.44	0.00	1904241.51	2300843.93	48607.47	2349451.40
47 Pioneer Road Estates Improvements	0.00	728818.00	728818.00	0.00	0.00	0.00
48 2013-Temp Notes Series D	0.00	50000.00	20829.26	29170.74	20829.26	50000.00
49 2013-Temp Notes Schulman Crossing	0.00	9345137.78	3727040.13	5618097.65	0.00	5618097.65
Total Capital Projects	5842496.65	18682836.80	14827688.85	9697644.60	299983.01	9997627.61
<u>Enterprise Funds</u>						
Electric Utility:						
68 General	1709845.64	29772762.98	27974329.45	3508279.17	1790960.49	5299239.66
69 Security Deposits	340303.02	301365.00	190964.78	450703.24	0.00	450703.24
Total Electric Utility	2050148.66	30074127.98	28165294.23	3958982.41	1790960.49	5749942.90
Water and Sewer Utility:						
80 General	1982621.11	8505524.41	7871180.78	2616964.74	1206294.81	3823259.55
81 Wastewater Repair and Replacem	550660.27	134395.76	400000.00	285056.03	0.00	285056.03
82 Water and Sewage Maintenance F	821688.76	208069.25	450000.00	579758.01	0.00	579758.01
Total Water and Sewer Utility	3354970.14	8847989.42	8721180.78	3481778.78	1206294.81	4688073.59
Airport:						
60 General	351612.74	890800.90	931748.57	310665.07	30070.66	340735.73
61 Airport Improvement	81706.70	621207.74	644140.30	58774.14	68692.17	127466.31
Total Airport	433319.44	1512008.64	1575888.87	369439.21	98762.83	468202.04
Solid Waste Utility:						
75 General	1326363.62	2901705.70	2856138.39	1371930.93	103170.71	1475101.64
Recreation Area:						
70 General Golf Course	98732.40	854042.21	881846.68	70927.93	4530.22	75458.15
71 Golf Course Building	26581.05	21375.10	32806.00	15150.15	0.00	15150.15
Total Recreation Area	125313.45	875417.31	914652.68	86078.08	4530.22	90608.30
Drainage Utility:						
79 General	268151.95	207400.81	84758.37	390794.39	983.96	391778.35
<u>Internal Service Funds</u>						
55 Health Insurance	42018.06	4157063.29	3849061.80	350019.55	386267.40	736286.95
56 Health Insurance Reserve	700000.06	0.00	700000.06	0.00	0.00	0.00
35 Workers Compensation	67130.57	351540.00	348173.26	70497.31	99.00	70596.31
36 Workers Compensation Reserve	583694.12	140.40	81331.15	502503.37	2500.95	505004.32
Total Internal Service	1392842.81	4508743.69	4978566.27	923020.23	388867.35	1311887.58
Total All Funds	22819911.50	94553071.67	87633544.82	29739438.35	4318990.89	34058429.24



City of Garden City  
Statement of Revenues and Expenditures-General Fund Revenues  
From 12/1/2013 Through 12/31/2013

**001 - GENERAL FUND**

		Curr Month Collections	YTD Collections	Revised Budget	Uncollected Balance
<b>Income</b>					
3022	CONNECTING LINKS	0.00	74,672.55	74,050.00	622.55
3023	CONSUMER USE TAX	65,519.83	821,158.78	750,000.00	71,158.78
3028	LIQUOR CONSUMPTION TAX	24,697.18	89,720.56	78,000.00	11,720.56
3035	STATE REVENUE STAMP	(675.00)	(725.00)	0.00	(725.00)
3040	AD VALOREM TAX	0.00	3,455,566.49	3,400,000.00	55,566.49
3041	AD VALOREM BACK TAX	0.00	92,972.34	160,000.00	(67,027.66)
3044	CITY SALES TAX	501,046.29	5,867,554.62	5,525,000.00	342,554.62
3046	COUNTY SALES TAX	326,459.58	3,537,816.97	3,295,000.00	242,816.97
3055	MOTOR VEHICLE TAX	0.00	483,018.86	445,000.00	38,018.86
3056	RECREATIONAL VEHICLE TAX	0.00	3,818.41	4,250.00	(431.59)
3057	HEAVY DUTY VEHICLE TAX	0.00	3,642.78	3,250.00	392.78
3065	CATV FRANCHISE	0.00	229,527.70	220,000.00	9,527.70
3066	GAS UTILITY FRANCHISE	0.00	453,754.96	430,000.00	23,754.96
3067	TELEPHONE FRANCHISE	5,653.67	72,755.56	75,000.00	(2,244.44)
3115	CEMETERY SPACES	2,900.00	46,640.00	60,000.00	(13,360.00)
3301.01	ANIMAL BOARDING	2,026.26	16,466.06	13,500.00	2,966.06
3301.02	CAR STORAGE & TOWING	1,403.00	20,284.15	14,000.00	6,284.15
3301.05	FEES-FALSE ALARM	0.00	3,150.00	4,500.00	(1,350.00)
3301.07	FEES-GATE RECEIPTS	910.00	22,300.00	24,000.00	(1,700.00)
3301.08	FEES-GRAVE OPENINGS	4,075.00	67,470.00	55,000.00	12,470.00
3301.09	FEES-MONUMENT SETTING	325.00	3,015.00	2,500.00	515.00
3301.10	FEES-PLAT FILING	(32.00)	2,769.00	2,500.00	269.00
3301.11	FEES-REZONING	0.00	2,500.00	2,500.00	0.00
3301.12	FEES-RURAL FIRE CONTRACTS	195,797.32	195,797.32	190,000.00	5,797.32
3301.13	FEES-WAIVER FILING	345.00	2,100.00	1,500.00	600.00
3301.16	FINES-MUNICIPAL COURT	88,850.25	1,042,043.55	1,010,000.00	32,043.55
3301.17	FEES-STATE JUDGE	113.54	1,726.99	2,000.00	(273.01)
3301.18	FEES-STATE LAW ENFORCEMENT	4,275.43	64,751.22	104,000.00	(39,248.78)
3301.19	FEES-REINSTATEMENT	5,853.00	17,831.50	19,000.00	(1,168.50)
3301.20	FEES-RESTITUTION	114.00	59,103.87	0.00	59,103.87
3301.21	LEGAL COPIES	448.50	3,658.30	3,000.00	658.30
3301.22	PROBATION SCREENING	0.00	430.00	1,000.00	(570.00)
3301.23	FEES-CRIME STOPPER INFRACTION	1,653.00	4,304.00	750.00	3,554.00
3301.24	FEES-CRIME STOPPER MAJOR	(1,561.00)	(229.00)	1,500.00	(1,729.00)
3350.01	LICENSE-AMUSEMENT	0.00	1,500.00	2,000.00	(500.00)
3350.02	LICENSE-ARBORIST	0.00	375.00	600.00	(225.00)
3350.03	LICENSE-CEREAL MALT BEVERAGE	1,725.00	2,450.00	2,000.00	450.00
3350.04	LICENSE-CONTRACTOR	13,670.00	30,895.00	24,000.00	6,895.00
3350.06	LICENSE-ELECTRICIAN	3,540.00	7,000.00	4,750.00	2,250.00
3350.08	LICENSE-ITINERANT MERCHANT	0.00	7,930.00	15,000.00	(7,070.00)
3350.09	LICENSE-LIQUOR	2,500.00	16,000.00	15,000.00	1,000.00
3350.10	LICENSE-MECHANICAL	1,985.00	4,650.00	2,250.00	2,400.00
3350.12	LICENSE-PAWN SHOP	0.00	50.00	100.00	(50.00)
3350.13	LICENSE-PLUMBER	1,500.00	3,395.00	2,500.00	895.00
3350.15	LICENSE-TAXI	0.00	195.00	195.00	0.00
3350.16	TAGS-DOG & CAT	91.40	2,466.61	1,750.00	716.61
3400.01	PERMITS-BUILDING	11,087.25	177,625.97	130,000.00	47,625.97
3400.02	PERMITS-CURB CUT	160.00	637.00	250.00	387.00



City of Garden City  
Statement of Revenues and Expenditures-General Fund Revenues  
From 12/1/2013 Through 12/31/2013

3400.03	PERMITS-ELECTRIC	279.00	3,901.00	5,000.00	(1,099.00)
3400.04	PERMITS-EXCAVATION	65.00	1,280.00	1,500.00	(220.00)
3400.05	PERMITS-GAS	272.00	2,692.30	3,500.00	(807.70)
3400.08	PERMITS-MECHANICAL	373.00	13,384.10	9,000.00	4,384.10
3400.09	PERMITS-PLUMBING	261.00	9,060.94	11,000.00	(1,939.06)
3400.11	PERMITS-TV & SIGN	885.00	7,110.00	5,000.00	2,110.00
3435	INTEREST INCOME	5,030.55	36,149.95	35,000.00	1,149.95
3437	FINANCE CHARGE INCOME	2,306.36	11,326.15	12,500.00	(1,173.85)
3440.02	RENTAL-CITY FACILITIES	2,133.42	53,033.28	50,000.00	3,033.28
3440.03	RENTAL-DEPOT	100.00	1,200.00	1,200.00	0.00
3447	ROYALTIES-GAS WELLS	2,488.86	27,598.27	31,000.00	(3,401.73)
3450	SALE OF PROPERTY-AUCTION	0.00	14,438.25	18,000.00	(3,561.75)
3454	SALE OF PROPERTY-LAND	10,181.78	10,181.78	0.00	10,181.78
3470.01	REIMBURSE-ADMINISTRATIVE COSTS	281,086.25	299,420.43	276,765.00	22,655.43
3470.02	REIMBURSE-ENGINEERING	415,173.00	442,674.28	415,173.00	27,501.28
3470.03	REIMBURSE-FINNUP TRUST	0.00	924.00	924.00	0.00
3470.04	REIMBURSE-POLICE SERVICES	4,852.50	224,276.14	212,000.00	12,276.14
3470.07	UTILITY FUNDS REIMBURSEMENT	2,054,807.50	2,822,264.49	2,642,850.00	179,414.49
3470.08	REIMBURSE-COUNTY	6,262.43	124,166.76	125,000.00	(833.24)
3470.09	REIMBURSE-HOLCOMB	0.00	38,000.00	38,000.00	0.00
3515	FUEL TAX REFUND	(972.18)	2,398.62	1,500.00	898.62
3600.01	MISCELLANEOUS-ADMINISTRATION	0.00	3,377.00	0.00	3,377.00
3600.04	MISCELLANEOUS-INSPECTION	0.00	2,093.40	3,000.00	(906.60)
3600.05	MISCELLANEOUS-PARK & ZOO	0.00	1.00	50.00	(49.00)
3600.07	MISCELLANEOUS-POLICE	1,717.57	(279.59)	0.00	(279.59)
3600.08	MISCELLANEOUS-STREET	<u>50,000.00</u>	<u>50,000.00</u>	<u>50,000.00</u>	<u>0.00</u>
Total Income		<u>4,103,759.54</u>	<u>21,217,209.67</u>	<u>20,119,157.00</u>	<u>1,098,052.67</u>



City of Garden City  
Statement of Revenues and Expenditures-General Fund Expenses  
From 12/1/2013 Through 12/31/2013

**001 - GENERAL FUND**

		Curr Month			
		Expenses	YTD Expenses	Revised Budget	Budget Remaining
Expenses					
111	CITY COMMISSION	18,206.64	92,734.26	76,000.00	(16,734.26)
112	CITY MANAGER	43,514.10	469,557.46	473,250.00	3,692.54
113	SERVICE AND FINANCE	72,042.22	697,273.45	725,490.00	28,216.55
114	LEGAL SERVICES	21,498.03	129,704.03	106,450.00	(23,254.03)
115	MUNICIPAL COURT	73,402.31	771,080.61	883,000.00	111,919.39
116	HUMAN RESOURCES	18,589.28	172,192.70	171,450.00	(742.70)
117	INFORMATION TECH	32,818.35	400,325.82	386,850.00	(13,475.82)
118	CITY PROSECUTION	<u>40,450.79</u>	<u>279,474.67</u>	<u>282,350.00</u>	<u>2,875.33</u>
	Total Administration	320,521.72	3,012,343.00	3,104,840.00	92,497.00
121	POLICE-ADMINISTRATIVE	188,409.18	1,504,323.77	1,480,500.00	(23,823.77)
122	POLICE-INVESTIGATIONS	75,363.62	786,823.79	796,500.00	9,676.21
123	POLICE-PATROL	328,079.95	3,280,757.14	3,306,250.00	25,492.86
124	POLICE-SUPPORT SERVICES	147,840.69	1,153,996.46	1,162,500.00	8,503.54
125	POLICE-ANIMAL CONTROL	<u>54,089.19</u>	<u>197,870.86</u>	<u>197,250.00</u>	<u>(620.86)</u>
	Total Police	793,782.63	6,923,772.02	6,943,000.00	19,227.98
131	PUBLIC WORKS-PLANNING,COMM	36,349.43	323,920.66	332,300.00	8,379.34
132	PUBLIC WORKS-ENGINEERING	24,812.24	248,139.50	254,600.00	6,460.50
133	PUBLIC WORKS-STREET MAINT	126,617.70	1,376,133.98	1,392,250.00	16,116.02
134	PUBLIC WORKS-INSPECTIONS	37,766.50	271,471.54	314,500.00	43,028.46
135	PUBLIC WORKS-PARKS	<u>94,394.20</u>	<u>793,136.36</u>	<u>825,650.00</u>	<u>32,513.64</u>
	Total Public Works	319,940.07	3,012,802.04	3,119,300.00	106,497.96
141	ZOO-ADMINISTRATIVE	40,853.38	420,091.89	422,000.00	1,908.11
142	ZOO-MAINTENANCE DIVISION	41,329.38	320,914.92	331,000.00	10,085.08
144	ZOO-ANIMAL DIVISION	<u>146,326.42</u>	<u>1,119,644.31</u>	<u>1,141,750.00</u>	<u>22,105.69</u>
	Total Zoo	228,509.18	1,860,651.12	1,894,750.00	34,098.88
151	FIRE-ADMINISTRATIVE	29,446.94	239,208.88	241,250.00	2,041.12
152	FIRE-OPERATIONS	236,206.05	2,423,162.98	2,452,750.00	29,587.02
153	FIRE-VOLUNTEERS	<u>564.53</u>	<u>8,145.16</u>	<u>11,000.00</u>	<u>2,854.84</u>
	Total Fire	266,217.52	2,670,517.02	2,705,000.00	34,482.98
161	CEMETERY-OPERATIONS	46,528.52	467,233.26	494,600.00	27,366.74
171	CAPITAL IMPROVEMENT	254,177.36	1,852,297.46	1,790,500.00	(61,797.46)
181	EMPLOYEE BENEFITS	0.00	161,000.00	161,000.00	0.00
	Total Expenses	<u>2,229,677.00</u>	<u>19,960,615.92</u>	<u>20,212,990.00</u>	<u>252,374.08</u>



City of Garden City  
Statement of Revenues and Expenditures-Utility Fund Revenues  
From 12/1/2013 Through 12/31/2013

		Curr Month Collections	YTD Collections	Revised Budget	Uncollected Balance
Income					
068	ELECTRIC				
3101	COLLECTIONS-ELECTRIC	2,411,783.53	28,452,700.96	27,072,250.00	1,380,450.96
3110.01	COLLECTIONS-COIN BOX	(470.98)	(767.59)	250.00	(1,017.59)
3118	CONNECT FEES	6,646.00	95,834.00	65,154.00	30,680.00
3150	IDENTIFIED LONG/SHORT	(35.19)	(12,485.85)	0.00	(12,485.85)
3151	UNIDENTIFIED LONG/SHORT	92.54	67.80	0.00	67.80
3154	INSUFFICIENT FUNDS CHECKS	(1,934.98)	(5,888.23)	0.00	(5,888.23)
3155	RETURNED CHECK CHARGE	375.00	3,907.57	4,000.00	(92.43)
3185	PENALTIES	0.00	116,968.59	98,000.00	18,968.59
3201	REIMBURSE-DEVELOPER	2,100.00	28,286.00	65,000.00	(36,714.00)
3435	INTEREST INCOME	41.79	16,601.83	2,500.00	14,101.83
3476	REIMBURSE-DAMAGE PAYMENTS	0.00	39.15	0.00	39.15
3492	SALES TAX	77,785.39	1,038,472.33	875,000.00	163,472.33
3600	MISCELLANEOUS	5,064.11	39,026.42	5,000.00	34,026.42
	Total Electric	2,501,447.21	29,772,762.98	28,187,154.00	1,585,608.98
075	SOLID WASTE-GENERAL				
3111	COLLECTIONS-SOLID WASTE	250,651.71	2,763,129.29	2,670,000.00	93,129.29
3185	PENALTIES	0.00	82,575.87	85,000.00	(2,424.13)
3195	RECYCLING SALES	8,610.03	52,194.20	50,000.00	2,194.20
3435	INTEREST INCOME	93.42	1,099.96	1,386.00	(286.04)
3515	FUEL TAX REFUND	0.00	2,706.38	500.00	2,206.38
	Total Solid Waste	259,355.16	2,901,705.70	2,806,886.00	94,819.70
079	DRAINAGE UTILITY				
3104.01	DRAINAGE FEE	18,768.52	207,100.37	205,000.00	2,100.37
3104.02	HHW FEE INCOME	0.00	0.00	500.00	(500.00)
3435	INTEREST INCOME	0.00	300.44	298.00	2.44
	Total Drainage Utility	18,768.52	207,400.81	205,798.00	1,602.81
080	WATER AND SEWAGE				
3102.01	COLLECTIONS-SEWER	232,982.43	2,563,612.13	2,600,000.00	(36,387.87)
3103	COLLECTIONS-WATER	340,824.62	3,981,341.78	4,300,000.00	(318,658.22)
3118	CONNECT FEES	1,080.00	16,811.26	18,000.00	(1,188.74)
3120	COUNTY SEWER FEES	4,231.28	114,493.41	112,000.00	2,493.41
3130	FIRE LEG FEES	0.00	12,111.34	11,000.00	1,111.34
3185	PENALTIES	22,251.58	110,381.29	120,000.00	(9,618.71)
3201	REIMBURSE-DEVELOPER	1,642.69	74,878.73	11,000.00	63,878.73
3225	SALE OF MATERIAL	93.26	13,084.31	15,000.00	(1,915.69)
3228	SEWER MAINTENANCE FEES	572.00	4,131.44	3,879.00	252.44
3229	SEWER TANK FEES	16,227.60	128,617.47	95,000.00	33,617.47
3257	WATER TANK SALES	2,996.00	37,837.28	22,000.00	15,837.28
3260	WATER TAP FEES	900.00	14,436.97	7,500.00	6,936.97
3471.01	REIMBURSED EXPENSE-INSURANCE	0.00	16,509.07	0.00	16,509.07
3494	TAX-WATER CONSUMPTION	3,200.26	56,113.56	62,000.00	(5,886.44)
3515	FUEL TAX REFUND	0.00	277.44	0.00	277.44
3600	MISCELLANEOUS	62.50	10,886.93	15,000.00	(4,113.07)
4010.05	TRANSFER-ELECTRIC UTILITY	500,000.00	500,000.00	0.00	500,000.00
4010.20	TRANSFER-WTR SYS MAINT RESV	450,000.00	450,000.00	150,000.00	300,000.00
4010.21	TRANSFER-WASTEWTR R&R RESV	400,000.00	400,000.00	100,000.00	300,000.00
	Total Water and Wastewater	1,977,064.22	8,505,524.41	7,642,379.00	863,145.41
	Total Income	4,756,635.11	41,387,393.90	38,842,217.00	2,545,176.90

**CITY PROJECT UPDATES  
2014**

Revision No. 1 - Date: January 2, 2014

Completed Projects

Carry Over Projects From 2013

Proposed New Projects - Not Budgeted

Description	Current Status												Completion Status			Comments	
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Design	Bid	Const.		
<b>ENGINEERING - ADMINISTRATIVE</b>																	
Capital Improvements Bond Issue			Decide Projects?				Sale?							0%	7/??/2014	0%	
Special Assessments				Subdivision Specials?			Sale?							0%	7/??/2015	0%	
Petitions for New Developments							Petition?							0%		0%	
<b>ENGINEERING - HIGHWAYS &amp; MAJOR STREETS</b>																	
<b>A. STATE/FEDERAL AID</b>																	
KLINK Fulton St. to Kansas			Const?	Const?	Const?									100%	8/29/13	0%	\$587,081 Spring 2014 work City share \$387,081
East Kansas Ped/Bike Facility	Design	Design?			BID?		Const?	Const?						70%		0%	\$831,000 Spring 2014 work City share \$166,200
GI - Kansas Avenue Widening	Design	KDOT?	KDOT?		BID?		Const?	Const?	Const?	Const?	Const?	Const?	95%		0%	\$1,743,800 Spring 2014 work City share \$893,800	
KLINK - Center Street on Kansas											Design?	Design?	0%		0%	\$360,000 Spring 2015 work City share \$180,000	
<b>B. TE PROJECTS</b>																	
Windsor Hotel stabilization		<b>Bid</b>		Const?	Const?	Const?	Const?	Const?	Const?	Const?				100%	1/24/14	0%	\$711,757 Preservation Alliance share \$142,351
<b>ENGINEERING - LOCAL STREETS</b>																	
<b>A. CITY RECONSTRUCTION/CONSTRUCTION</b>																	
KDOT Fund Exchange Projects			Const?	Const?	Const?									100%	5/30/13	83%	\$336,588 FY 2012: North & South Chainey and Rock Rd
KDOT Fund Exchange projects	Design	<b>Bid</b>			Const?	Const?	Const?	Const?						100%	2/13/14	0%	\$225,000 FY 2013 - Shamus & Rebel Road
KDOT Fund Exchange projects				Apply?	KDOT?	Design?			KDOT-2?	Bid?	Const?	Const?	0%	??/2013	0%	\$225,000 FY 2013	
New Community Sidewalks		Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	0%		0%	\$30,000 0 - \$0 New Sidewalks throughout the Community, Filling Gaps	
<b>B. DRAINAGE PROJECTS</b>																	
FEMA Floodplain related projects														0%	On-hold	0%	Waiting on FEMA's letter.
<b>C. TRAFFIC SIGNAL PROJECTS</b>																	
Vehicle Detection Upgrades				Install?	Install?	Install?	Install?							100%	In-house	0%	\$ 35,000 Spring of 2014 Project - Walnut & Main
Pedestrian Activated Warning Sign								Review?	Quotes?	Order?	Install?			0%	In-house	0%	\$ 15,000
Vehicle Detection Upgrades							Review?	Quotes?	Order?	Storage?	Install?	Install?	0%	In-house	0%	\$ 35,000	
<b>D. SUBDIVISION CONSTRUCTION &amp; SPECIAL ASSESSMENT PROJECTS</b>																	
Pioneer Road Estates	Const	Const?												100%	12/21/12	95%	\$795,490 subdivision improvements
Stone Development	Const	Const?	Const?	Const?	Const?									100%	5/2/13	99%	\$387,069 Streets
<b>PUBLIC WORKS - STREET MAINTENANCE PROJECTS</b>																	
Street Sealing Program			Bid?	stockpile?	Const?	Const?	Const?							100%	3/??/2014	0%	\$383,000 Cycle Six
Crack Sealing Program	Const	Const?	Const?								Bid?			100%	??/??/2014	0%	\$191,150 2014 Cycle 1(172,000 lbs. \$191,150) - 2015 Cycle 2(172,000 lbs. \$202,650)
Community Sidewalk/Driveway		Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	0%		0%	\$20,000 (Res. 0 - \$0 & Com. 0 - \$0, Obligated \$0, Available Funds \$20,000)	

**CITY PROJECT UPDATES  
2014**

Revision No. 1 - Date: January 2, 2014

Completed Projects

Carry Over Projects From 2013

Proposed New Projects - Not Budgeted

Description	Current Status												Completion Status			Comments	
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<b>PUBLIC WORKS - PARKS &amp; GROUNDS</b>																	
Entryway Improvements													0%	On-hold	0%	\$0	Direction and funding issues
Master Plan - Finnup Park	Design?	Design?	Design?	Meeting?									90%		0%	\$9,880	Create a Master Plan for Finnup Park - Early 2014 Completion
2013 Street Tree Pruning Prog.	Bid	Const?	Const?	Const?	Const?								100%	1/16/14	0%	\$20,000	Early 2014 Project
2014 Street Tree Pruning Prog.									Mark?	Mark?	Mark?	Mark?	0%	1/??/2015	0%	\$20,000	
Maintenance Sealing Program			Bid?			Const?	Const?	Const?					100%		0%	\$28,100	Purchase Material (work completed in-house)
<b>REGIONAL AIRPORT</b>																	
Snow Removal Equipment Building	Const	Const?	Const?										100%	5/22/13	75%	\$716,543	FAA Grant approved 8/1, City Share \$35,828
Design Partial Twy F and Twy C			Design?	Design?	Design?	Design?	Design?	Design?	Design?	Design?	Design?	Design?	0%		0%	\$235,200	FAA Grant approved ?/?, City Share \$11,760
Street Sealing Program			Bid?			Const?	Const?	Const?					100%		0%	\$37,400	
<b>RECREATION</b>																	
Dog Park Improvements									Const?	Const?	Const?		0%		0%	\$20,000	GCRC funding, City Share \$5,000
<b>ZOO</b>																	
Elephant Yard Expansion	Design	Bid?			Const?		98%	1/?/2014	0%	\$423,000	Expansion of outside yard south into African plains yard.						
Install 5th Street Gate		Const?											100%	12/21/13	0%	\$14,000	Construct automated gate system at 5th Street entrance
<b>BUFFALO DUNES GOLF COURSE</b>																	
Irrigation Project			Const?	Const?	Const?								100%	2/28/13	98%	\$1,433,000	Adding new trunk lines and replacing system

**CITY PROJECT UPDATES  
2014**

Revision No. 1 - Date: January 2, 2014

Completed Projects

Carry Over Projects From 2013

Proposed New Projects - Not Budgeted

Description	Current Status												Completion Status			Comments	
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Design	Bid	Const.		
<b>ELECTRIC</b>																	
Circuit 105,405,505 Conversion	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	100%		30%	\$31,549	Voltage Conversion (\$3,619 Project to date)
Circuit 207 URD Replacement	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	100%		45%	\$39,913	Replacement
SCADA Development	Const?	Const?	Const?	Const?	Const?	Const?	Const?						100%		90%	\$125,000	System Monitoring
Substation # 10	Const	Const?	Const?	Const?									100%		95%	\$2,500,000	Almost finished
Substation # 11/Jameson Plant	Const	Const?	Const?	Const?	Const?	Const?							100%		35%	\$1,750,000	All work underway
<b>WATER</b>																	
Repair Water Tower Main & Kansas			Design?	Bid?	Const?								0%		0%	\$25,000	Internal repair to tower at Main Street and Kansas Avenue
Standby Power - Sandhills Wells					Design?					Const?			0%		0%	\$350,000	Back up generation - Sandhills water wells
Main Cleaning & Valve Replacement							Design?		Const?	Const?	Const?	Const?	0%		90%	\$125,000	Continue cleaning of older mains and replacing valves
<b>WASTEWATER</b>																	
SCADA Development		Design?	Const?	Const?	75%			\$125,000	WWTP Operation and Security								
Manhole Rehabilitation				Design?	Bid?				Const?				0%			\$45,000	Manhole Rehab
Design of Major Electrical Repairs			Design?			Const?							0%			\$75,000	Design new electrical conduit system for oxidation ditch #1 and #2
Building Construction			Design?	Design?			Bid?	Const?	Const?	Const?	Const?	Const?	0%			\$1,500,000	New Water Service Building at Electric Service Facility
Lyle/Theron Street Watermain			Design?	Design?	Bid?	Const?	Const?	Const?	Const?	Const?	Const?	Const?	0%			\$240,000	Construct new watermain on Lyle Street

**CONSIDERATION OF  
APPROPRIATION ORDINANCE**

# Ordinances & Resolutions

# MEMORANDUM

**TO:** Matthew C. Allen, City Manager  
**FROM:** James R. Hawkins, Chief of Police  
**DATE:** January 30, 2014  
**SUBJECT:** Proposed Change to Code Section 10-186



## **Issue:**

There is a proposal to amend Code of Ordinances Sections 10-186 and 10-191 which deal with vicious dogs.

## **Background:**

Lucille Douglass, a citizen, requested that the definitions of vicious dog be amended to remove the terms American Pit Bull Terrier, Staffordshire Bull Terrier and American Staffordshire Terrier from Section 10-186. The removal of the terms from Section 10-186 would, consequently, require the amendment of Section 10-191, (a)(3), which allows for the impoundment of animals defined in Section 10-186, in the event that the owner fails to meet the requirements for keeping those animals. The removal of these breeds from the definition of vicious dogs would permit owners of these animals to walk their dogs without muzzles and owners of the specified breeds would no longer be required to post signs or maintain pens or structures unless the animals were declared vicious by the court. City Counselor Randall D. Grisell has authored proposed amendments to the code sections.

## **Alternatives:**

Change the Code Sections 10-186 and 10-191 and remove references to specific breeds in the definition of vicious dogs.

Maintain the terminology and definition of vicious dogs in the current ordinance.

Request further research and proposed definitions of vicious dog.

## **Recommendation:**

There is no recommendation from the Garden City Police Department regarding these proposed amendments, however there are some concerns regarding the appearance of the animals in public places.

**Fiscal Note:**

The cost of publication of the changes in the Garden City Telegram.

Submitted for your consideration.



James R. Hawkins  
Chief of Police

**ORDINANCE NO. \_\_\_\_\_-2014**

AN ORDINANCE DEFINING AND REGULATING VICIOUS DOGS IN THE CITY OF GARDEN CITY, KANSAS; AMENDING CURRENT CODE SECTIONS 10-186 AND 10-191; REPEALING CURRENT CODE SECTIONS 10-186 AND 10-191; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS:**

**SECTION 1.** Code Section 10-186 of the Code of Ordinances of the City of Garden City, Kansas, is hereby amended to read as follows:

**Sec. 10-186. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Owner* means any person keeping, possessing, harboring or having the care or custody of a dog.

*Vicious dog* means any dog:

- (1) With a known propensity, tendency, or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of human beings or domestic animals;
- (2) Which, without provocation, has attacked or bitten a human being or domestic animal; or
- (3) Owned or harbored primarily or in part for the purpose of dogfighting, or any dog trained for dogfighting.

**SECTION 2.** Code Section 10-191 of the Code of Ordinances of the City of Garden City, Kansas, is hereby amended to read as follows:

**Sec. 10-191. Impoundment and destruction.**

(a) The police department may seize and impound a dog when:

- (1) The dog has attacked, bitten, or injured a human being or domestic animal;
- (2) The dog, without provocation, chases or approaches a person upon the streets, sidewalks or any public or private property in a menacing fashion or apparent attitude of attack;

- (3) The dog has previously been determined by the judge of the municipal court to be a vicious dog, and the owner has failed to comply with the requirements and conditions for keeping a vicious dog; or
- (4) The dog poses a threat of serious harm to the public health or safety.
- (b) The police department shall have the authority to immediately destroy a vicious dog which poses a threat of serious harm to public health or safety.
- (c) Any vicious dog seized by the police department pursuant to subsections (a)(3) or (4) of this section, shall be impounded for 72 hours, and thereafter destroyed.
- (d) The procedures and requirements set forth in article III, division 3 of this chapter concerning impoundment, shall not apply to vicious dogs.
- (e) Any vicious dog impounded by the police department may not be released without a municipal court order authorizing the release.

**SECTION 3.** Code Sections 10-186 and 10-191 of the Code of Ordinances of the City of Garden City, Kansas, as previously existing and amended, be and the same are hereby repealed, to be replaced as specified in this ordinance.

**SECTION 4.** This ordinance shall be in full force and effect from and after its publication in the Garden City Telegram, the official city newspaper.

APPROVED AND PASSED by the Governing Body of the City of Garden City, Kansas, this 4th day of February, 2014.

\_\_\_\_\_  
DAN FANKHAUSER, Mayor

ATTEST:

\_\_\_\_\_  
CELYN N. HURTADO, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
RANDALL D. GRISELL  
City Counselor

January 16, 2014

Celyn Hurtado  
Clerk of Garden City  
301 N. 8th St  
Garden City, Ks 67846

Dear Celyn:

Enclosed please find the Petitions gathered in support of the modifying the vicious dog ordinance.

  
Luci Douglass  
212 W. Pine St  
Garden City, Ks 67846

### Petition in Support of Modification of Vicious Dog Ordinances

Members of the City Commission of Garden City:

We, the undersigned, believe that the current ordinances regarding Vicious Dogs contain provisions that were borne out of faulty presumptions, many of which have been disproven, regarding certain breeds of dogs, and create dynamics that increase the likelihood of undesirable behaviors in dogs, encourage neglectful and detrimental care of dogs, disrupt the bond between dogs and their families, waste fiscal resources, redirect shelter space and animal control resources from other needs, and lead to the unnecessary confiscation and killing of animals exhibiting no aggressive behavior, based solely upon visual identification, which has been shown to be unreliable.

We believe that there are breed-neutral alternatives available to address concerns about human-canine interactions that would further the interest in public safety by encouraging obedience training, spaying and neutering, proper socialization, and proper vet care, and that the community would be better served by such alternatives.

We also believe that visual identification of "pit bulls" and "pit bull mixes" is problematic because of its unreliability; object to the current outdated presumption in the ordinance that appearance in any way predicts behavior, and believe that the breed restrictions in place create barriers to placing homeless animals in responsible homes, leading to the unnecessary destruction of healthy, non-aggressive, suitable pets.

For these reasons, we urge the Commission to review the current Vicious Dog ordinances and adopt appropriate amendments to remove any breed-specific restrictions or presumptions, and encourage the Commission to consider more effective and humane alternatives to protect both humans and canines.

Name	Address
1. <u>Trevor Villareal</u>	<u>1708 Center Garden City KS</u>
2. <u>Kyrsten Stoppel</u>	<u>1708 Center GC KS</u>
3. <u>Carolyn Villareal</u>	<u>5555 Mike Dr GC KS</u>
4. <u>Richard Kelgore</u>	<u>101 Chelsea Ct GC KS</u>
5. <u>Kaitlin Martinez</u>	<u>1713 E Laurel GC KS</u>
6. <u>Mariam Catalan</u>	<u>2202 N 9th St GC KS</u>
7. <u>Georgina Catalan</u>	<u>2202 N 9th St GC KS</u>
8. <u>Miranda Benedict</u>	<u>930 Army St Garden City KS</u>
9. <u>Sherry Gauer</u>	<u>2210 Cherokee Garden City KS</u>
10. <u>Helen J Batchelder</u>	<u>919 Davis Garden City KS</u>
11. <u>Paul Long</u>	<u>PO Box 922 Holcomb KS</u>

- 12. Alex Beuer PO Box 846 Holcomb KS  
Street City State
- 13. Doug Rehr 901 Jake Holcomb KS  
Street City State
- 14. Lisa Sisy PO Box 393 Holcomb KS  
Street City State
- 15. ~~3m Body~~ 2606 E. Pawnee Cardon City KS  
Street City State
- 16. ~~Mari Smith~~ PO Box 827 Holcomb KS  
Street City State
- 17. ~~John~~ 2510 Lammela A.C. KS  
Street City State
- 18. ~~Carlos Hernandez~~ 303 Redford Holcomb KS  
Street City State
- 19. ~~Pat Smith~~ Box 827 Holcomb KS  
Street City State
- 20. ~~Ann Smith~~ 501 N. 7th Garden KS  
Street City State
- 21. ~~Alex Murphy~~ 501 N. 7th Garden City KS  
Street City State
- 22. ~~Eve Lynn Morrow~~ 407 David Holcomb KS  
Street City State
- 23. ~~Anthony Gill~~ 301 Jeremy Holcomb KS  
Street City State
- 24. ~~Marcy Maden~~ Mauden City KS  
Street City State
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Street City State

12.	Scott Rze	14655 S. West Park Rd.	Garden City	KS
13.	Nate Kremer	303 1/2 W. 2nd	Garden City	KS
14.	Lo George	1622 Grandview Dr.	E Garden City	KS
15.	James Durok	1106 Long Blvd.	Garden City	KS
16.	Justin Smith	1106 Long Blvd	Garden City	KS
17.	Brooke Sullivan	930 Amy St.	Garden City	KS
18.	Robbie Satterfield	930 Amy St	Garden City	KS
19.	Abby G	201 E. Buffalo #5	Garden City	KS
20.	Shawn Ross	112455 Hwy 13	Garden City	KS
21.	Angie Madala	905 Crabapple	Garden City	KS
22.		4555 Corn	KS	
23.	Jason C. Gyles	5895 Dobbie Dr.	G.C.	KS
24.	John Finn	901 Theron Pl	GC	KS
25.	Frederic R. Wills	202 S. West	Holcomb	KS
26.	William Brown	620-260-0826	Garden City	KS
27.	Richard Brown	620-591-3822	Garden City	KS
28.	Mike McGinnis	(620) 290-3311	Garden City	KS
29.	Bridget McGinnis	(620) 290-3885	Garden City	KS
30.	Justin McGinnis	(620) 290-3885	Garden City	KS
31.	Eric Brown	620-277-8746	GC	KS
32.	Veronica W. Jar	620-405-1362	GC	KS
33.	Michael W. Jar	620-405-1362	GC	KS
34.	Abelardo W. Hayde	1106 E. Chestnut	GC	KS
35.	Edick Viera	275 S. Kalam	GC	KS
36.	Leticia Sausedo	300 Anna	Holcomb	KS
37.	Michelle Sartes	512 E. Santa Fe	Garden City	KS
38.	ERIC Sartes	512 E. Santa Fe	Garden City	KS
39.				
40.				

- 41. Theresa Drozco Box 922 Holcomb KS  
Street City State
- 42. Tonya Speicher 3565 Belmont Ave Evans CO  
Street City State
- 43. Zachary Roth 2220 Hartig #2 Garden City Ks  
Street City State
- 44. Quanda Partridge 105 7th Deerfield Ks  
Street City State
- 45. James Clymer P.O. Box 274 Deerfield Ks  
Street City State
- 46. Doree Clymer P.O. Box 273 Deerfield Ks  
Street City State
- 47. Brodie Cunningham P.O. Box 363 Deerfield Ks  
Street City State
- 48. Wendy Cunningham P.O. Box 363 Deerfield Ks  
Street City State
- 49. Glenda Cunningham P.O. Box 363 Deerfield Ks  
Street City State
- 50. Rosie Carter P.O. Box 273 Deerfield Ks 62838  
Street City State
- 51. William Clymer 510 Olive Deerfield Ks  
Street City State
- 52. Tanya Lopez P.O. Box 273 Deerfield Ks  
Street City State
- 53. Timothy Clymer 202 Old Hwy. 50 Deerfield Ks  
Street City State
- 54. Stephanie Meng P.O. Box 273 Deerfield Ks  
Street City State
- 55. Kara Scharz 212 W Pine St Garden City Ks  
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Name	Address
1. <u>Barbara Bryant-Telells</u>	<u>2607 Belmont Garden City KS</u> Street City State
2. <u>Kener Mitt</u>	<u>2011 Belmont Garden City KS</u> Street City State
3. <u>Jan Mally</u>	<u>617 N First St. Garden City KS</u> Street City State
4. <u>Jack Bryant</u>	<u>910 N. 2ND. ST. GARDEN CITY KS</u> Street City State
5. <u>Teere Bryant</u>	<u>910 No. 2nd Garden City KS</u> Street City State
6. <u>Brynn Wells</u>	<u>2607 Belmont Pl Garden City KS</u> Street City State
7. <u>Jan Mally</u>	<u>612 N 1st Garden City KS</u> Street City State
8. <u>Emily Burns</u>	<u>1620 Lincoln Rd. GCKS</u> Street City State
9. <u>[Signature]</u>	<u>1620 Lincoln Rd. GCKS</u> Street City State
10. <u>Chloe Wells</u>	<u>2607 Belmont GCKS KS</u> Street City State
11. <u>Jan Mally</u>	<u>2605 Belmont GCKS KS</u> Street City State

12. Jeremy Digg  
13. Annette W. Digg

2714 Henderson Garden City KS  
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107 E Campbell Garden City KS  
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## Petition in Support of Modification of Vicious Dog Ordinances

Members of the City Commission of Garden City:

We, the undersigned, believe that the current ordinances regarding Vicious Dogs contain provisions that were borne out of faulty presumptions, many of which have been disproven, regarding certain breeds of dogs, and create dynamics that increase the likelihood of undesirable behaviors in dogs, encourage neglectful and detrimental care of dogs, disrupt the bond between dogs and their families, waste fiscal resources, redirect shelter space and animal control resources from other needs, and lead to the unnecessary confiscation and killing of animals exhibiting no aggressive behavior, based solely upon visual identification, which has been shown to be unreliable.

We believe that there are breed-neutral alternatives available to address concerns about human-canine interactions that would further the interest in public safety by encouraging obedience training, spaying and neutering, proper socialization, and proper vet care, and that the community would be better served by such alternatives.

We also believe that visual identification of "pit bulls" and "pit bull mixes" is problematic because of its unreliability; object to the current outdated presumption in the ordinance that appearance in any way predicts behavior, and believe that the breed restrictions in place create barriers to placing homeless animals in responsible homes, leading to the unnecessary destruction of healthy, non-aggressive, suitable pets.

For these reasons, we urge the Commission to review the current Vicious Dog ordinances and adopt appropriate amendments to remove any breed-specific restrictions or presumptions, and encourage the Commission to consider more effective and humane alternatives to protect both humans and canines.

Name	Address
1. <u>Amanda Rivera</u>	<u>2601 W. Mary #216 Garden City, KS 67846</u> Street City State
2. <u>Katry Morrison</u>	<u>1014 E. Lampighter Ln. Garden City, KS 67846</u> Street City State
3. <u>Cindy Fowler</u>	<u>3212 Primrose St. Garden City, KS 67846</u> Street City State
4. <u>Susan Ayers</u>	<u>2805 Squire Pl Garden City KS 67846</u> Street City State
5. <u>Mary Haraiso</u>	<u>1510 N. 12th Garden City, KS 67846</u> Street City State
6. <u>Bill Harms</u>	<u>1510 N 12th Garden City, KS 67846</u> Street City State
7. <u>Ashley Ostry</u>	<u>1207 Ridgewood Dr. G.C. KS 67846</u> Street City State
8. <u>Quinn Hernandez</u>	<u>909 North Taylor Garden City KS 67846</u> Street City State
9. <u>Michelle DeKor</u>	<u>1606 N. Anderson Garden City, KS 67846</u> Street City State
10. <u>Brittani Varela</u>	<u>1710 B St. Garden City KS 67846</u> Street City State
11. _____	_____ Street City State

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Name	Address		
1. <u>Oscar Varela</u>	<u>1710 B<sup>st</sup></u>	<u>Garden City</u>	<u>KS</u>
	Street	City	State
2. <u>Brian Johnston</u>	<u>2312 Oakley</u>	<u>Garden city</u>	<u>KS</u>
	Street	City	State
3. <u>Tyler Hauschild</u>	<u>1224 Pinecrest</u>	<u>Garden City</u>	<u>KS</u>
	Street	City	State
4. <u>Juan Artega</u>	<u>950 Jennie Parker Rd</u>	<u>Garden city</u>	<u>KS</u>
	Street	City	State
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Name	Address
1. Amy Hubbard	105 E. Hackberry St. Garden City, KS 67846
2. Buenia Lopez	2103 N. Cherokee Rd Garden City KS 67846
3. Janelle Stewart	2303 N Yosemite Pkwy Garden City KS 67846
4. Bruce Emmens	2213 HERITAGE #2 GARDEN CITY KS 67846
5. Tom Bodvane	2210 Campus Dr Garden City KS 67846
6. Sarah Waller	Garden City KS 67846
7. Rafael Terrazos	1515 Pioneer Rd Garden City KS 67846
8. Cecilia Ruvion	1750 N. Sherman Garden City KS
9. Galaxia Perez	Windmill Drive Garden City KS 67846
10. [Signature]	612 St John St Garden City KS 67846
11. [Signature]	1611 Windy View #5 GC, KS 67846

- |     |                     |                    |             |       |
|-----|---------------------|--------------------|-------------|-------|
| 12. | Jimmy Ramos         | 709 W. Hamline St. | Garden City | Ks    |
|     |                     | Street             | City        | State |
| 13. | Hugo Salvador       | 528 8th St.        | Garden City | Ks.   |
|     |                     | Street             | City        | State |
| 14. | Julio Cesar Markweg | 709 W hamline st   | Garden City | Ks    |
|     |                     | Street             | City        | State |
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41.	<i>Calvin Mason</i>	226 Redford Dr.	Hickam	KS
		Street	City	State
42.	<i>[Signature]</i>	709 Summit St.	Garden City	KS
		Street	City	State
43.	Joel Garcia	515 Summit St	Garden City	KS
		Street	City	State
44.	Marisela Renteria	2001 W. maple	Garden	KS
		Street	City	State
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Name	Address
1. <u>Kaitlynn Walker</u>	<u>1027 N. 2nd St. Garden City KS</u>
2. <u>Mikayla Orozco</u>	<u>3830 N. Bglower RD Holicomb KS</u>
3. <u>[Signature]</u>	<u>1328 Lincoln Rd Garden City KS</u>
4. <u>Lila McDiffett</u>	<u>105 Evans Garden City KS</u>
5. <u>Tandy Reha</u>	<u>901 Sake Holicomb KS</u>
6. <u>Brendly Rich</u>	<u>2614 Fleming Garden City KS</u>
7. <u>Shay Johnson</u>	<u>Box 336 Garden City KS</u>
8. <u>Maranda Martinez</u>	<u>Box 1074 Galin KS</u>
9. <u>Janette Wenzinger</u>	<u>PO Box 54 Garden City KS</u>
10. <u>[Signature]</u>	<u>[Signature] KS</u>
11. <u>Laura Wenzinger</u>	<u>PO Box 846 Holicomb, KS</u>

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Name	Address
1. Nancy Markhart	803 Fitz St A.C. Kansas
2. J. Dan	2410 N Estes Ct. G.C. KS
3. Megan Wehkamp	1307 Mike's Dr. G.C. KS
4. Brent Beato	1206 Circle dr. G.C. KS
5. Glendora Hopkins	624 N. 11th G.C. KS
6. Jay Hawk	1505 Cotuitul G.C. KS
7. J. D. D. D.	1208 E Spruce G.C. KS
8. Marcell Ward	2703 TAYOR G.C. KS
9. M. L. L.	987 Smokey Rd G.C. KS
10. Dakota Bering	1008 W. 5th G.C. KS
11. K. B. B.	808 FITZ ST G.C. KS

12.	Tricia Wood	810 JC St	Garden City, KS
13.	Billijo Auerro	1508 8 <sup>th</sup> JOHN ST	Garden City KS
14.	Neil Guerrero	1508 Saint John St.	Garden City KS
15.	Rennie Schiack	1713 Center	Garden City KS
16.	Maryll	0935 JESS Rd	Hollumb KS
17.	Dee	1401 E Chestnut St	Garden City KS
18.	Amanda W. Galano	3015 Crane Rd #10	Garden City KS
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COMMUNITY  
DEVELOPMENT  
DEPARTMENT  
SERVING  
GARDEN CITY  
HOLCOMB  
AND  
FINNEY COUNTY  
620-276-1170

INSPECTIONS  
620-276-1120  
[inspection@garden-city.org](mailto:inspection@garden-city.org)

CODE COMPLIANCE  
620-276-1120  
[code@garden-city.org](mailto:code@garden-city.org)

PLANNING AND  
ZONING  
620-276-1170  
[planning@garden-city.org](mailto:planning@garden-city.org)

CITY ADMINISTRATIVE  
CENTER  
301 N. 8<sup>TH</sup>  
P.O. Box 998  
GARDEN CITY, KS  
67846-0998  
620.276.1170  
FAX 620.276.1173  
[www.garden-city.org](http://www.garden-city.org)

# Memo

To: Planning Commission  
From: Kaleb Kentner  
CC: File  
Date: December 5, 2013  
Re: GC2013-101, Amend Article 24 Off-Street Parking and Loading

**ISSUE:** An amendment to the parking requirements within City limits removing the requirement for additional spaces for home based occupations and fixing continuity issues.

**BACKGROUND:** Currently for home based occupations the Zoning Regulations require two (2) spots in addition to the spots required for the primary dwelling use. In “R-1” and “R-2” Districts, for example, this requirement brings the total number of parking spots required to six (6) regardless of the nature of the home occupation.

Staff has determined that it may be feasible to amend the parking regulations to not require any additional parking for home based occupations so long as the property meets the number of required spots for the district in which it is located.

Furthermore, the parking requirements for single and multi-family dwellings outlined in Article 24 are currently inconsistent with the requirements outlined in the individual residential district articles of the Regulations. The proposed amendment would resolve these inconsistencies.

**ALTERNATIVES:** The Governing Body may:

1. Approve the amendment as requested.
2. Approve the amendment with changes.
3. Deny the proposed amendment.

**STAFF RECOMMENDATION:** Staff recommends approval of this amendment request.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommended approval of the amendments as presented by staff.

**Present- 7**

**Yea- 7**

**Nay- 0**

*\*Attached you will find an excerpt from the Planning Commission minutes regarding this case.*



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*\*These minutes are draft only. They have not been approved by the Planning Commission.*

January 16, 2014

**GC2013-101 Amend Parking Regulations**

*Staff Henderson reads staff report.*

*OPEN PUBLIC COMMENT*

*CLOSE PUBLIC COMMENT*

*MEMBER HOWARD MAKES MOTION TO APPROVE.*

*MEMBER LOPEZ SECONDS MOTION.*

Votes were taken by yeas and nays and recorded as follows:

Weber	Lucas	Gigot	Howard	Law	Lopez	Laubach	Rishel	Sheets
Yea	Not Present	Not Present	Yea	Yea	Yea	Yea	Yea	Yea

Motion passed.

**ORDINANCE NO. \_\_\_\_\_-2014**

AN ORDINANCE REGULATING OFF-STREET PARKING AND LOADING IN THE CITY OF GARDEN CITY, KANSAS; AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS; AMENDING ZONING REGULATION ARTICLE 24; REPEALING IN ITS ENTIRETY CURRENT ZONING REGULATION ARTICLE 24; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS:**

**SECTION 1.** Article 24 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

**ARTICLE 24**

**OFF-STREET PARKING AND LOADING**

SECTIONS:

- 24.010 Off-Street Parking
- 24.020 Permanent Parking to be Provided
- 24.030 Continuing Obligation
- 24.040 Nonconforming Facilities
- 24.050 Nonconforming Uses Discontinued
- 24.060 Parking Spaces Provided
- 24.070 Parking Requirements for Uses Not Specified
- 24.080 General Provisions for Off-Street Parking
- 24.090 Parking Exceptions
- 24.100 Loading and Unloading Regulations

24.010 OFF-STREET PARKING. The number of off-street parking spaces required in connection with any particular land use shall not be less than that set forth in this Article. All zoning districts shall comply with the parking requirements established in this Article.

24.020 PERMANENT PARKING TO BE PROVIDED. Whenever a structure is erected, converted, or structurally altered there shall be provided on the same lot, adjacent lot, or group of lots, accessible off-street parking spaces, including drives. Said spaces may be provided in a garage or surfaced area. The parking area and its access to the street shall be surfaced with asphalt, or concrete.

In Residential Districts the primary parking (i.e. parking required as specified by zoning district) shall be surfaced with asphalt or concrete. Auxiliary parking areas (i.e. additional parking areas beyond the required parking as specified by zoning district) may be composed of alternate hard compacted impervious surfaces as approved by the City Engineer, shall be installed on approved locations (e.g. adjacent to the alley for additional parking, and rear yard parking areas), and regular maintenance shall be provided.

In "C-0" Office and Service Business, "C-1" Neighborhood Shopping, "C-2" General Commercial, "C-3" Central Business District, "I-1" Light Industrial and "I-2" Medium Industrial Districts, the asphalt and concrete parking area surface requirement shall be mandatory.

The asphalt and concrete parking area surface condition applies to all zones except: "I-3" Heavy Industrial Districts.

24.030 CONTINUING OBLIGATION. The required off-street parking facilities shall be a continuing obligation of the property owner so long as the use requiring vehicle parking or vehicle loading facilities continues. It shall be unlawful for any owner of any building or use to discontinue or dispense with the required vehicle parking facilities without providing some other vehicle parking area which meets the requirements of this Article.

24.040 NONCONFORMING FACILITIES. Any use of property which, on the effective date of this Article, or of any subsequent amendment thereto, is nonconforming only as to the regulation relating to off-street parking facilities may continue in the same manner as if the parking facilities were conforming. Such existing parking facilities shall not be further reduced, however.

24.050 NONCONFORMING USES DISCONTINUED. Delete 24.050 (Ord.-11640, 11/12/86)

24.060 PARKING SPACES PROVIDED. Except as otherwise provided in this Zoning Regulation the number of off-street parking spaces for various uses will be as follows:

USE	REQUIRED PARKING SPACES
1. Auditorium	One (1) parking space for each four (4) seats up to eight hundred (800) seats, plus one (1) parking space for each eight (8) seats over eight hundred (800) seats.
2. Automobile Sales and Services Garages.	One (1) space for each four hundred (400) sq. ft. of retail floor area.
3. Banks and Business and Professional Offices.	One (1) space for each two hundred (200) sq. ft. up to one thousand (1,000) sq. ft., and one (1) space for each four hundred (400) sq. ft. of additional space thereof.
4. Bowling Alleys.	Five (5) spaces for each lane or alley.
5. Churches.	One (1) space for each five (5) seats in the auditorium or one (1) space for each seventeen (17) classroom seats, whichever is the larger.
6. College or University.	One (1) space for each three (3) faculty, staff members and other employees, plus one (1) additional space for each fifteen (15) students enrolled.
7. Dance Halls, Assembly Halls, and Exhibition Halls, without fixed seats.	One (1) space for each one hundred (100) sq. ft. used for assembly.
8. Dormitory, Fraternity, or Sorority Houses	One (1) space for each three (3) active members or residents, plus one (1) space for each three (3) full time employees.
9. Dwellings, Single Family including Duplexes, and Manufactured Home Subdivision.	Four (4) spaces shall be provided for each dwelling unit. Two (2) parking spaces shall be located behind the front building line and may be in the side or rear yard.
10. Multiple Family.	Two (2) spaces shall be provided for each dwelling unit. All parking shall be located behind the front building line of each structure.
11. Manufactured Home Park	There shall be provided at least two (2) off-street parking spaces to be located on the manufactured home space. There shall be no on-street parking within the park except for moving trucks/vans, emergency vehicles or for temporary (15 minute) loading/unloading of vehicles. In addition, there shall be provided 1½ visitor's off-street parking spaces for every five (5) manufactured homes.

	Visitor parking spaces shall be located within convenient walking distances to home spaces.
12. Funeral Homes and Mortuaries.	Four (4) spaces for each parlor or one (1) space for each one hundred (100) sq. ft. of floor area.
13. Furniture and Appliance Stores.	One (1) space for each eight hundred (800) sq. ft. of floor area.
14. Hospitals.	One (1) space per two (2) beds plus one (1) space per three (3) employees plus one (1) space per staff doctor.
15. Clinics with Beds, Nursing Homes, Rest Homes, and Institutional Homes.	One (1) space for each three (3) beds shall be located behind the front building line in the side or rear yard.
16. Hotel or Motel.	One (1) space for each living or sleeping unit. For a facility with a restaurant, see restaurant requirements.
17. Industrial Uses.	One (1) space per two (2) employees on maximum shift and one (1) space for each company vehicle.
18. Manufacturing Uses, Research Testing Laboratories, Creameries, Bottling Establishments, Bakeries, Canneries, Printing and Engraving Shops, Etc.	One (1) space per two (2) employees on maximum shift and one (1) space for each company vehicle.
19. Medical Clinics or Offices.	Three (3) spaces for each examination room plus one (1) for each doctor and employee.
20. Dental Clinics or Offices.	Two (2) spaces for each examination room plus one (1) for each dentist and employee.
21. Motor Vehicle and Machinery Repair, Sales or Wholesaling.	One (1) parking space for each eight hundred (800) sq. ft. of floor area.
22. Offices not providing customer services or sales on the premises.	One (1) parking space for each four hundred (400) sq. ft. of gross floor area.
23. Personal Services Establishments in Commercial Zones, including: a. Barber Shops. b. Beauty Shops. c. Shoeshine and Shoe Repair Shops d. Custom Dressmaking, Furrier, Millinery and Tailor Shops.	One (1) space for each two hundred (200) sq. ft. of floor area.

24. Professional Offices for Attorneys, CPA's, Architects, Engineers, Etc.	Four (4) spaces per one thousand (1000) sq. ft. of gross floor area. For offices less than one thousand (1000) sq. ft. the minimum requirement shall be four (4) spaces.
25. Public Buildings.	One (1) space for each three (3) employees, plus one (1) space for each one hundred (100) sq. ft. used for public assembly.
26. Restaurants, Taverns, and Night Clubs.	One (1) space for each three (3) seats.
27. Retail Stores, except as otherwise specified herein.	One (1) parking space four hundred (400) sq. ft. of retail floor area, including designated outdoor sales areas.
28. Rooming and Boarding Houses, Lodging Houses, Clubs, and Fraternity Housing having sleeping rooms.	One-half (1/2) parking space for each tenant or one (1) space for each vehicle kept by a roomer, boarder, or tenant which is being parked on the premises, whichever is greater.
29. Schools; Private, Vocational, Etc.	One (1) parking space for each employee and one (1) space for each three (3) students of driving age.
30. Theaters.	One (1) parking space for each four (4) seats up to eight hundred (800) seats, plus one (1) parking space for each eight (8) seats over eight hundred (800) seats.
31. Warehouses and Wholesale Storage Buildings (dead storage or high volume Distribution)	Two (2) parking spaces for each employee on the maximum shift.

24.070 PARKING REQUIREMENTS FOR USES NOT SPECIFIED. The parking requirements for land uses which are not specified in this Article shall be determined by the City Engineer. Said determination shall be based upon the requirements for the most comparable use specified herein.

24.080 GENERAL PROVISIONS FOR OFF-STREET PARKING. The following General Provisions shall apply to off-street parking requirements in this Article:

(A) Location:

(1) For any type of dwelling, parking facilities shall be located on the same lot or building site as the building, which they are required to serve.

- (2) For other uses, off-street parking shall not be over two hundred (200) feet from the building they are required to serve.
- (3) No required off-street parking shall be permitted in any residential front yard setback.
- (B) Design Standards: All off-street parking facilities shall be so designed and constructed to meet the requirements set forth by the City Engineer.
- (C) Plans and Approval Required: The plans for any proposed parking area shall be submitted to the City Engineer at the time of the application for a building permit for the building to which the parking area is accessory. The plan shall clearly indicate the proposed development, including location, size, drainage, shape, design, curb cuts, lighting, landscaping, and other features and appurtenances of the proposed parking lot. Where required by the provisions of the respective zone, said plans shall also be submitted to and be approved by the Planning Commission. Plans showing layout and design of all required off-street parking areas shall be submitted and approved by the City Engineer.
- (D) Maintenance: All areas used for parking shall be maintained in good condition free of holes, dust, and debris.
- (E) Lighting: Any lights provided to illuminate any parking area permitted by this Article shall be arranged so as to reflect the light away from adjacent properties.
- (F) Mixed Occupancies in the Building: In the case of mixed uses in the building or on a lot, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as provided required parking facilities for any other use, except as hereafter specified for joint use.
- (G) Joint Use: The Planning Commission may, upon application by the owner or lessee of any property, authorize the joint use of parking facilities by the following uses or activities under conditions specified herein.
- (1) Up to fifty percent (50%) of the parking facilities required by this Article for a use considered to be primarily a daytime use may be provided by the parking facilities of a use considered to be primarily a night time use; up to fifty percent (50%) of the parking facilities required by this Article for a use considered to be a night time use may be provided by the parking facilities of a use considered to be primarily a daytime use, provided such reciprocal parking area shall be contiguous, and the joint use of such facilities is assured by recording in the Office of the Register of Deeds of Finney County, Kansas, of a Covenant by such owner or owners of properties jointly used.

- (2) Common Facilities: Common parking facilities may be provided in lieu of the individual requirements contained herein, provided the total of such off-street parking spaces, when used together, shall not be less than the sum of the various uses computed separately. If the common facilities are located on more than one lot, a covenant for the preservation of said parking facilities must be recorded in the Office of the Register of Deeds of Finney County, Kansas.

24.090 PARKING EXCEPTIONS.

Off-street parking requirements in Districts "C-1," "C-2," "C-3," "I-1," or "I-2" may be waived by the City Engineer when it can be established that off-street parking to satisfy the above requirement is available, either private or public, on adjoining property or within two hundred (200) feet of the proposed use. In determining whether or not sufficient off street parking is available to satisfy the requirements of this section, vacant land or spaces allotted to other uses shall not be considered.

24.100 LOADING AND UNLOADING REGULATIONS. Loading and unloading spaces shall be provided off-street and on the premises and in the side or rear yard for such uses involving receipt or distribution of materials or merchandise by motor vehicle or rail. All loading and unloading operations shall be so located to avoid undue interference with traffic and public use of streets, alleys, and walkways. Such space shall include a twelve (12) feet by fifty (50) foot area for loading and unloading operations and shall have a minimum height clearance of fourteen (14) feet. The number of spaces shall be provided as follows:

Number of Spaces	Square Feet of Building
1	3,000 to 20,000
2	20,000 to 40,000
3	40,000 to 60,000
4	60,000 to 80,000
5	80,000 to 100,000
6	100,000 to 150,000

**SECTION 2.** The Zoning Regulations for the City of Garden City, Kansas, Article 24 as previously existing, are hereby repealed, to be replaced as specified in this ordinance. All Zoning Regulation Sections not specifically amended or deleted herein shall remain in full force and effect.

**SECTION 3.** This ordinance shall be in full force and effect from and after its publication in the Garden City Telegram, the official city newspaper.

APPROVED AND PASSED by the Governing Body of the City of Garden City, Kansas, this \_\_\_\_ day of February, 2014.

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DAN FANKHAUSER, Mayor

ATTEST:

---

CELYN N. HURTADO, City Clerk

APPROVED AS TO FORM:

---

RANDALL D. GRISELL

City Counselor



# Memo

To: Garden City Commission  
 From: Kaleb Kentner  
 CC: File  
 Date: December 5, 2013  
 Re: GC2013-98, Amend Art. 23 Signs and Outdoor Advertising to increase the size of off-site advertising (Including EMB Billboards), and to update miscellaneous Sections

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**ISSUE:** An amendment to Article 23 of the Zoning Regulations to increase the size of off-site advertising, to include EMBs as permitted use, and to update miscellaneous Sections.

**BACKGROUND:** Currently off-site advertising signs larger than sixty four (64) square feet are prohibited within Garden City. Dr. Nathan Standmark has requested the City amend this regulation to permit larger off-site advertising signs and to allow Electronic Message Boards (EMBs) as a type of off-site advertising. The request was brought before the Planning Commission at the December Planning Commission meeting, an amendment to Article 23 was addressed. The Planning Department was asked by the Planning Commission to reevaluate the sign ordinance and proposed amendment. Staff has made some changes to help eliminate confusion in the regulation. The following proposed changes to the Ordinance were brought before the Planning Commission in January:

A. Billboards

Due to the confusion between Billboards and Off-site advertising, the term "Billboard" will be removed altogether from Article 23.

B. Off-site Advertising

Currently, off-site advertising is only allowed in Commercial Districts "C-0", "C-1", and "C-2" and Industrial Districts "I1", "I2", and "I3". These signs are allowed to be up to sixty-four (64) square feet. The proposed changes to this amendment will increase the size to four-hundred fifty (450) square feet and to allow EMBs to be a permitted type of sign. In addition, to help mitigate the impact of larger signs, preserve property values, create a more favorable environment for citizens and visitors of Garden City, and to promote safety and the development of an attractive City the following changes will also go into effect:

1. Limit the off-site advertising above sixty-four (64) square feet to not be permitted within the city limits of Garden City.
2. Limit the placement of off-site signs to be no closer than 1320 feet (1/4 mile) from another pole or pylon sign.
3. Limit off-site advertising to be no closer than five hundred (500) feet to any intersection.
4. Limit the illumination of EMB signs to not exceed three-tenths (.30) foot candles above ambient light levels as measured by a preset distance of fifteen (15) feet measured from the face of the sign.



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5. Limit off-site advertising to be no closer than one hundred (100) feet from any building.
6. Limit off-site advertising to be located no closer than five hundred (500) feet to land that is zoned residential.

C. Electronic Message Boards (EMBs)

Section 23.090 (H) which describes the restrictions for EMBs will also be updated. The following changes will go into effect:

1. (2) 'Display area restrictions' will be divided into two sections: on-site and off-site size restrictions. On-site will be raised to (80) square feet, and off-site will be allowed up to four-hundred fifty (450) square feet.
2. (4) The landscaping requirement will remain the same except the area will change from a five (5) foot radius to an eighty (80) square foot area encompassing the sign. A five (5) foot radius would give you 78.5 square feet. The change would give the same area, but allow for different configurations of the area.

D. Miscellaneous Section Updates

1. In Section 23.030 (A) (4) The fees for all off-site signs and all EMB signs will be based on the Commercial and Industrial Permit Fee Schedule.
2. The additional updates will address inflatable signs. The term is defined as a temporary sign.

The proposed amendment was presented to the Planning Commission on January 16, 2014. The issue was reviewed and discussed. The Planning Commission agreed with the proposed amendment.

A Summary of proposed changes along with the proposed amended ordinance is attached to this memorandum.

**ALTERNATIVES:** The City Commission may

1. Pass the ordinance as presented.
2. Pass the ordinance with changes.
3. Not pass the ordinance.

**STAFF RECOMMENDATION:** Staff recommends approval of this amendment request as the Planning Commission has recommended. However, staff recommends that no other changes to the off-site advertising restrictions are made other than those recommended by the Planning Commission.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission has recommended alternative: 1, approval of the amendment as requested with no changes.

**Present-7**  
**Yea-7**  
**Nay-0**



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## Proposed Changes:

### 1. In Section 23.020 Definitions

- a. Remove the definition of billboards (A), and remove any mentioning of billboards from the Article.
- b. Add to definition of illumination (G) (9): Not to allow illumination from EMB signs to exceed three-tenths (.30) foot candles above ambient light levels as measured by a preset distance of fifteen (15) feet from the face of the sign.
- c. Add to definitions (G): Sign, Inflatable. A temporary display, object or sign that is intended to be filled with air or other gas that depicts any container, figure, product, object, or message.

### 2. In Section 23.030 General Requirements

- a. Add a new fee for off-site and EMB signs that will be based on the schedule for Commercial and Industrial Permit Fees located in Art 42-121.

### 3. In Section 23.080 (E) Sign Permitted in Residential Districts

- a. (4) No illuminated sign shall exceed three-tenths (.30) foot candles above ambient light levels as measured by a preset distance of fifteen (15) feet measured from the face of the sign.

### 4. In Section 23.090 (F) Off-Site Advertisement

- a. Allow off-site advertising to be up to four-hundred fifty (450) square feet in area.
- b. Limit off-site advertising larger than sixty four (64) square feet to not be permitted in the city limits of Garden City.
- c. Limit off-site advertising to be placed no closer than 1320 feet (1/4 mile) from another pole or pylon sign.
- d. Limit off-site advertising from being closer than one hundred (100) feet from any building.
- e. Limit off-site advertising to be located no closer than five hundred (500) feet to land that is zoned residential.
- f. Limit off-site advertising to be located no closer than five hundred (500) feet to any intersection. The distance is measured from the



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beginning or ending of the pavement widening at the exit, or if there is no pavement widening, then from the midpoint of the intersection.

- g. State that all other regulations of the Kansas State Highway Beautification Act not met or exceeded by this regulation shall be enforced as stated in State Statute 68-2234 et seq.

5. In Section 23.090 (H) Electronic Message Boards:

- a. Divide the display area restrictions into two parts for on-site and off-site categories. On-site signs will be limited to eighty (80) square feet and off-site signs will be allowed to be greater than eighty (80) square feet but not to exceed four-hundred and fifty (450) square feet.
- b. The landscaped area required by the regulations to be an eighty (80) square foot area encompassing the base of the sign.

*\*These minutes are draft only. They have not been approved by the Planning Commission.*

*January 16, 2014*

**GC2013-98 Amend Signs**

*Staff Davidson reads staff report.*

*Secretary Kentner-* One of the things that was not changed was the timing. For those of you who remember from the last time we changed these regulations, the Federal Highway Administration has conducted a study on the timing on highways. We haven't yet received that study yet.

*Staff Henderson-* It was actually emailed to me late last night but I haven't had a chance to review it yet to see how it would compare to what the applicant has requested.

*Secretary Kentner-* Carol has done significant research on this and based on the discussion we had last meeting and the goals that were established, the overall consensus was to keep the "garden" in Garden City.

*Richard Strandmark-* I indicated to Kaleb that I think this is a work-in-progress, partly because of the highway study but also because we are trying to figure out the regulations. I looked over the regulations and there are very few places that will work. A big problem is the vacant lot issue. It would help a little bit if you'd remove that. There are a few good locations that have a building on the lot, mostly on the bypass. I think most of these are out of the city limits anyway. Almost every place I'm looking is in the county except for one on the bypass. There's nothing available south of town. I think if you don't make a few changes, you are going to end up where you are now and you won't be able to have them at all. The second issue that she mentioned is the 1,320 feet distance. That's a long way. I understand how this would work in big cities because there are more vacant lots. If you really want to open this up so that there will be some locations, you need to make a few changes. If you approve it like it is, I'm still going to try to get some put up and then I might request that you review it again in a few months; unless it's your goal to not allow them because that's kind of what it looks like. I know what you are talking about with city beautification but outside the city limits, I think there are some things that could be done that would allow these signs to promote businesses and Garden City. The other thing I want to mention is regarding the red, green and yellow limits. I understand if you are close to a traffic light but if you're not close to a light, I think it's excessive. That cuts a lot out of an add.

*CLOSE PUBLIC COMMENT*



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*Member Laubach*-This particular case is for Garden City and in my opinion, Garden City might be more restrictive than the county. I was fine with the way you had Garden City's. I wasn't sure about the county and rural areas.

*Member Lopez*- There are three different authorities that are going to be giving final approval or denial. I was kind of curious about future annexations.

*Secretary Kentner*- If a sign is put up and the city annexes, they are grandfathered in and the sign would be legal nonconforming. If it's maintained, it can be there forever.

*Member Lopez*- When something is grandfathered in and it wears out or a new technology comes along, can it legally be replaced?

*Secretary Kentner*- They can request that through the BZA. There is a pretty straight forward section in the regulations. There is a difference between repairs and replacement.

*Member Lopez*- I was listening to what the applicant had to say and he was operating on the assumption that Garden City wants these signs and you are either going to do this or you won't have any, but I don't think that's necessarily an accurate assumption. I keep weighing what the applicant wants versus the people who want to put the "garden" back in Garden City and that's important to me too. Some people last time said "well Great Bend does it, or Dodge City does it", but I don't want to be those places.

*Member Sheets*- Look at the income of their City though. We got lucky with Menards, but Dodge City's income, because of those signs, is very good. Those signs aren't hurting anybody. That's just the way things are going. We can't look at them as a negative because they are new. Our restrictions on signs are sometimes asinine.

*Secretary Kentner*- I disagree with your assumption on the sales in Dodge City. If you compare, our regulations are much more strict. But also, our sales are much higher than the Walmart in Great Bend or Dodge City.

*Member Sheets*- Well, look where it is.

*Secretary Kentner*- That's part of it but also it's because they want to come here.

*Member Sheets*- They do want to come here. Look what the football field did here; if that was done correctly, they wouldn't be able to run that jumbo-tron so close to the highway. Am I right?

*Secretary Kentner*- Actually, as long as it faces the inside of the stadium, they're fine. That's considered an interior sign and they shut it off after the game.

*Member Sheets*- It flashes so fast.

*Secretary Kentner*- We don't regulate interior signs.

*Member Sheets*- Sign companies hate coming to Garden City. I've been on this board for five years and this is always an issue.

*Secretary Kentner*- Garden City established a sign ordinance about 30 years ago and it was probably 30 years ahead of its time. I don't disagree that the technology is changing; that's why we are amending the regulations so they can use that technology. However, I think there is balance between what makes Garden City unique now and in the future. That's what we've heard from the general public as well as the commissioners. They don't mind changing to allow new technology, but they want to keep the balance.

*Member Laubach*- You've increased the square footage.

*Secretary Kentner*- We are making some significant changes here.

*Member Lopez*- We've even relaxed them some. I think that we may continue to work in that direction, but to just write a blank check, I don't think that's responsible on our part.

*Secretary Kentner*- I'd agree that there should be a difference between the city and the county.

*Member Sheets*- Holcomb doesn't need billboards.

*Member Laubach*- The timing on the electronic boards is what it is. That's not what we're here for.

*Secretary Kentner*- Right. We let him know that that is out of the equation for now until we get the highway study. A lot of cities have gone to no time limitations.

*Member Weber*- Our role is to make a recommendation and if he doesn't like it, he can go to the City Commission.

*Chairman Rishel*- When we were discussing the grandfathered signs, you were talking repairs and replacement. To me, repair is maintenance.

*Secretary Kentner*- Actually, the building code defines some of that. For example, if you take the whole top of the sign off and replace it with a new box, that would be a substantial change that would have to be brought up to regulations. If you just paint over it or maintain the brackets and bolts, that's just maintenance.

*Chairman Rishel*- Is there a percentage, like changing 30% or 40% of the sign?

*Secretary Kentner*- Usually it's right around 10%.

*Staff Henderson*- 10% of the value.



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*Member Lopez-* I think the highway commission study is important to the county but not as much the city.  
*Secretary Kentner-* I don't know that it will be because most our speed limits are below 65mph. What's important with that study is whatever they say regarding the speed and size of the lettering will translate into slower speed roads. Everyone will be able to recalculate that.  
*Member Lopez-* Due to the fact that study has just been made available to you, I didn't know if we should act on behalf of the City and make a motion and table the one for the county?  
*Secretary Kentner-* Well, like Mr. Strandmark said, most of his locations are in the county so I think it would be best to also move forward with the county as well. The timing, currently the state is locked in at eight seconds and they haven't adjusted them yet. The state may have to adjust theirs from eight to whatever the highway study determines.  
*Member Lopez-* That's what I was curious about; if we pass something more lax than what the state would allow, I don't know if that would be a problem or not.  
*Secretary Kentner-* The interesting legal issues that come with the electronic message boards is that it's adjustable so there's no grandfathering available to people who were approved for 15 seconds.  
*Member Laubach-* The timing would have to comply with whatever the law says.  
*Member Weber-* If the state changes theirs, the county roads would be under the county but highways would follow the state.  
*Secretary Kentner-* Most of the roads that go through town are split city/state and county/state. I think the amendments for Garden City, if you guys are comfortable, we can move forward and I think there are some adjustments that can be made to the county.  
*Member Weber-* Do the county today or wait?  
*Secretary Kentner-* I think you can go ahead because the only thing that's going to change is the timing and we aren't even reviewing the timing right now.  
*Discussion ensues regarding annexation of land to the city when livestock is involved.*  
**MEMBER LAUBACH MAKES MOTION TO APPROVE AS SUBMITTED.**  
**MEMBER SHEETS SECONDS MOTION.**

Votes were taken by yeas and nays and recorded as follows:

Weber	Lucas	Gigot	Howard	Law	Lopez	Laubach	Rishel	Sheets
Yea	Not Present	Not Present	Yea	Yea	Yea	Yea	Yea	Yea

Motion passed.

**ORDINANCE NO. \_\_\_\_\_-2014**

AN ORDINANCE AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS; ADOPTING NEW ZONING REGULATIONS TO REGULATE SIGNS AND OUTDOOR ADVERTISING; AMENDING ZONING REGULATION ARTICLE 23; REPEALING IN ITS ENTIRETY CURRENT ZONING REGULATION ARTICLE 23; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS:**

**SECTION 1.** Article 23 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

**ARTICLE 23**

**SIGNS AND OUTDOOR ADVERTISING**

SECTIONS:

- 23.010 Purpose and Intent
- 23.020 Definitions
- 23.030 General Requirements
- 23.040 Location Standards
- 23.050 Exceptions
- 23.060 Temporary Signs
- 23.070 Special Purpose Signs
- 23.080 Signs Permitted In Residential Districts
- 23.090 Signs Permitted In Commercial and Industrial Districts - for "C-O", "C-I", "C-2", "I-1", "I-2" & "I-3" Districts
- 23.100 Signs Permitted in the Central Business District - "C-3" District
- 23.110 Signs Prohibited
- 23.120 Nonconforming Signs

23.010 PURPOSE AND INTENT. It is the intent of this regulation to control the construction, size, and uses of signs and outdoor advertising to prevent the needless cluttering of the appearance and skyline of the City by unreasonable number,

location, size, and illumination of signs. The purpose of this Article is to further the goals of enhancing the aesthetics and improving traffic safety in the City.

23.020 DEFINITIONS. The following words and phrases whenever used in this Title shall be construed as defined in this Section. Where there is a question as to the interpretation of a term, word, classification or definition of a sign, the Planning and Community Development Director (Director) or his/her designee shall make the final determination on the term, category, classification, and/or definition applicable.

- (A) Electronic Message Boards (EMB) - A sign with a fixed or changeable display composed of a series of lights or composed of electronically illuminated segments that may be changed through electronic means.
- (B) Flashing - When artificial light is not maintained stationary or constant in intensity and/or color at all times, i.e. any revolving, moving, sequential, animated or intermittent sign shall be considered flashing.
- (C) Immediate Adjacent Grade - the established final grade of the ground surface at the base of the sign within one and a half (1.5) times the radius of the sign length. This area shall be no steeper than a 3% grade.

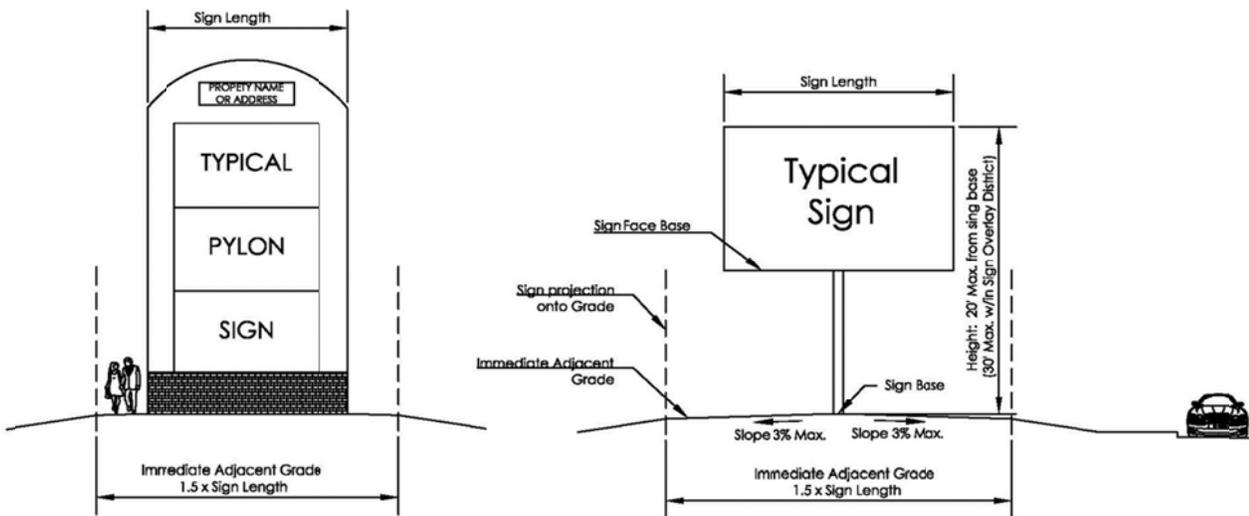


Figure 23.020 (D) - Immediate Adjacent Grade

- (D) Intense Illumination - Illumination to an extreme degree which may materially or practically tend to create traffic hazard as determined by the City.
- (E) Sight Triangle (Also, Vision Clearance Area) - A triangular area on a corner lot, which is formed by the street property lines and a line connecting them at points, twenty-five (25) feet from the intersection of the street lines, as defined in Section 2.030.115 of these zoning regulations.

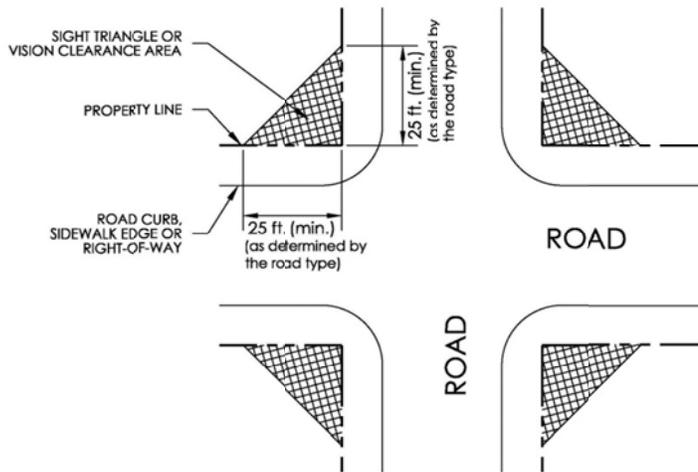


Figure 23.020 (F) - Sight Triangle

- (F) Sign - A communication device, structure, or fixture that incorporates words, lettering, parts of letters, figures, numerals, phrases, sentences, devices, design, picture, trade names or trademarks, graphics by which anything is made known, used to designate a firm, an association, a corporation, a profession, a business, a service, commodity or product, an event, or any type of publicity or propaganda, whether placed on the ground, rocks, trees, stumps, or other natural objects, or on a building wall, roof, frame, support, fence, or other manmade structure, which are visible from any public street, public highway, or public road right-of-way. For purpose of this Title, the term "sign" does not include the flag, pennant, or insignia of any nation, state, city, or other political unit, or of a nonprofit organization. It shall not include any official notice issued by any court, public body or officer or directional warning, information sign, or structure required or authorized by law.
- (1) Sign, "A" Frame - Any portable sign or structure composed of two (2) sign faces mounted or attached back to back in such a manner as to form a basically triangular vertical cross section through the faces, consisting of two (2) panels of equal size or a two (2) sided single paneled display, made of painted, decay-resistant wood, marker-board or chalkboard which are placed on the ground so as to be self-supporting and properly weighted for the wind loads in the area.



Figure 23.020.G (1) - Typical "A" Frame Signs

- (2) Sign, Abandoned - Any sign that advertises an activity, business, product, or service no longer conducted or available on the premises on which the sign is located.
- (3) Sign, Animated - Any sign, or any portion thereof which changes physical characteristics, position or depicts visual perception of movement which is set in motion or that gives the impression of movement whether it be by mechanical, thermal, pneumatic, electrical or by any other force or physically moves back and forth, or rotates, revolves, spins, whirls or turns.
- (4) Sign, Back-to-back - Signs constructed back-to-back with faces on parallel planes not more than twenty-four (24) inches apart from face-to-face surface shall count as a single sign both as to the number and to area. Thus, only one (1) side of such signs shall be counted in computing the sign area.
- (5) Sign, Banner - A sign composed of lightweight, all weather material, enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere. Banner signs shall be considered temporary, except if it meets the following conditions:
  - (a.) Fixed Banner - shall firmly affixed or secured to the side of a building within a wooden or metal frame, or with eyelets, or may be placed in a wooden or metal frame permanently affixed to the ground as to allow for minimal movement of air behind the banner.
    - (i) One fixed banner sign may be permitted per frontage.
    - (ii) No fixed banner shall be considered permanent if it is less than thirty-two (32) square feet in area.
    - (iii) On wall mounted banner signs, the eyelet support cables shall not exceed 12 inches in length, and shall be firmly tight.

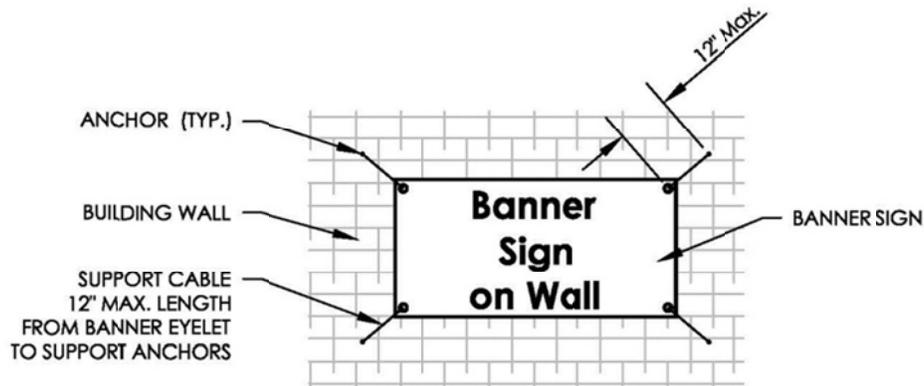


Figure 23.020.G (5.a) - Wall Mounted Banner Sign

- (b.) Upright Banner shall be firmly affixed to at least one (1) side of a rigid mounting permanently affixed to the ground.
  - (i.) Interchangeable upright banners shall be allowed.
  - (ii.) The upright banner mounting and location shall be permanently affixed to the ground, and shall be approved by the Community Development Director or his/her designee, prior to any signs erected.
  - (iii.) Upright Banners shall not exceed three (3) feet by six (6) feet total banner area, and shall not be taller than ten (10) feet from the base to the highest point of the sign.
  - (iv.) Upright Banners may only be permitted in the "C-1", "C-2", "I-1", "I-2" and "I-3" districts.
  - (v.) Two (2) free standing upright banners may be permitted per property.
  - (vi.) No upright banner sign may be located closer than twenty-five (25') feet from another upright banner sign, free standing sign or any temporary sign.

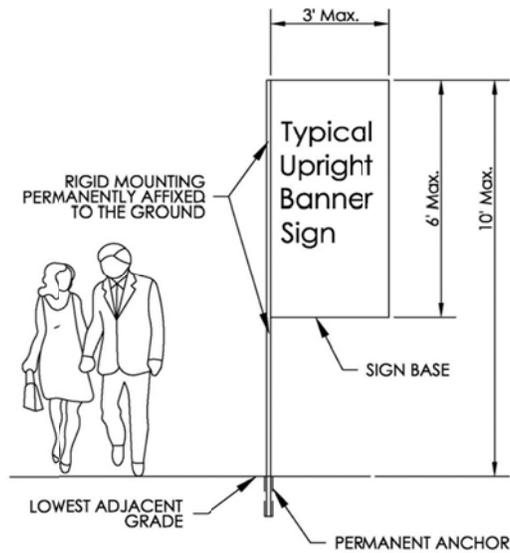


Figure 23.020.G (5.b) – Typical Upright Banner Sign

- (6) Sign, Construction Project - A temporary sign indicating the names of architects, engineers, landscape architects, contractors, and similar artisans involved in the design and construction of structures or projects only during the construction period and only on the premises on which the construction is taking place.
- (7) Sign, Directional - Any sign which serves exclusively to direct pedestrian or vehicular traffic flow. Directional signs shall not exceed six (6) square feet in area.
- (8) Sign, Identification - A sign giving the name and address of a building, business, development or establishment on the premises where the sign is located or to which it is affixed. Such signs may be wholly or partly devoted to a readily recognized symbol.
- (9) Sign, Illuminated - Any sign designed to give forth artificial light, or designed to reflect such light deriving from any source which is intended to cause such light or reflection.
  - (a.) All electrical components shall be enclosed within the sign structure.
  - (b.) Illuminated signs shall be properly grounded.
  - (c.) Illuminated awning signs may be permitted.
  - (d.) All electrical components and/or lighting equipment shall be labeled and rated for outdoor use.
  - (e.) Ceilings (soffits) are required and may consist of "egg crate," mesh fabric or solid plastic material. Removable panels may be provided to allow access for service and cleaning.

- (f.) Minimum clearance to grade shall be eight (8) feet unless projecting over a vehicular right-of-way in which case minimum clearance must be sixteen (16) feet.
- (g.) Illumination from Electronic Message Boards not to exceed three-tenths (.30) foot candles above ambient light levels as measured by a preset distance of fifteen (15) feet measured from the face of the sign.
- (10) Sign, Inflatable - A temporary display, object or sign that is intended to be filled with air or other gas that depicts any container, figure, product, object, or message.
- (11) Sign, Metal - Any sign constructed of metal.
- (12) Sign, Monument - A free standing sign, permanently affixed to the ground, supported primarily by an internal structural framework or other solid structural feature, which may be integrated into the landscape. The maximum height from the immediate adjacent grade to the highest point of the structure shall not exceed fifteen (15) feet. The maximum width of the sign shall not exceed thirty (30) feet.

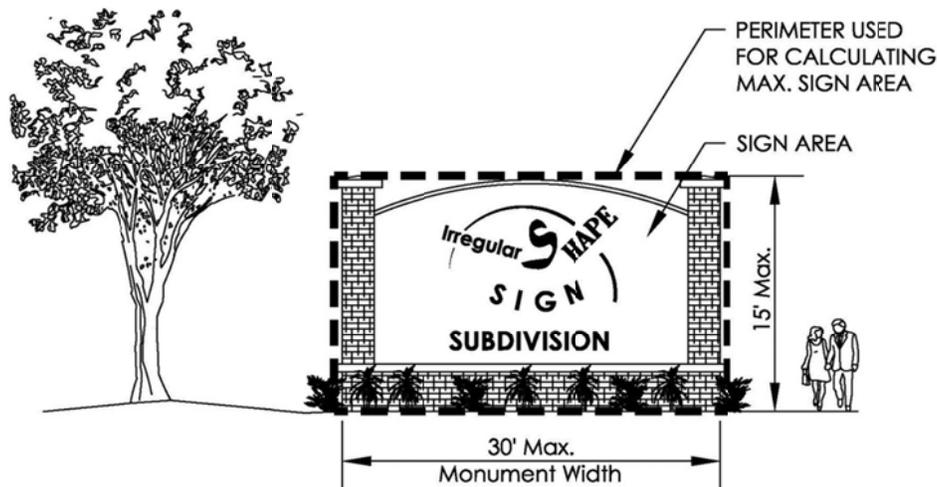


Figure 23.020.G (11) - Monument Sign

- (13) Sign, Non-conforming - A sign lawfully erected and maintained prior to the adoption or amendment of this ordinance that does not conform, or fails to comply with the requirements set herein.
- (14) Sign, Pole - A sign that is mounted on a freestanding pole. No pole sign shall have a height greater than twenty (20) feet above the curb, except those signs within the "Sign Overlay Zone". Pole signs are limited to one (1) per lot regardless of the number of businesses or professions on the lot. Minimum clearance to grade shall be eight (8) feet unless projecting over a vehicular right-of-way in which case minimum clearance must be sixteen (16) feet. The minimum distance between pole signs shall be fifty (50) feet from other monument or pole signs.

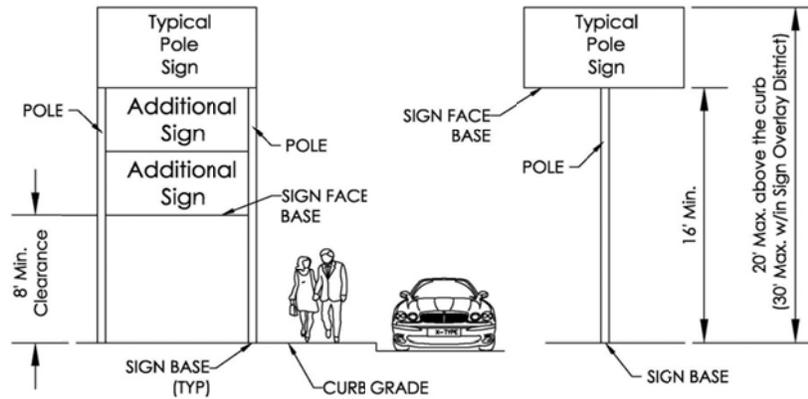


Figure 23.020.G (13) - Typical Pylon Sign

- (15) Sign, Pylon - A free standing vertical sign, permanently affixed to the ground, typically supported by two columns or similar structures and independent of support from any building(s). The maximum height (H) shall be twenty (20) feet from the immediate adjacent grade, except those signs within the "Sign Overlay Zone", and the base (B) shall be at least one third the height ( $1/3 H$ ). Each column shall be at least one fourth the base ( $1/4 B$ ) of the structure. Pylon signs are limited to two (2) per lot regardless of the number of businesses or professions on the lot. The minimum distance between pylon signs shall be one thousand (1000) feet from other pylon signs, and one-hundred (100) feet from other pole or monument signs; and shall not be placed within the sight distance triangle area.

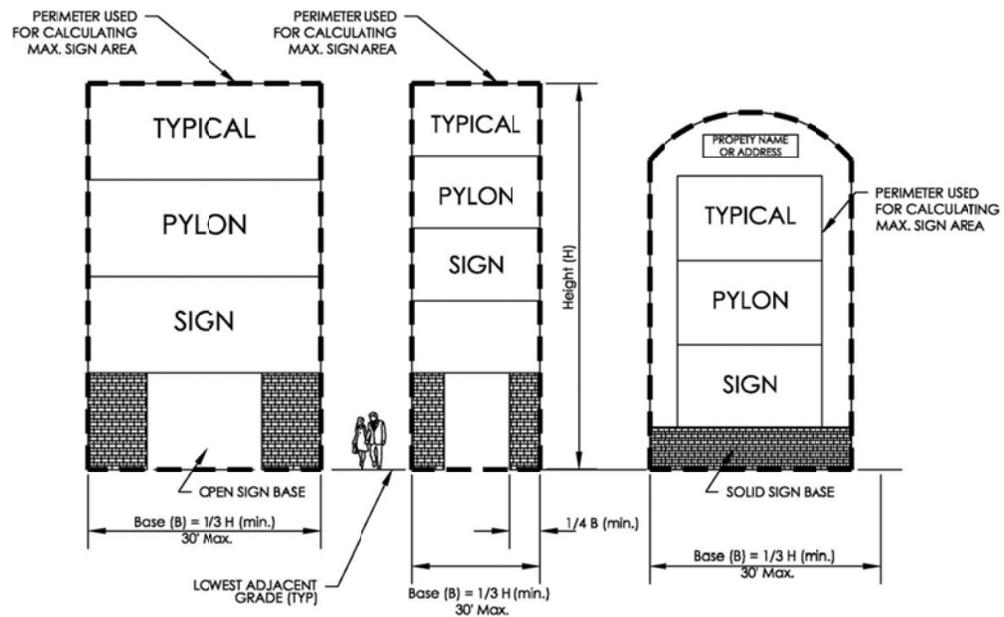


Figure 23.020.G (14) - Typical Pylon Sign

- (16) Sign, Projecting - Any sign attached to a building or structural wall and extending horizontally outward from such wall more than twelve (12) inches.

- (17) Sign, Prohibited - Any sign not expressly permitted by this chapter or as stated by each district is prohibited. For more information regarding prohibited signs, refer to Section 23.110 in this article.
- (18) Sign, Public Service Information - Any sign intended primarily to promote items of general interest to the community such as time, temperature, date, atmospheric conditions, news, traffic control, etc.
- (19) Sign, Real Estate - A temporary sign that relates to the sale, lease or rental of the property or building or a portion thereof, or to construction activities directly related to the property on which it is located. These signs do not include subdivision signs and are used solely for the purpose of displaying the property for sale, lease, or rent.
- (20) Sign, Roof - Any sign that is erected upon or over the roof or over a parapet of any building or structure shall not exceed six (6) inches above the roofline or parapet.

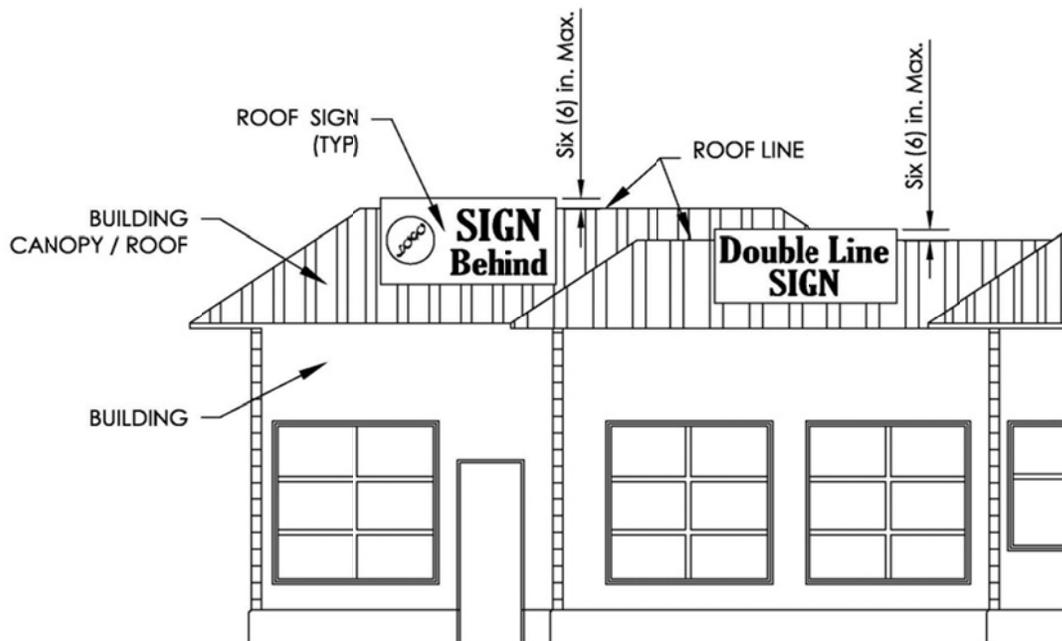


Figure 23.020.G (19) - Roof Sign

- (21) Sign, Off-Site Advertising - A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than at the property on which the sign is erected.
- (22) Sign, Off-Site Directional - A sign that assists in locating the access point to a business, a building or group of buildings, which do not have direct access to an arterial road, at a location other than at the property on which the sign is erected. These types of signs shall not exceed six (6) square feet in area.

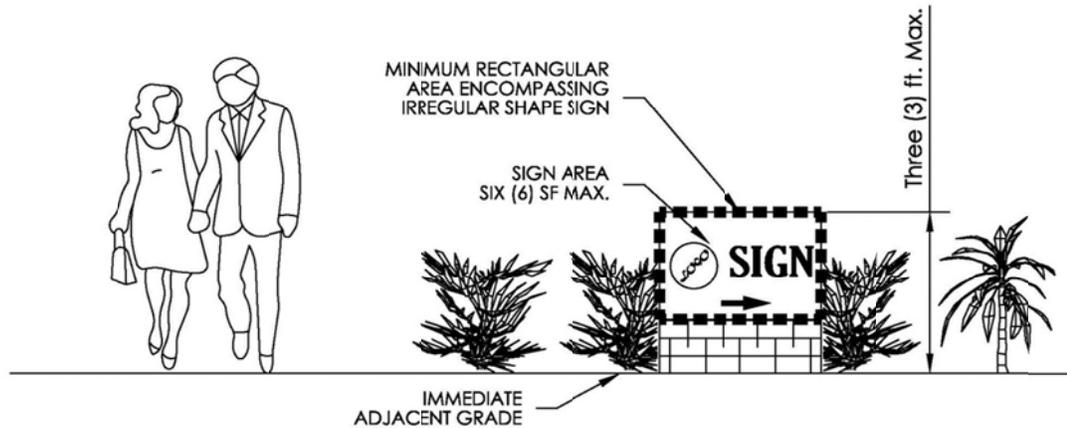


Figure 23.020.G (21) – Off-Site Directional Sign

- (23) Sign, On-Site Advertising – A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at the premises on which the sign is located or to which it is affixed.
  - (24) Sign, Temporary – Any sign constructed of paper, cloth, canvas, or other similar light weight or expendable material with or without frames, or either nailed, clamped, or attached to a pole or other structure and intended to be displayed for thirty (30) days or less. Search lights, balloons or other gas filled objects or portable signs may also be considered temporary signs.
  - (25) Sign, Vehicle – Shall apply to signs mounted upon or painted upon vehicles or trailers which are parked for a period of three (3) or more days expressly and exclusively for the purpose of calling attention to or advertising a specific business establishment or product, i.e. the principal use of the equipment, as determined by the Planning and Community Development Director, is advertising.
  - (26) Sign, Wall – Any sign posted or painted upon, suspended from or otherwise affixed to a building, wall, fascia, canopy, or marquee in an essentially vertical position or with exposed face of the sign plane approximately parallel with the wall or fascia upon which it is attached.
- (G) Sign Area – Sign area shall mean and be determined as follows:
- (1) Integral background areas: the area of a sign containing a clearly defined background area. The area as defined herein shall be expressed as the area of the smallest standard geometric shape capable of encompassing the perimeter of the background area of the sign, including the frame. In the case of signs in which multiple background areas are separated by open space, the sign area shall be expressed as the sum

of each individual background area, calculated as referenced above, but without regard for any open space between the separate background areas.

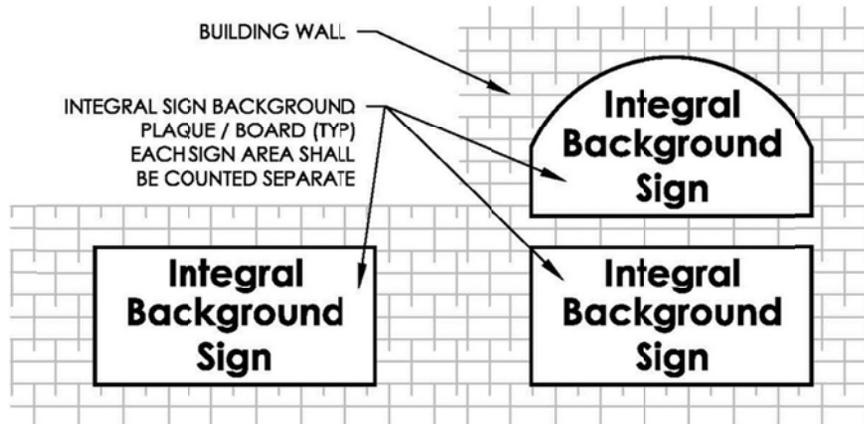


Figure 23.020.E (1) Integral Background Signs

- (2) Signs without integral background area; consist of individual, a combination of elements such as letters, symbols, graphic objects or other forms of representations that are painted, attached to, or otherwise affixed to a surface such as a wall, window, canopy, architectural projection, or to any surface not specifically designed to serve as a sign background. The sign area shall be expressed as the sum of the individual areas of the smallest geometric shapes capable of encompassing the perimeters of the individual elements comprising the sign. Where the lettered or illustrated material is composed either vertically, horizontally, diagonally, or otherwise, essentially in the form of a rectangle, parallelogram, or any basic shape thereof shall be considered as the sign area; except where the distance between the sign elements ( $D$ ) exceeds the average height or width of the sign elements ( $A$ ) by one and one-half times ( $D \geq 1.5A$ ), then the area of the elements shall be measured separately, as provided in figure 23.020.E (2) below.

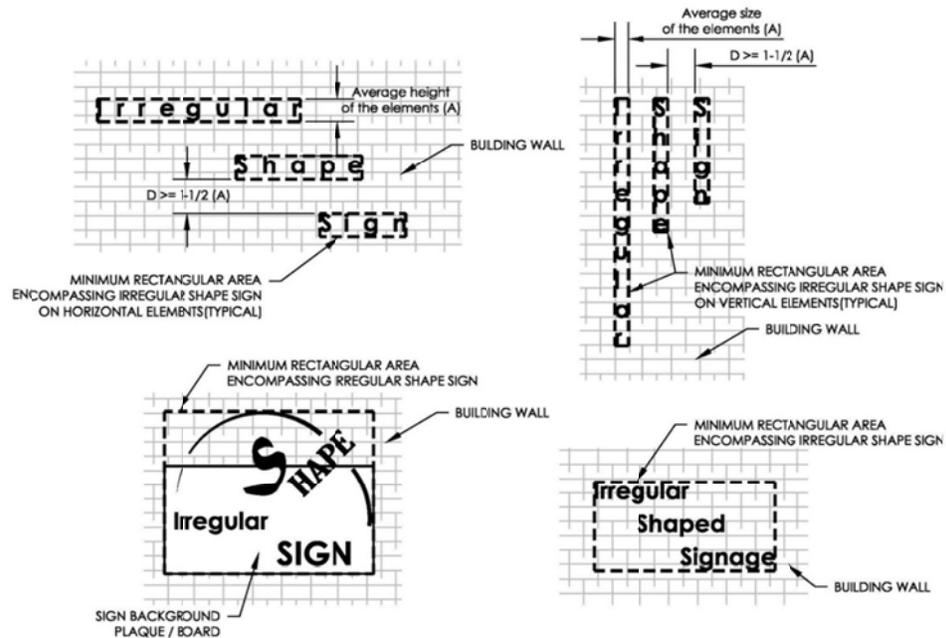


Figure 23.020.E (2) - Irregular Shaped Signs

- (3) Time and temperature devices will not be included in determining sign area if said devices do not contain advertising materials. Advertising signs attached to such devices, however, shall be counted in determining permitted sign area.
- (H) Sign Overlay Zone - An area depicted on the Land Use Map within five hundred (500) feet of the intersection of public right-of-ways adjacent to major intersections where the high-speed highways would predicate taller signage. Within the overlay zone, Pylon Signs may be granted a maximum total height of forty (40') feet, and Pole Signs a maximum sign height of thirty (30') feet, measured from the immediate adjacent grade of the sign base. The placement of signage shall meet all City, State and Federal regulations and requirements.
- (I) Sign resurfacing - Shall mean the repairing or replacement of defective parts, painting, or repainting, cleaning, and other acts required for the maintenance of the sign face.
- (J) Time and Temperature Device - Any mechanism that displays the time and/or temperature but does not display any commercial advertising or identification.
- (K) Window Area - The area of transparent surface, door, window or transom that is continuous and not separated by more than four (4) inches of non-transparent material.
- (L) Window Sign - A sign affixed to the interior or exterior of a window, or placed behind a window pane up to three (3) feet, so as to attract the attention of the public. This definition does not include merchandise in a window display.

23.030 GENERAL REQUIREMENTS. The following general requirements shall apply to all signs and outdoor advertising structures erected within the City of Garden City, unless otherwise provided by this Zoning Regulation.

- (A) PERMITS - No persons shall erect, alter, construct, rebuild, remodel, relocate, resurface, or expand any sign or outdoor advertising structure in the City of Garden City without first obtaining a sign permit from the City in accordance with the provisions of the Building Code and these regulations.
- (1) Electrical permits shall be obtained for electric signs.
  - (2) No permit shall be issued by the Planning and Community Development Director until an application has been filed showing the plans and specifications, and materials and details of conditions, locations, and method of anchoring the proposed sign.
  - (3) Sign resurfacing shall require a sign permit.
  - (4) Permit Fees. In addition to fees for electrical and other permits, any person, firm or corporation designing a sign permit which is required under the provisions of this Article shall at the time of receiving such permit pay to the City a fee as follows:
    - (a.) For all Permanent on-site signs, excluding EMBs: \$75.00
    - (b.) For all off-site signs and all EMB signs: Fees will be based on the Commercial and Industrial Permit Fee schedule located in the Code of Ordinances, Section 42-121.
    - (c.) For temporary signs: 10 Days or Less: \$25.00  
11 to 30 Days: \$35.00
    - (d.) For sign resurfacing: No fee required.
- (B) SIGNS ON PREMISES - Except as provided within the provisions of the respective zoning districts, and unless otherwise expressly provided in this Article, no signs shall be permitted which are not used exclusively to advertise the ownership, sale, or lease of property upon which said sign is placed, or to advertise a business conducted, services rendered, or goods produced or sold upon such premises or to advertise or identify any other lawful activity conducted upon such premises, except as specified in these zoning regulations.
- (C) MAINTENANCE AND REPAIR - Any sign erected in Garden City shall be maintained in a safe, presentable, and sound structural condition at all times, including the replacement of defective parts, painting, or repainting, cleaning, and other acts required for the maintenance of said sign. The Planning and Community Development

Director or his/her designee shall require compliance with all standards of this Article. If the sign is not made to comply with adequate safety standards, the Planning and Community Development Director shall require its removal in accordance with this Section.

23.040 LOCATION STANDARDS. All signs and outdoor advertising structures shall comply with the following location requirements:

- (A) FIRE ESCAPES, ETC. - No sign shall be erected in such a manner that any portion of the sign or its support will interfere with the use of any fire escape, exit, or standpipe, or obstruct any required stairway, door, ventilator, or window.
  
- (B) TRAFFIC, ILLUMINATION, SIGHT TRIANGLE CLEARANCE -
  - (1) No signs shall be erected to obstruct vision within the sight triangle at any intersection improved for vehicular traffic.
  - (2) No sign may obscure or physically interfere with an official traffic control sign, signal device, decorative light pole or district banner.
  - (3) Where a sign is illuminated, the light sources shall be shielded from all adjacent buildings and streets.
  - (4) Illuminated signs in direct vision of traffic shall not be of red, green or amber illumination.
  - (5) No signs shall be erected within the City which are so designed and operated to have rotating parts, flashing or sequence lighting, or create an illusion of movement, or that will materially or practically tend to create a traffic hazard.
  
- (C) TREES AND POLES - No sign shall be attached to a tree or utility pole whether on public or private property, except for official municipal signage.
  
- (D) UTILITY LINES - NO SIGN shall be erected or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the laws of the State of Kansas or rules and regulations duly promulgated by agencies thereof.

23.050 EXCEPTIONS. The following signs shall be exempt from the requirements of this Article:

- (A) The display of official notices used by any court, or public body or official, or the posting of notices by any public officer in the performance of a duty, or by any person giving legal notice.
- (B) Any official flag pennant or insignia of any nation, state, city, or other political unit, civic, educational, or religious organization.
- (C) Barber poles not to exceed three (3) feet in height located on private property and bearing no advertising copy or message.
- (D) Any sign of a noncommercial nature when used to protect the health, safety, or welfare of the general public or to provide direction, warning, or information of a public or semi-public nature that is directed and maintained by an official body or public utility. (e.g. railroad crossing, no dumping, no parking, etc.)
- (E) Small signs, not exceeding five (5) square feet each in area, displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one-way drives, rest rooms, freight entrances, and the like.
- (F) Political or campaign signs on behalf of candidates for public office or measures on election ballots provided that said signs are subject to the following regulations:
  - (1) Said signs may be erected not earlier than sixty (60) days prior to said election and shall be removed within ten (10) days following said election.
  - (2) No sign shall be located within or over the public right-of-way.
- (G) Address numerals and other signs required to be maintained by law or governmental order, rule, or regulation, provided that the content and size of the signs do not exceed the requirements of such law, order, rule, or regulation.
- (H) Scoreboards in athletic stadiums.

23.060 TEMPORARY SIGNS. Within a calendar year, permits for temporary signage may be issued with the following frequency:

- (A) If displayed less than ten (10) days - ten (10) times per year.

- (B) If displayed between eleven (11) and thirty (30) days – four (4) times per year.

23.070 SPECIAL PURPOSE SIGNS. In addition to any other permitted sign or signs, signs for special purposes set forth in this section shall be permitted as provided herein.

- (A) REAL ESTATE SIGNS - For Sale, Rent, or Lease Signs in all zoning districts, signs may be erected to advertise the sale, rent, or lease of property upon which said signs are placed. Said signs may be limited to one (1) sign per one hundred feet of frontage per street face, unless otherwise provided by the zoning provisions, and shall not exceed an area of six (6) square feet in residential zones or thirty-two (32) square feet in non-residential zoning districts. Said signs shall be exempt from site plan approval. No sign shall be located within or over the public right-of-way, and shall be removed within fifteen (15) days after the date of closing.
- (B) OPEN HOUSE SIGNS - Open house signs advertising real estate open for inspection for a prospective sale may be placed on private property in all districts with the consent of the owners, lessee, or occupant. Such signs may state the name of the person or firm sponsoring the open house. Such signs shall not exceed six (6) square feet in area and shall be exempt from the Site Plan Approval. No sign shall be located within or over the public right-of-way.
- (C) CONSTRUCTION PROJECT SIGNS - Signs may be erected in conjunction with construction projects and used for the purpose of publicizing the future occupants of the building, the architects, the engineers, and construction organizations participating in the project, and such other information as may be approved by the Site Plan Review Committee. In residential districts no such signs shall exceed thirty-two (32) square feet in area. In other districts no such sign shall exceed an area of sixty (60) square feet and no freestanding signs shall exceed ten (10) feet in height. All such signs shall be removed before the Building Inspector grants a final inspection.
- (D) CHURCH AND QUASI-PUBLIC ORGANIZATIONS SIGNS - In all districts a church or quasi-public organization may erect up to three hundred (300) square feet of wall or monument signage. Any sign combination exceeding three hundred (300) square feet of signage will be required to obtain a Conditional Use Permit as outlined in Article 29 of these zoning regulations.
- (E) APARTMENT HOUSE IDENTIFICATION SIGNS - Apartment houses of five (5) or more dwelling units may erect one (1) sign on the premises to identify only the name of the apartment complex and to indicate a vacancy.
- (F) NURSERY, REST HOMES/ASSISTED LIVING FACILITIES (approved and licensed by the State of Kansas), HOSPITAL AND MEDICAL CLINICS (for people only) - In approved districts may erect signage in accordance with Commercial District Sign Regulations on Article 23.090.

- (G) DEVELOPMENT PROMOTIONAL and DIRECTIONAL SIGNS - In all residential zones one development promotional sign may be placed on the premises of each subdivision or planned development having five (5) or more lots or approved dwelling unit sites. Said promotional sign may have an area of sixty (60) square feet, plus five (5) additional square feet for each lot or dwelling unit in said development in excess of five (5), up to a maximum area of one hundred (100) square feet.
- (H) PENNANT FLAGS or RIBBON STRINGERS - may be so long as they are maintained as not to create a public safety hazard conform to the location requirements for signs outlined in these regulations.
- (I) PROMOTIONAL SIGNS - in Commercial or Industrial Districts temporary promotional signage shall be limited to the windows or in "framed areas" located on the building exterior walls. Sales signage in the form of small "teepee" types located on top of fuel pumps or banners under roofed areas will be authorized as long as they do not cause movement that would draw attention to passing drivers to the property causing a traffic safety issue. These are not considered temporary signs.

23.080 SIGN PERMITTED IN RESIDENTIAL DISTRICTS - "R-1", "R-2", "R-3", "R-C", "ZL", "P-F", "MHP" and "MHS".

Signs in the "R-1", "R-2", "R-3", "R-C", "ZL", "P-F", "MHP" and "MHS" Districts are subject to sign construction regulations set forth in the Building Code, other City ordinances and this article. All sign types may be considered permitted signs, except where listed under the SIGNS PROHIBITED section in the "R-1", "R-2", "R-3", "R-C", "ZL", "P-F", "MHP" and "MHS" District, or where prohibited by these regulations.

(A) NUMBER OF SIGNS ALLOWED:

- (1) Only one (1) permanent sign shall be allowed per street frontage.
- (2) Only one (1) temporary sign shall be allowed per property, as outlined in these zoning regulations.

(B) SIZE:

- (1) For Non-Residential Uses:
  - (a.) The gross surface area of signs in square feet, including all signs, on a lot shall not exceed three (3) times the lineal feet of frontage of the lot.
  - (b.) The total area of wall signs shall not exceed five (5) percent of the wall or face of the building to which they are attached or twenty (20) square feet in area whichever is greater, unless specified otherwise in section 23.080 (F) SPECIAL SIGN TYPES ALLOWED.

(2) For Residential Uses:

(a.) The gross surface area of signs on a lot shall not exceed six (6) square feet.

(C) HEIGHT:

(1) No sign shall exceed twenty (20) feet in height, or unless specified otherwise on section 23.080 (F) SPECIAL SIGN TYPES ALLOWED.

(D) LOCATION: For general location standards refer to section 23.040 LOCATION STANDARDS.

(1) No sign shall be constructed or located in the vision clearance area or obstruct the vision of motorists in any way.

(E) SIGN DESIGN:

(1) Signs shall be affixed to the principal building, flat against the wall.

(2) Signs shall only show the name and or address of the occupant.

(3) No sign shall attract attention as to become a traffic hazard (no obtrusive designs or colors).

(4) No illuminated sign shall exceed three-tenths (.30) foot candles above ambient light levels as measured by a preset distance of fifteen (15) feet

(F) SPECIAL SIGN TYPES ALLOWED in "R-1", "R-2", "R-3", "R-C", "ZL", "P-F", "MHP" and "MHS" the Districts:

(1) ELECTRONIC MESSAGE BOARDS (EMB): EMB may be allowed as a conditional use in "R-1" Single Family Residential, "R-2" Single Family Residential, "R-3" Multiple Family Residential and "P-F" Public Facilities Districts with the following conditions:

(a.) EMB may not be used for offsite advertising.

(b.) EMB may not be placed on a lot which is less than one half (.5) acre in area,

(c.) EMB may not be placed on a lot which has been platted for a single family residence or multifamily development.

(d.) EMB may only be operated during the hours of 7:30 a.m. to 6:00 p.m.

(e.) EMB shall be monument signs only, and may not exceed a twenty-five (25) square feet display area.

(f.) A limit of one (1) stagnant, non-animated message change every sixty (60) seconds.

(2) MONUMENT SIGNS:

(a.) There shall be no more than two (2) Monument Sign per subdivision frontage.

(b.) There shall be no more than one (1) Monument Sign per property.

(3) NAMEPLATE or IDENTIFICATION SIGNS:

(a.) There shall be no more than one (1) Nameplate or Identification Sign for each dwelling unit.

(b.) No sign shall exceed one (1) square foot in area.

(c.) Sign shall only indicate the name or address, or both, of a building or tenant.

(4) FENCE SIGNS - Signs may be placed upon fences when they have been approved on temporary basis with a sign permit or when they have been approved as permanent signs by a Conditional Use Permit, except in "R-1" and "R-2" Single Family Residential Districts.

(G) SIGNS PROHIBITED: Signs prohibited in "R-1", "R-2", "R-3", "R-C", "ZL", "P-F", "MHP" and "MHS" Districts, include but are not limited to:

(1) "A" Frame Signs.

(2) Banner Signs.

(3) Pole Signs.

(4) Pylon Signs.

(5) See also Section 23.110 SIGNS PROHIBITED.

23.090 SIGNS PERMITTED IN COMMERCIAL DISTRICTS - "C-O", C-1", AND "C-2" AND INDUSTRIAL DISTRICTS "I-1", "I-2", and "I-3". Signs in the "C-O", "C-1", "C-2", "I-1", "I-2" and "I-3" District are subject to sign construction regulations set forth in the Building Code, other City ordinances and this article. All sign types may be considered permitted signs, except where listed under the SIGNS PROHIBITED in this section, or where prohibited by these regulations.

(A) NUMBER OF SIGNS ALLOWED:

(1) Where a property abuts more than one street, each side of the lot may be considered a separate frontage and signs may be located on each additional frontage of the lot, except for additional free standing EMB, pole or pylon signs.

- (2) Only one (1) free standing EMB, pole or pylon sign may be permitted per property.
- (3) Only one (1) temporary sign shall be allowed per property, as outlined in these zoning regulations.

(B) SIZE:

- (1) Each side of a lot which abuts upon a street shall be considered as a separate frontage, the gross surface area of all signs in square feet on a lot shall not exceed three (3) times the total lineal feet of frontage of the lot.
- (2) For Wall Signs: The total permitted area of all wall signs shall be calculated based on ten (10%) percent of the area of the building façade on which the signs are proposed to be affixed.
- (3) For Window Signs: The gross surface area shall not exceed twenty-five percent (25%) of the window area on which it is located or attached.
- (4) On corner lots the number of wall signs on the building shall be in character with the size and scale of the building.

(C) HEIGHT:

- (1) No sign shall have a height greater than twenty (20) feet above the immediate adjacent grade, except those signs within the "Sign Overlay Zone".

(D) LOCATION: For general location standards refer to section 23.040 LOCATION STANDARDS.

- (1) Signs shall not be placed in the right-of-way.
- (2) Any sign located within three (3) feet of a driveway, or within fifty (50) feet of the intersection of two (2) or more streets shall have its lowest elevation at least ten (10) feet above curb level, or a maximum height of four (4) feet above the curb and no part of its means of support shall have a single or joined horizontal dimension exceeding twelve (12) inches as to maintain clearance within the sight distance triangles.
- (3) No sign may be located closer than fifty (50) feet from another sign.

(E) SIGN DESIGN:

- (1) All signs shall be permanently affixed to the ground, buildings, or other permanent structures.

- (2) Individual elements with no background shall be measured by the minimum rectangular area necessary to encompass such elements and by a combination of rectangles as are necessary to encompass irregular shapes and dimensions.
- (3) Sign copy shall be limited to the primary name of the business, trademark, logo, slogan, and street address number.
- (4) Where multiple-tenants exist, sign copy shall be limited to one (1) primary name of the business complex or shopping center and may list individual uses and tenants provided such lettering for the listing is a maximum of one (1) foot in height, limited to the name of the businesses, trademarks, logos, and slogans.
- (5) Changeable sign copies shall be limited to advertising events, items, pricing, announcements, specials and slogans directly related to the business.

(F) OFF-SITE ADVERTISEMENT: A lot or parcel of land may have one (1) off-site advertising sign as long as it meets the following:

- (1) The lot shall not contain any existing structures.
- (2) The lot shall have a minimum of two hundred (200) lineal feet of street frontage on the side that the off-site advertising sign is located.
- (3) Off-site advertising signs shall be located no closer than thirty (30) feet from any side yard or front yard.
- (4) Off-site advertising signs shall not be permitted if the lot or parcel of land has an existing pole sign, free-standing sign or an on-site advertising sign.
- (5) No more than one (1) off-site advertising sign shall be permitted on any specific lot or parcel of land.
- (6) Off-site advertising signs shall be removed upon development of the lot or parcel.
- (7) Off-site advertising signs shall not exceed four-hundred fifty (450) square feet in size.
- (8) Off-site advertising signs above sixty-four (64) square feet up to four-hundred fifty (450) square feet shall not be permitted within the city limits of Garden City.
- (9) Off-site advertising signs shall be placed no closer than one thousand three-hundred twenty (1320) feet (1/4 mile) from another pole or pylon sign.
- (10) Off-site advertising signs shall not be closer than one hundred (100) feet from any building.

- (11) Off-site advertising signs shall be located no closer than five hundred (500) feet to land that is zoned residential.
- (12) Off-site advertising signs shall be located no closer than five hundred (500) feet to any intersection. The distance is measured from the beginning or ending of the pavement widening at the exit, or if there is no pavement widening, then from the midpoint of the intersection.
- (13) All other regulations of the Kansas State Highway Beautification Act not met or exceeded by this regulation shall be enforced as stated in K.S.A. 68-2234 et seq.

(G) OFF-SITE DIRECTIONAL SIGN: An off-site directional sign may be permitted for a lot or parcel not having direct access to a principal arterial right-of-way and is located within five hundred fifty (550) feet from said principal arterial right-of-way being advertised upon, as long as it meets the following criteria:

- (1) Only one (1) off-site directional sign shall be allowed per business which does not have direct access to a principal arterial right-of-way.
- (2) Only one (1) off-site directional sign shall be allowed per property, on lots or parcels allowing off-site directional signs for another property. This type of sign shall not be allowed on frontages along Main Street and Highway 50/83/400 bypass. Written permission signed by the owner of the lot or parcel where the off-site directional sign shall be located shall be submitted with the sign permit application.
- (3) The off-site directional sign shall be located within five-hundred-fifty (550) feet of the lot or parcel for which it advertises.
- (4) The maximum size of the off-site directional sign shall be six (6) square feet in area.
- (5) The maximum height of the off-site directional signs shall be three (3) feet, as measured from the immediate adjacent grade to the highest point of the sign.
- (6) Off-site directional signs may be internally illuminated, as outlined in these zoning regulations.

(H) ELECTRONIC MESSAGE BOARDS (EMB): In "C-0", "C-1", "C-2", "I-1", "I-2" and "I-3" District EMBs are subject to the following restrictions:

- (1) Limit of one (1) free standing sign per property, and one (1) wall sign per unit frontage.
- (2) Display areas:
  - (a.) On-site: Shall not exceed eighty (80) square feet.

(b.) Off-site: Shall not exceed four-hundred fifty (450) square feet.

(3) EMB may be mounted only on monument, wall, pylon, or pole signs.

(4) All plans for proposed EMB monument, pylon, and pole signs must include a landscaping plan. Minimum landscaping requirements for all EMB pole, pylon, and monument signs are to have at least an eighty (80) square foot area encompassing the base of the sign reserved for a landscaping bed, to include native species of trees, shrubs, and grasses.

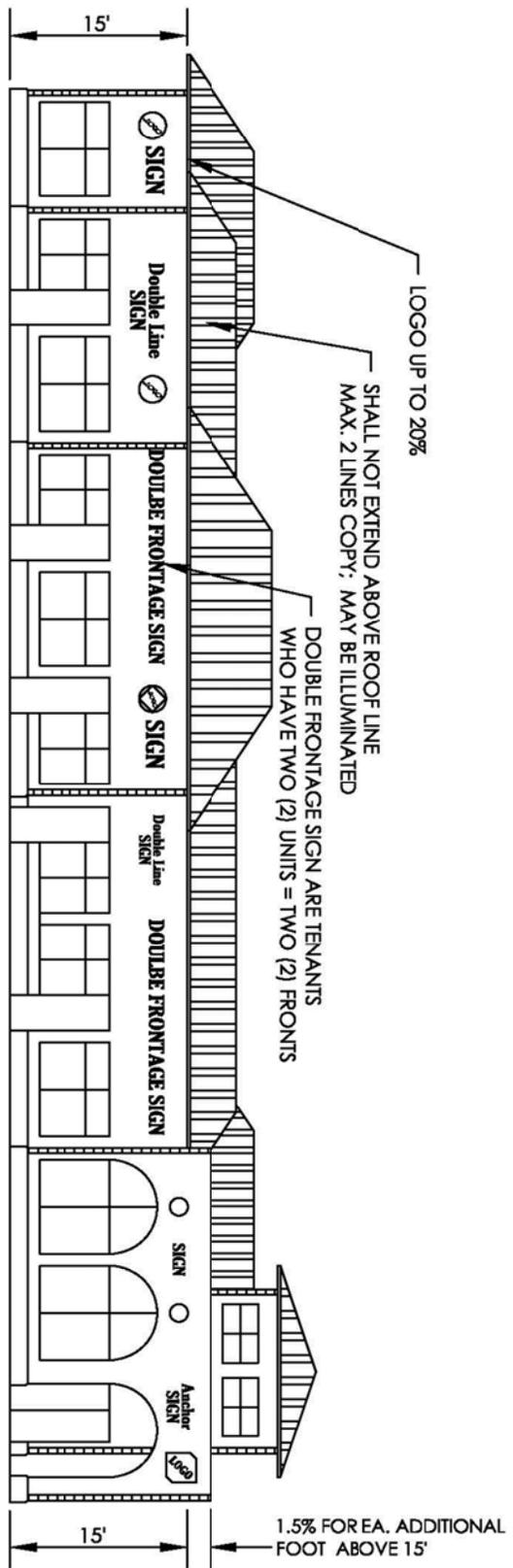
(5) A limit of one (1) stagnant, non-animated message change every fifteen (15) seconds.

(I) FENCE SIGNS - Signs may be placed upon fences when they have been approved on temporary basis with a sign permit or when they have been approved as permanent signs by a Conditional Use Permit.

(J) SIGNS PROHIBITED: Signs prohibited in "C-O", "C-1", "C-2", "I-1", "I-2" and "I-3" District, include but are not limited to:

(1) Vehicle Signs.

(2) See also Article 23.110 SIGNS PROHIBITED.



SHALL BE MEASURED BY THE MINIMUM RECTANGULAR AREA NECESSARY TO ENCOMPASS SUCH LETTER AND BY A COMBINATION OF RECTANGLES AS ARE NECESSARY TO ENCOMPASS IRREGULAR SHAPES AND DIMENSIONS. SIGN COPY SHALL BE LIMITED TO THE PRIMARY NAME OF THE BUSINESS, TRADEMARK, LOGO AND SLOGAN.

**WALL SIGN - ELEVATION DIAGRAM**

N.T.S.

THE TOTAL PERMITTED SQUARE FEET AREA OF ALL WALL SIGNS SHALL BE CALCULATED BASED ON TEN (10%) PERCENT OF THE AREA OF THE BUILDING FAÇADE WHERE THE SIGN IS PROPOSED TO BE AFFIXED.

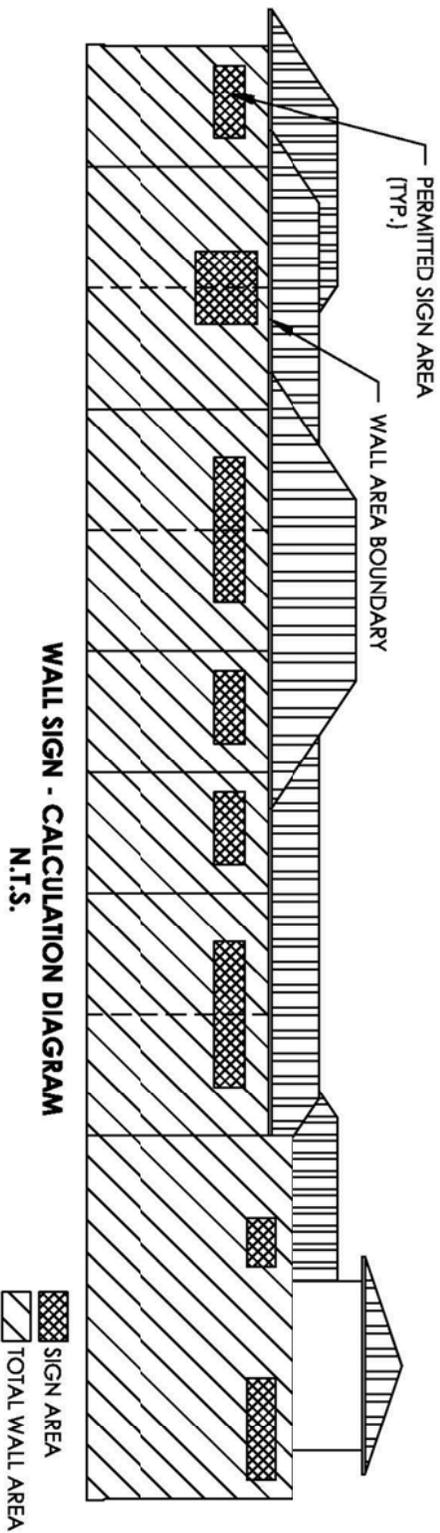


Figure 23.090 - Wall Signs in Commercial Districts

23.100 SIGNS PERMITTED IN THE CENTRAL BUSINESS DISTRICT "C-3".

Signs in the "C-3" District are subject to sign construction regulations set forth in the Building Code, other City ordinances and this article. Signs may be considered permitted signs, except where listed under the SIGNS PROHIBITED section in the "C-3" District, or where prohibited by these regulations. The "C-3" District has a vital historical and nostalgic impact on the community. All signage shall be subject to design review by the Garden City Downtown Vision prior to application of a required City sign permit.

(A) In the "C-3" District where buildings or structures are established or are hereafter established on the property line; advertising and business signs shall conform to the following requirements:

(1) NUMBER OF SIGNS ALLOWED:

(a.) See SPECIAL SIGN TYPES ALLOWED this section.

(2) SIZE:

(a.) See SPECIAL SIGN TYPES ALLOWED this section.

(3) HEIGHT:

(a.) No sign shall exceed twenty-five (25') feet in height measured from the immediate adjacent grade to the top of any sign.

(b.) See SPECIAL SIGN TYPES ALLOWED this section.

(4) LOCATION: For general location standards refer to section 23.040 LOCATION STANDARDS.

(a.) Signs shall not be placed in the right-of-way.

(b.) Any sign located within three (3') feet of a driveway, or within fifty (50') feet of the intersection of two (2) or more streets or alleys shall maintain clearance within the sight distance triangles.

(c.) No free standing or projecting sign may be located closer than twenty-five (25') feet from another free standing or projecting sign.

(d.) Signs within fifty (50') feet of a residential district shall be affixed to or be a part of a building.

(e.) A sign may be permitted for a rear entrance of a building.

(5) SIGN DESIGN:

(a.) All signs shall be permanently affixed to the ground, buildings, or other permanent structures.

- (b.) Individual letters with no background shall be measured by the minimum rectangular area necessary to encompass such letter and by a combination of rectangles as are necessary to encompass irregular shapes and dimensions.
- (c.) Sign copy shall be limited to the primary name of the business, trademark, logo, slogan, and street address number.
- (d.) Where multiple-tenants exist, sign copy shall be limited to one (1) primary name of the business complex or shopping center and may list individual uses and tenants provided such lettering for the listing is a maximum of one (1') foot in height, limited to the name of the businesses, trademarks, logos, and slogans.
- (e.) Where signs are affixed to awnings, canopies, or marquees, the awning, canopy or marquee shall be constructed and maintained in accordance to the adopted Codes of Garden City, Kansas.
- (f.) No signs shall be erected within the City which are so designed and operated to have rotating parts, flashing or sequence lighting, or create an illusion of movement, or that will materially or practically tend to create a traffic hazard.
- (g.) No sign may obscure or physically interfere with an official traffic control sign, signal device, decorative light pole or district banner.
- (h.) Where a sign is illuminated, the light sources shall be shielded from all adjacent buildings and streets.
- (i.) Illuminated signs in direct vision of traffic shall not be of red, green or amber illumination.

(6) SPECIAL SIGN TYPES ALLOWED:

- (a.) "A" FRAME SIGNS shall be prohibited along Main street right-of-ways, or within any sight triangle or on any street corner as defined in these zoning regulations and may be permitted as follows:
  - (i) One (1) "A" frame sign shall be permitted per business or per building, whichever is less.
  - (ii) Maximum sign width shall be two (2) feet.
  - (iii) Maximum sign height shall be four (4) feet.
  - (iv) Signs shall not be placed in front of an adjoining property not advertised on the sign. Such display shall be considered off-site advertisement and shall not be permitted.

- (v) Signs must be set back a minimum of four (4) feet from the back of curb.
- (vi) No "A" frame sign may be located closer than twenty-five (25) feet from another "A" frame sign.
- (vii) Signs shall be moved off the right-of-way after business hours.
- (viii) "A" frame signs or sandwich board signs are considered to be portable signs and shall be securely anchored or properly weighted for the wind loads in the area.
- (ix) No changeable lettering on tracks shall be permitted.
- (x) No attention attracting devices, including but not limited to balloons, flags, lights, streamers, moving parts or other similar devices, shall be attached to "A" frame signs.

(b.) NAME PLATE SIGNS -

- (i) No more than one (1) name plate sign per building front shall be permitted.
- (ii) Shall have a maximum of one (1) square foot in area.
- (iii) Shall only indicate the name or address, or both, of a building.
- (iv) The square footage of this sign shall not be counted towards the gross surface area of signs allowed, when it meets these parameters.

(c.) PROJECTING SIGNS -

- (i) No more than one (1) projecting sign per store front shall be permitted.
- (ii) Shall have a maximum of six (6) square feet per sign face.
- (iii) Shall maintain eight (8) feet clearance measured from finished elevation or sidewalk surface.
- (iv) Shall not project or extend within three (3) feet of the back of curb.
- (v) Internally lit projecting signs are prohibited.

(d.) WALL SIGNS -

- (i) No more than three (3) individual wall signs shall be permitted on the exterior area of the building which the tenant owns, rents or leases.

(ii) The gross surface area of signs allowed (in square feet) of a wall sign shall be determined by the gross retail area as follows:

- a. Gross retail area is less than or equal to two-thousand five hundred (2,500) square feet = Thirty (30) Square feet of total wall signage.
- b. Gross retail area is between two-thousand five hundred (2,500) Square feet and five thousand (5,000) Square feet = Forty (40) Square feet of total wall signage.
- c. Gross retail area greater than five thousand (5,000) square feet = Fifty (50) Square feet of total wall signage.

(e.) WINDOW SIGNS -

(i) A sign affixed to the interior or exterior of a window, or placed immediately behind a window pane, so as to attract the attention of the public, may be posted, painted, placed, attached or affixed in or on a window, or may sit behind the window up to three (3) feet, exposed to public view, but excludes merchandise in a window display.

(ii) The gross surface area shall not exceed twenty-five percent (25%) of the window area on which it is located or attached.

(iii) Shall be displayed within the window area.

(f.) FENCE SIGNS - Signs may be placed upon fences when they have been approved on temporary basis with a sign permit or when they have been approved as permanent signs by a Conditional Use Permit

(B) In District "C-3" where buildings have observed a setback of twenty-five (25) feet or more from the property line, advertising and business signs shall conform to the following requirements:

(1) NUMBER OF SIGNS ALLOWED:

(a.) Only one (1) permanent sign shall be allowed per street frontage.

(b.) Only one (1) temporary sign shall be allowed per property, as outlined in these zoning regulations.

(c.) See SPECIAL SIGN TYPES ALLOWED in this section.

(2) SIZE:

(a.) The gross surface area in square feet of business signs, including any free standing sign on a lot shall not exceed three (3) times the lineal feet of frontage of the lot. Each side of a lot which abuts a street shall be considered as a separate frontage, and the gross surface area of all signs located on each side of a lot, structure, or street shall not exceed three (3) times the lineal feet in the separate frontage.

(b.) See SPECIAL SIGN TYPES ALLOWED in this section.

(3) HEIGHT:

(a.) No sign shall exceed twenty-five (25) feet in height measured from grade to the top of any sign.

(4) LOCATION: For general location standards refer to section 23.040 LOCATION STANDARDS.

(a.) Signs shall not be placed in the right-of-way.

(b.) No sign shall overhang the public sidewalk, street, or street right-of-way.

(c.) Any sign located within three (3) feet of a driveway, or within fifty (50) feet of the intersection of two (2) or more streets or alleys shall maintain clearance within the sight distance triangles.

(d.) No free standing sign may be located closer than fifty (50) feet from another free standing sign.

(e.) Signs within fifty (50) feet of a residential district shall be affixed to or be a part of a building.

(f.) A sign may be permitted for a rear entrance of a building.

(5) SIGN DESIGN:

(a.) All signs shall be permanently affixed to the ground, buildings, or other permanent structures.

(b.) Individual letters with no background shall be measured by the minimum rectangular area necessary to encompass such letter and by a combination of rectangles as are necessary to encompass irregular shapes and dimensions.

(c.) Sign copy shall be limited to the primary name of the business, trademark, logo, slogan, and street address number.

(d.) Where multiple-tenants exist, sign copy shall be limited to one (1) primary name of the business complex or shopping center and may list individual uses and tenants provided such lettering for

the listing is a minimum of one (1) foot in height, limited to the name of the businesses, trademarks, logos, and slogans.

- (e.) Where signs are affixed to awnings, canopies, or marquees, the awning, canopy or marquee shall be constructed and maintained in accordance to the adopted Codes of Garden City, Kansas.
- (f.) No signs shall be erected within the City which are so designed and operated to have rotating parts, flashing or sequence lighting, or create an illusion of movement, or that will materially or practically tend to create a traffic hazard.
- (g.) No sign may obscure or physically interfere with an official traffic control sign, signal device, decorative light pole or district banner.
- (h.) Where a sign is illuminated, the light sources shall be shielded from all adjacent buildings and streets.
- (i.) Illuminated signs in direct vision of traffic shall not be of red, green or amber illumination.

(6) SPECIAL SIGN TYPES ALLOWED:

(a.) NAME PLATE SIGNS -

- (i) No more than one (1) name plate sign per building front shall be permitted.
- (ii) Shall have a maximum of one (1) square foot in area.
- (iii) Shall only indicate the name or address, or both, of a building.
- (iv) The square footage of this sign shall not be counted towards the gross surface area of signs allowed, when it meets these parameters.

(b.) WALL SIGNS - The gross surface area of signs allowed (in square feet) of a wall sign shall be determined by the gross retail area as follows:

- (i) Gross retail area is less than or equal to two-thousand five hundred (2,500) square feet = Thirty (30) Square feet of total wall signage.
- (ii) Gross retail area is between two-thousand five hundred (2,500) Square feet and five thousand (5,000) Square feet = Forty (40) Square feet of total wall signage.

(iii) Gross retail area greater than five thousand (5,000) square feet = Fifty (50) Square feet of total wall signage.

(c.) WINDOW SIGNS -

(i) A sign affixed to the interior or exterior of a window, or placed immediately behind a window pane, so as to attract the attention of the public, may be posted, painted, placed, attached or affixed in or on a window, or may sit behind the window up to three (3) feet, exposed to public view, but excludes merchandise in a window display.

(ii) The gross surface area shall not exceed twenty-five percent (25%) of the window area on which it is located or attached.

(iii) Shall be displayed within the window area.

(d.) FENCE SIGNS - Signs may be placed upon fences when they have been approved on temporary basis with a sign permit or when they have been approved as permanent signs by a Conditional Use Permit.

(C) SIGNS PROHIBITED: Signs prohibited in the "C-3" District, include but are not limited to:

(1) Electronic Message Boards (EMB).

(2) Pole Signs.

(3) Banner Signs.

(4) Vehicle Signs.

(5) See also Article 23.110 SIGNS PROHIBITED.

23.110 SIGNS PROHIBITED. The following signs shall be strictly prohibited in all districts (This is not an all-inclusive list, and whenever there is doubt as to the classification of a use not specifically listed or mentioned in these regulations the determination shall be made by the Planning and Community Development Director within a reasonable time, but not to exceed thirty (30) days.):

(A) Abandoned Signs.

(B) Animated or Intensely Lighted Signs.

(C) Movable Free Standing Signs.

- (D) Searchlights, balloons or other gas filled objects, or portable signs shall not be used on permanent basis.
- (E) Signs which have visible moving parts or any portion of which moves or gives the illusion of motion including but not limited to Swinging or Twirling Signs.
- (F) Sound - No signs shall be designed for the purpose of emitting sound.
- (G) Vehicle Signs.
- (H) Other signs also prohibited are those that incorporate elements which:
  - (1) Affect traffic safety in any manner.
  - (2) Are attached to a tree or utility pole.
  - (3) Emit an odor.

23.120 NONCONFORMING SIGNS.

- (A) No nonconforming sign shall be in any manner enlarged, altered, reconstructed, or moved without being made to comply in all respects with the provisions of this Article provided, however, that nothing herein shall prohibit the normal maintenance and repair, painting or repairing of the face, or the replacement of a removable face of said nonconforming sign.
- (B) Permits shall be required to replace a nonconforming sign with a sign that conforms to current regulations, however all fees normally associated shall be waived.

**SECTION 2.** The Zoning Regulations for the City of Garden City, Kansas, Article 23 as previously existing, is hereby repealed, to be replaced as specified in this ordinance. All Zoning Regulation Sections not specifically amended or deleted herein shall remain in full force and effect.

**SECTION 3.** This ordinance shall be in full force and effect from and after its publication, or a publication of a summary, in the Garden City Telegram, the official city newspaper.

APPROVED AND PASSED by the Governing Body of the City of Garden City, Kansas, this 4th day of February, 2014.

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DAN FANKHAUSER, Mayor

ATTEST:

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CELYN N. HURTADO, City Clerk

APPROVED AS TO FORM:

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RANDALL D. GRISSELL

City Counselor



COMMUNITY  
DEVELOPMENT  
DEPARTMENT  
SERVING  
GARDEN CITY  
HOLCOMB  
AND  
FINNEY COUNTY

620-276-1170

**INSPECTIONS**

620-276-1120

[inspection@garden-city.org](mailto:inspection@garden-city.org)

**CODE COMPLIANCE**

620-276-1120

[code@garden-city.org](mailto:code@garden-city.org)

**PLANNING AND  
ZONING**

620-276-1170

[planning@garden-city.org](mailto:planning@garden-city.org)

**CITY ADMINISTRATIVE**

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GARDEN CITY, KS

67846-0998

620.276.1170

FAX 620.276.1173

[www.garden-city.org](http://www.garden-city.org)

# Memo

To: Garden City Commission  
From: Kaleb Kentner  
CC: File  
Date: December 9, 2013  
Re: GC2013-102, Amend Articles 27 and 28 to increase fees to \$200 dollars and to establish an expiration date for approved Conditional Use Permits

**ISSUE:** To amend Articles 27 and 28 to increase fees for Board of Zoning Appeals cases and Amendment requests to \$200 dollars and to establish an expiration date for approved Conditional Use Permits.

**BACKGROUND:** Staff is requesting that the fees listed in Sections 27.030 (B) and 28.060 be increased to \$200 dollars to cover the increased costs staff incurs to complete each request. Section 27.030 (B), Amendment fee, would increase from \$100 to \$200 dollars per request. Section 28.060, Board of Zoning Appeals Fee, would change from a variable fee of \$25 to \$100 dollars to a set fee of \$200 dollars per request.

Costs have increased significantly in the last nine years since fees were set at the current amounts. The increased fees would cover costs for:

1. Advertising cases in the paper
2. Mailing notices to neighboring property owners
3. Performing field work
4. Staff time spent preparing reports and attending meetings
5. Miscellaneous expenses incurred; including paper, envelopes, toner, etc.

The following example illustrates the costs spent on a typical Conditional Use Permit or Amendment request in the City.

	Description	Quantity	Each	Total
1	Newspaper notification	1	80.00	80.00
2	Vehicle costs to take pictures of location	6 miles	0.55	3.30
3	Paper for notification letters	50	0.10	5.00
4	Envelopes for notification letters	50	0.10	5.00
5	Stamps for notification letters	50	0.46	23.00
5	Two color copies per each agenda	8	0.49	7.84
6	Two b/w copies per each agenda	8	0.10	1.60
7	Staff time spent on research	1	16.00	16.00
8	Staff time spent on report preparation	2	23.00	46.00
9	Staff time on meeting attendance	3	23.00	69.00
Total:				\$256.74



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DEPARTMENT  
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AND  
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620-276-1170

INSPECTIONS  
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[inspection@garden-city.org](mailto:inspection@garden-city.org)

CODE COMPLIANCE  
620-276-1120  
[code@garden-city.org](mailto:code@garden-city.org)

PLANNING AND  
ZONING  
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[planning@garden-city.org](mailto:planning@garden-city.org)

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Staff is also requesting to amend Section 28.070, establishing an expiration date of one year from the date of approval for Conditional Use Permits (CUP). Currently, if a CUP has been approved and the project does not move forward within the time limits set forth in the conditions, the case must be brought before the Board of Zoning Appeals to be revoked, or if no expiration is set in the conditions, staff must receive complaints about the project to bring it before the Board of Zoning Appeals for reconsideration. Establishing an expiration date for approved CUPs will allow a more efficient use of board member's and planning staff's time.

**The amended Section 27.030 would read as:**

- B. Fee. - For the purpose of wholly or partially defraying the costs of the proceedings prescribed herein, including publication costs, the applicant, upon the filing of the application, shall pay the city a fee in the amount of two hundred (\$200.00) dollars.

**The amended Section 28.060 would read as:**

28.060 FEES. Fees for all variance requests shall be two hundred (\$200.00) dollars. The conditional use fee shall be two hundred (\$200.00) dollars. Fees shall be paid to the City Clerk at the time the Notice of Appeal is filed to be credited to the General Revenue Fund of the City of Garden City.

**The amended Section 28.070 would read as:**

28.070 APPLICATIONS. Applications to the Board of Zoning Appeals shall be on forms furnished by the Planning and Community Development Department of the City. All conditional use permits shall be valid for one (1) year from the date it was approved by the Board of Zoning Appeals; if project has not been substantially completed within one (1) year of approval, the conditional use permit shall expire.

The proposed amendment was presented to the Planning Commission on January 16, 2014, The issue was reviewed and discussed. The Planning Commission agreed with the proposed amendment except to increase the fee to two-hundred fifty (\$250) dollars.

**ALTERNATIVES:** The City Commission may

1. Pass the ordinance as presented.
2. Pass the ordinance with changes.
3. Not pass the ordinance.

**STAFF RECOMMENDATION:** Staff recommends approval of this amendment.

**FISCAL NOTE:** The current fees are not sufficient to cover the costs of completing all tasks performed by staff for each request. The City averages around 50 cases per year. The fee increase will help further defray the costs associated with these requests (per table above), but in some cases, the increased fee will likely still not completely cover the associated expenses. Staff estimates that approximately \$7837.00 dollars will be saved annually with this increase.

**PLANNING COMMISSION RECOMMENDATION:** Planning Commission has recommended alternative: 2, approval of the proposed amendment as it is written except to increase the fees in Section 27.030 and Section 28.060 to two-hundred fifty (\$250) dollars.

**Present-7  
Yea-7  
Nay-0**

*\*Attached you will find an excerpt from the Planning Commission minutes regarding this case.*



COMMUNITY  
DEVELOPMENT  
DEPARTMENT  
SERVING  
GARDEN CITY  
HOLCOMB  
AND  
FINNEY COUNTY  
620-276-1170

INSPECTIONS  
620-276-1120  
[inspection@garden-city.org](mailto:inspection@garden-city.org)

CODE COMPLIANCE  
620-276-1120  
[code@garden-city.org](mailto:code@garden-city.org)

PLANNING AND  
ZONING  
620-276-1170  
[planning@garden-city.org](mailto:planning@garden-city.org)

CITY ADMINISTRATIVE  
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GARDEN CITY, KS  
67846-0998  
620.276.1170  
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[www.garden-city.org](http://www.garden-city.org)

*\*These minutes are draft only. They have not been approved by the Planning Commission.*

January 16, 2014

**GC2013-102 Amend Fees**

*Staff Davidson reads staff report.*

*OPEN PUBLIC COMMENT*

*CLOSE PUBLIC COMMENT*

*Member Howard-* I see no reason to raise it unless we raise it enough to cover the average cost. If the average cost is \$250 then we need to raise it to \$250. Let's be real about it.

*Member Lopez-* I agree with some of the discussion from earlier. If you look at some of these projects, \$250 is pretty miniscule. It just makes more sense to raise it to cover the costs.

*Member Laubach-* I agree. I'm in favor of the amendment with the change that we up it to \$250.

*Chairman Rishel-* You indicate that you have means of coming up with the actual costs. Instead of a set fee, I propose that you do an actual cost increase.

*Secretary Kentner-* The issue with that is that when they come in to apply, we don't know what the costs will be until after they've already gone through the process. It's much easier to collect the fees at the beginning than to try and collect them after. It would purely be an estimation.

*Member Lopez-* Also, I don't think it's a good idea for staff to become timekeepers and bookkeepers.

*Member Howard-* I agree.

**MEMBER LAUBACH MAKES MOTION TO APPROVE A FEE INCREASE TO \$250.00.**

**MEMBER HOWARD SECONDS MOTION.**

Votes were taken by yeas and nays and recorded as follows:

Weber	Lucas	Gigot	Howard	Law	Lopez	Laubach	Rishel	Sheets
Yea	Not Present	Not Present	Yea	Yea	Yea	Yea	Yea	Yea

Motion passed.

**ORDINANCE NO. \_\_\_\_\_-2014**

AN ORDINANCE AMENDING THE FEES CHARGED TO REQUEST AN AMENDMENT TO THE ZONING REGULATIONS OR THE ZONING MAP, AND THE FEES TO FILE AN APPEAL TO THE BOARD OF ZONING APPEALS, IN THE CITY OF GARDEN CITY, KANSAS; AMENDING THE ZONING REGULATIONS FOR THE CITY OF GARDEN CITY, KANSAS BY INCREASING THE FEES CHARGED; AMENDING ZONING REGULATION ARTICLES 27 AND 28; REPEALING IN THEIR ENTIRETY CURRENT ZONING REGULATION ARTICLES 27 AND 28; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS:**

**SECTION 1.** Article 27 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

**ARTICLE 27**

**AMENDMENTS**

SECTIONS:

27.010 Amendment Authority

27.020 Amendment Purpose

27.030 Amendment Procedure

27.040 Amendment Evaluation Criteria

27.010 AMENDMENT - AUTHORITY. The Governing Body of the City may from time to time on its own to motion or petition of any party; amend, supplement, change, modify, or repeal, by ordinance, the boundaries of any zoning district or the regulations or restrictions herein established. Any proposed amendment, supplement, change, modification, or repeal shall first be submitted to the Planning Commission for its recommendation and report.

27.020 AMENDMENT - PURPOSE. For the purpose of establishing and maintaining sound, stable, and desirable development within the City, it is declared to be a public policy that amendments shall not be made to the Zoning

Regulations and Map except to promote more fully the objectives and purposes of the Zoning Regulation or to correct manifest errors.

27.030 AMENDMENT - PROCEDURE.

- (A) Request for an amendment. - Any person seeking an amendment to this Zoning Regulation or Map shall file with the Planning and Community Development Director an application, upon forms provided by the City, and such application shall be accompanied by such data and information as maybe prescribed by the Planning Commission. At the time of filing said application with the Planning and Community Development Director, the applicant shall provide the Director with a certified listing of the names and addresses of all owners of record of lands located within at least two hundred (200) feet of the area proposed to be altered for request within the City limits and to all owners of record of located within at least one thousand (1,000) feet if the property is located adjacent to the City Limits to which the applicant desires change of zoning.
  
- (B) Fee. - For the purpose of wholly or partially defraying the costs of proceedings prescribed herein, including publication costs, the applicant, upon the filing of the application, shall pay to the city a fee in the amount of two-hundred fifty (\$250.00) dollars.
  
- (C) Duties of the Planning Commission:
  - (1) Upon, the filing of a complete application on or before the deadline established for submittal, the Planning & Community Development Director shall refer the application to the Planning Commission for study and recommendation and shall report to the Governing Body concerning the nature of the application and the fact of its referral to the Planning Commission.
  
  - (2) Before the Planning Commission shall by proper action, formulate its recommendation to the Governing Body on any such proposed or requested change of zoning district boundary whether initiated by the Governing Body or by others, the Planning Commission shall hold a public hearing on such proposal and such hearing shall be held only after notice of the hearing has been given as follows:
    - (a.) One notice published as a legal notice in the official newspaper of the City of Garden City, Kansas, said publication notice to be at least twenty (20) days prior to the date set for said hearing. Such notice shall fix the time and place for such hearing and, contain a statement regarding the proposed - changes in regulations or restrictions or in the

boundary or classification of any zone or district. If such proposed amendment is not a general revision of the existing regulations and affects specific property, the property shall be designed by legal description or a general description sufficient to identify the property under consideration. The notice shall also include a statement that a complete legal description of the property is available for public inspection and shall indicate where such information is available.

(b.) In addition to published notice, written notice of the proposed amendment shall be mailed by first class mail, at least twenty (20) days before the hearing to all owners of record of located within at least two hundred (200) feet, excluding streets and public ways, of the area proposed to be altered for regulations of the City. If the City or applicant proposes a zoning amendment to property located adjacent to or outside the City's limits, the area of notification of the City's action shall be expanded to at least one thousand (1,000) feet, excluding streets and public ways, in the unincorporated area, and said list of said owners shall be determined by the records in the office of the Register of Deeds as of the date on which said application is filed with the Planning and Community Development Director.

(c.) In the event that a protest against such amendment, supplement, or change be filed in the Office of the City Clerk within fourteen (14) days after the date of conclusion of the public hearing pursuant to the publication notice, signed by the owners of record of real property proposed to be rezoned or by the owners of record of twenty (20%) percent or more of the total area required to be notified by this act of the proposed rezoning of a specific property, excluding streets and public ways, the ordinance or resolution adopting such amendment shall not be passed by at least a three fourths (3/4) vote of all of the of the Governing Body of the City. (Ord. #1833 1/4/94)

#### 27.040 AMENDMENT EVALUATION CRITERIA.

Prior to taking any action on a request for an amendment which is not a general revision of the Zoning Regulations and which will affect specific property, the Planning Commission shall give consideration to the following evaluation criteria:

(A) The physical character of the neighborhood surrounding the property under consideration.

(B) The existing zoning and land uses of properties both adjacent and near the property under consideration,

- (C) The suitability under existing conditions of the subject property for the land uses to which it has been zoned
- (D) The extent to which removal or alteration of the existing zoning classification will affect nearby properties (outlined in (B) above),
- (E) The length of time the subject property has remained vacant as zoned (if applicable),
- (F) The relative gain to the public health, safety and welfare by the change of value of the landowner's property compared to any hardship that may be imposed upon the landowner,
- (G) The consideration of recommendations of permanent or professional staff (if applicable),
- (H) The conformance of a proposed zoning change to the adopted or recognized Comprehensive Plan being utilized by the City of Garden City, Kansas, and
- (I) Other factors relevant or specific to a particular proposed zoning amendment. (Ord. #1770, 11/2/91)

**SECTION 2.** Article 28 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

## **ARTICLE 28**

### **BOARD OF ZONING APPEALS**

#### **SECTIONS:**

- 28.010 The Board of Zoning Appeals Established
- 28.090 Organization of the Board
- 28.030 Powers And Jurisdiction
- 28.040 Appeals To The Board
- 28.050 Decision Of Appeals
- 28.060 Fee
- 28.070 Applications
- 28.080 Judicial Appeal

28.010 THE BOARD OF ZONING APPEALS ESTABLISHED. A Board of Zoning Appeals is hereby created by the Governing Body of the City as prescribed by law. Such Board shall consist of five (5) members all of whom shall be taxpayers and residents of the City of Garden City. They shall be appointed by the Mayor and with the consent of the Governing Body. Not less than one or more than two (2) members of the Board shall be members of the Planning Commission. One member of said Board shall be appointed to serve, for a period of one (1) year, two (2) for a period of two (2) years, and two (2) for a period of three (3) years. Vacancies shall be filled by appointment for the unexpired term only. Members of the Board serve without compensation.

28.020 ORGANIZATION OF THE BOARD. The Board of Zoning Appeals shall organize by electing annually one of its members as Chairman. The Board of Zoning Appeals may also select from among their members a Vice-Chairman and such other officers as the Board of Zoning Appeals shall consider necessary. The Board of Zoning Appeals shall appoint a Secretary, who need not be a member of the Board of Zoning Appeals, to maintain its records and keep minutes of all proceedings before the Board of Zoning Appeals. The Governing Body of the City shall have the power to remove any member of the Board of Zoning Appeals for cause. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence, the Acting-Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing, the vote of each member, and shall keep records of its examinations and other official actions all of which shall be immediately filed in the office of the secretary of the Board in the Planning and Community Development Department and shall be a public record. (Ref. Board of Zoning Appeals rules etc. K.S.A. 12-174).

28.030 POWERS AND JURISDICTION. The Board of Zoning Appeals shall have the following powers and jurisdictions:

- (A) To hear and decide appeals where it is alleged there is error of law in any order, requirement, decision, or determination made by the Building Inspector in the enforcement of this regulation.
- (B) To interpret the provisions of this regulation in such a way as to carry out the intent and purposes of the plan, as shown upon the map (fixing the several districts) accompanying and made a part of this regulation.
- (C) To permit the reconstruction of a nonconforming building which has been damaged by casualty, act of God, the public enemy, to the extent of more than fifty percent (50%) of the structural value of the building and land upon which it is located, where the board finds some compelling public necessity requiring continuance of the nonconforming use and the primary purpose of continuing the

nonconforming use is not to continue a monopoly. In the case of doubt, the fair value shall be determined, as proved in Article 21, Section 21.090.

- (D) To permit a variation in the yard requirements of any district where there are practical difficulties or unnecessary hardships in the carrying out of these provisions due to the irregular shape of the lot, or topographical or other conditions, provided such variations will not seriously affect any adjoining property or the general welfare of the neighborhood or where variations may be permitted which allow usual arrangement of the lot and still clearly and unmistakably accomplish the intent of this regulation.
- (E) To authorize variances to the District regulations upon appeal, whenever a property owner can show that a strict application of the terms of this ordinance relating to the use, construction, or alteration of buildings or structures or the use of land, will impose upon him practical difficulties or particular hardship, and that such variations of the strict applications of the terms of this ordinance as are in harmony with its general purpose and intent, (but only when the Board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty too great as to warrant variation from the Comprehensive Plan as established by the regulation) and at the same time the surrounding property will be properly protected.
- (F) To hear and grant exceptions to the provisions of the zoning regulation in those instances where the board is specifically authorized to grant such exception and only under the terms of the zoning regulation. In no event shall exceptions to the provisions of the zoning regulation be granted where the use or exception contemplated is not specifically listed as exception in the zoning regulation. Further, under no conditions shall the Board of Zoning Appeals have the power to grant an exception when conditions of this exception, as established in the zoning regulation by the Governing Body, are not found to be present.

#### 28.040 APPEALS TO THE BOARD.

- (A) Who May Appeal. Appeals to the board may be taken by any person or persons aggrieved, or by an officer, department, any board, other than the Board of Appeals, or bureau of the City of Garden City affected by a decision of the Building Inspector. Such an appeal shall be taken within a reasonable time, as shall be prescribed by the Board by general rule, by filing with the building Inspector and with the Board a Notice of Appeal specifying the grounds thereof. The building Inspector shall forthwith transmit to the Board all the papers constituting the records upon which the action appealed from is taken.

- (B) Time For Appeal. The Board shall fix a reasonable time for the hearing of the appeal, give not less than five (5) days' notice thereof, by due notice to the parties in interest, as required in Section 28.040.D. Upon the hearing, any party may appear in person, by agent, or by attorney.
- (C) Stay Of Proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless the Building Inspector certifies to the Board after the notice of Appeal shall been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise then by a restraining order, which may be granted by the Board or by a court of record, on the application or notice to the building Inspector on good cause shown.
- (D) Hearing And Notice. The Board of Zoning Appeals shall select a reasonable time and place for the hearing of the appeal. Public notice of the time, date, and subject of such hearing shall be published once in the official City newspaper at least twenty (20) days prior to the date of the hearing. A copy of such notice shall be mailed by certified mail by the Board of Zoning Appeals to each party in interest and to the Planning Commission; and if action directly affecting specific property in the subject of the appeal, then to owners of all property within two hundred (200) feet of the boundaries thereof. The Board of Zoning Appeals may give such additional notice as it may from time to time by rule provide. Any party in interest may appear and be heard at the hearing in person, by agent, or by attorney.

28.050 DECISION OF APPEALS. The Board of Zoning Appeals may affirm or reverse, wholly or partly, or may modify the order, requirement, decision, or determination appealed from, and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the Zoning Administrator and may issue or direct the issuance of a permit. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Building Inspector, or to decide in favor of the applicant upon any matter which it is required to pass under any such ordinance, or to effect any variation in such ordinance. Upon the hearing, any party may appear in person, by agent, or by attorney.

28.060 FEE. The fee for a variance request shall be two-hundred fifty (\$250.00) dollars. The fee for a conditional use request shall be two-hundred fifty (\$250.00) dollars. Fees shall be paid to the City Clerk at the time the Notice of Appeal is filed to be credited to the General Revenue Fund of the City of Garden City.

28.070 APPLICATIONS. Applications to the Board of Zoning Appeals shall be on forms furnished by the Planning Community Development Department of the City. All conditional use permits shall be valid for one (1) year from the date

it was approved by the Board of Zoning Appeals; if project has not been substantially completed within one (1) year of approval, the conditional use permit shall expire.

28.080 JUDICIAL APPEAL. Any person or persons jointly or severally aggrieved by any decision of the Board of Zoning Appeals or any office, department, board or bureau of the City of Garden City may appear before the determination or may bring an action in the District Court having jurisdiction in Finney County, to determine the reasonableness of any such order or determination. Provided any action taken by the Governing Body of the City shall not preclude an aggrieved party from appealing to the District Court having jurisdiction in Finney County. Provided, any action brought in the District Court shall be within thirty (30) days after the filing of the decision in the office of the Board of Zoning Appeals.

**SECTION 3.** The Zoning Regulations for the City of Garden City, Kansas, Articles 27 and 28 as previously existing, are hereby repealed, to be replaced as specified in this ordinance. All Zoning Regulation Sections not specifically amended or deleted herein shall remain in full force and effect.

**SECTION 4.** This ordinance shall be in full force and effect from and after its publication in the Garden City Telegram, the official city newspaper.

APPROVED AND PASSED by the Governing Body of the City of Garden City, Kansas, this 4th day of February, 2014.

\_\_\_\_\_  
DAN FANKHAUSER, Mayor

ATTEST:

\_\_\_\_\_  
CELYN N. HURTADO, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
RANDALL D. GRISSELL

City Counselor



## MEMORANDUM

**TO:** Governing Body  
**FROM:** Ashley Freburg, Art Grant Committee Staff Liaison  
**DATE:** January 17, 2014  
**RE:** Committee Appointments

---

### CITY COMMISSION

DAN FANKHAUSER,  
Mayor

ROY CESSNA

MELVIN DALE

JANET DOLL

CHRIS LAW

MATTHEW C. ALLEN  
City Manager

MELINDA A. HITZ, CPA  
Finance Director

RANDALL D. GRISELL  
City Counselor

### Issue

The Commission is asked to consider and approve a resolution formally establishing an Arts Grant program and Arts Grant Committee for the purpose of considering requests for funding grants and making recommendations to the governing body.

### Background

The Art Grant was created by the Garden City Commission in 2012. The primary motivation for creating the program was to establish a formal process by which arts programs can request funding. The program is funded by General Fund Line Item 001-171-6165 (Social Funding), which also funds the Community Grant.

When the Art Grant was established, the commission appointed an ad hoc committee to make a recommendation for 2013 funding. During the City Commission Meeting January 21, 2014 it was suggested that the Commission adopt a resolution to establish a more permanent committee. This resolution establishes that committee.

### Alternatives

1. Approve the resolution as presented
2. Approve the resolution with changes
3. Do not approve the resolution

### Recommendation

Staff recommends alternative 1, approval of resolution as presented.

### Fiscal Note

In 2014, the Commission has budgeted \$14,250 for the Art Grant.

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CENTER  
301 N. 8<sup>TH</sup>  
P.O. Box 998  
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67846-0998  
620.276.1160  
FAX 620.276.1169  
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**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ESTABLISHING AN ARTS GRANT PROGRAM AND ARTS GRANT COMMITTEE FOR THE PURPOSE OF CONSIDERING REQUESTS FOR FUNDING GRANTS AND MAKING RECOMMENDATIONS TO THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS.**

WHEREAS, the Governing Body of the City of Garden City, Kansas (City), has established a Community Grant Program which contains funds to be distributed to individuals, civic groups, and non-profit agencies; and

WHEREAS, the Governing Body recognizes that the arts community in the City has requests which are unique to the arts community and which require funding; and

WHEREAS, the Governing Body needs the input and recommendations of an arts grant committee to assist the Governing Body in disbursing public funds for purposes related to the arts community.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garden City, Kansas, as follows:

**SECTION 1.**

1. There shall be created and established out of the Community Grant Program, the Arts Grant Program. The Arts Grant Program funding shall represent one-third (1/3) of the funds in the Community Grant Program.
2. The funds in the Arts Grant Program shall be used to fund arts projects in the City.
3. The Arts Grant Committee is hereby established for the purpose of administering a formal competitive grant process by which the City can solicit requests, evaluate applications, and provide funding for projects and programs related to the arts community.
4. The Arts Grant Committee shall be comprised of three (3) members, appointed by the Mayor of the City with the advice and consent of the entire Governing Body. Two (2) of the members shall be appointed for three (3) year terms with the remaining member being appointed for a two (2) year term.
5. Each Arts Grant Committee member shall reside within the City.
6. The Arts Grant Committee shall meet at least one (1) time per year, in a place and time designated by a member selected by the other two (2) members as the chairperson. A quorum shall consist of two (2) members. The Arts Grant Committee shall evaluate applications for arts grants in January of each year. Following evaluation of applications, the Arts Grant Committee shall make a recommendation to the Governing Body prior to the first Governing Body meeting in February of each year.
7. The final decision as to which applicant(s) to fund shall be vested solely in the Governing Body. The Governing Body shall determine eligibility and funding criteria.

SECTION 2. This resolution shall be effective from and after its publication in the Garden City Telegram, the official City newspaper.

IT IS SO RESOLVED THIS 4TH DAY OF FEBRUARY, 2014, BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS.

\_\_\_\_\_  
Dan Fankhauser, Mayor

ATTEST:

\_\_\_\_\_  
Celyn N. Hurtado, City Clerk

APPROVED:

\_\_\_\_\_  
Randall D. Grisell, City Counselor

(Published in The Garden City Telegram on the \_\_\_\_\_ day of \_\_\_\_\_, 2014)

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE REMOVAL OF TREE NUISANCE FROM THE PROPERTY LISTED BELOW IN THE CITY OF GARDEN CITY, KANSAS, PURSUANT TO SECTION 94-64 OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.**

**WHEREAS**, the Governing Body of the City of Garden City has declared it unlawful for any person to maintain dead and/or diseased trees on private property within the City of Garden City, and

**WHEREAS**, the resident and/or owners of the private property at the address listed herein have been notified pursuant to Section 94-3 of the Environmental Code of Ordinances and have neither abated the nuisance conditions nor requested a hearing before the Governing Body.

**NOW THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Garden City, Kansas:

**SECTION 1.** Ten (10) days after passage of this Resolution, and after notification of person in violation by one of the methods prescribed in Section 94-64, the Public Officer is hereby authorized to abate the following nuisance conditions:

*601 Pennsylvania- Dead and/or Diseased Tree(s) on property  
202 N. 10<sup>th</sup> Street- Dead and/or Diseased Tree(s) on property  
801 N. 1<sup>st</sup> Street-Dead and/or Diseased Tree(s) on property*

**SECTION 2.** The abatement costs incurred by the City shall be charged against the lot or parcel of ground on which the nuisance is located.

**PASSED AND APPROVED** by the Governing Body of the City of Garden City, Kansas, on this 4<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
**Dan Fankhauser, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Celyn N. Hurtado, CITY CLERK**

**601 Pennsylvania**



**202 N. 10<sup>th</sup> Street**



**801 N. 1<sup>st</sup> Street**





CITY COMMISSION

DAN FANKHAUSER,  
Mayor

ROY CESSNA

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City Manager

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FAX 620.276.1169  
[www.garden-city.org](http://www.garden-city.org)

**MEMORANDUM**

**TO:** Governing Body

**THRU:** Matt Allen, City Manager

**FROM:** Mike Muirhead, Public Utilities Director

**DATE:** January 30, 2014

**RE:** Renewable Energy Standards

**ISSUE:**

The purpose is to establish standards for eligible customers ("Customer-generator") to interconnect and operate Customer-owned Renewable Energy Generation Facilities in parallel with the City of Garden City ("City") Electric Distribution System.

**BACKGROUND:**

Currently there are no standards in place that address the situation when a Garden City electric customer would like to install a form of renewable energy generation on their property to possibly off set their energy expenses from the City. State Statutes require that this type of standard be developed by all electric providers in the state of Kansas. The proposed customer owned, renewable generation interconnect standards will allow Garden City to meet the state requirement, and provide sufficient information to customers and contractors who may choose to investigate this type of installation.

**ALTERNATIVES:**

Approve the customer owned residential and commercial renewable energy generation facilities standards

Do not approve the customer owned residential and commercial renewable energy generation facilities standards

**RECOMMENDATION:**

Recommendation is to approve the customer owned residential and commercial renewable energy generation facilities standards

**FISCAL NOTE:**

There will be no financial impacts to the electric utility.

**Net Metering / Parallel Generation Rate Rider  
for Customer-Owned  
Renewable Energy Generation Facilities**

**City of Garden City, Kansas**

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January 30, 2014

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## OVERVIEW

### 1. PURPOSE:

The purpose of this document is to establish a Net Metering and Parallel Generation Rate Rider for eligible customers (“Customer-generator”) that interconnect and operate Customer-owned Renewable Energy Generation Facilities in parallel with the City of Garden City (“City”) Electric Distribution System.

### 2. ELIGIBILITY:

- a. Must be a Residential or Commercial electric customer with an eligible Customer-owned Renewable Energy Generation Facility as defined herein that is interconnected behind the meter (connected to the customer side of the electric meter or meters) and receives retail electric service through an electric meter or meters capable of recording the flow of electricity in each direction.
- b. Customer-generator’s utility account must be in good standing and in compliance with the City’s electric rate schedules, Electric Utility Rules and Regulations, and Interconnection Standards for Installation and Parallel Operation of Customer-Owned Residential and Commercial Renewable Energy Generation Facilities.
- c. A Generation Facility that is not a Renewable Energy Generation Facility as defined herein or such facility has a rated capacity/output greater than 25 kW<sub>AC</sub> for Residential Customer-generators and 200 kW<sub>AC</sub> for Commercial Customer-generators is subject to separate negotiation with the City and is not eligible for the Net Metering/Parallel Generation Rate Rider.
- d. For purposes of this Net Metering/Parallel Generation Rate Rider, an eligible Generation Facility must:
  - (1) be powered by a Renewable Energy Resource as defined in Kansas Statutes Annotated 66-1257 and amendments thereto;
  - (2) be located on a premises owned, operated, leased, or otherwise controlled by the Customer-generator,
  - (3) be interconnected with and operate in parallel phase and synchronization with the Electric Distribution System;
  - (4) comply with the City’s Interconnection Standards for Installation and Parallel Operation of Customer-Owned Residential and Commercial Renewable Energy Generation Facilities;
  - (5) be intended primarily to offset part or all of the Customer’s own electrical energy requirements;
  - (6) contain a mechanism approved by the City that automatically disconnects the Generation Facility and interrupts the flow of electricity back onto the Electric Distribution System in the event that electric service to the Customer-generator is interrupted.

(7) be owned or controlled by the Customer-generator. To the extent that the Customer-generator controls the Generation Facility and meets the requirements and accepts all of the obligations of the City's Interconnection Standards, the Customer-generator is not required to own the Generation Facilities.

(8) serve only the Customer-generator's premises

(9) meet all of the following generating capacity limitations:

a. for Residential Customer-generators, 25 kW<sub>AC</sub> or less

b. for Commercial Customer-generators, 200 kW<sub>AC</sub> or less

c. be appropriately sized to the Customer-generator's electric load as determined herein

d. total Customer-owned generating capacity under the Net Metering/Parallel Generation Rate Rider shall not exceed five percent (5%) of the previous calendar year City electric system peak demand. No Generation Facility shall be interconnected that would cause total Customer-owned Generating Facility capacity under the Net Metering/Parallel Generation Rate Rider to exceed five percent (5%) of the previous calendar year electric system peak demand.

### **3. AVAILABILITY**

Service under this Renewable Energy Net Metering/Parallel Generation Rate Rider is available to City of Garden City electric customers in good standing with a Customer-owned Renewable Energy

Generation Facility as defined in the City Interconnection Standards for Installation and Parallel Operation of Customer-Owned Renewable Energy Generation Facilities. Customer-generators served under this Rate Rider must also receive service under the standard service electric rate schedule that would apply if the Customer-generator did not have an interconnected Generation Facility. The service is available to Customer-generators on a first-come, first-served basis until the total rated generating capability of all interconnected Generation Facilities served under the Rate Rider equals five percent (5%) of the electric system peak demand for the previous calendar year. Upon reaching this limit, no additional service shall be available under the Rate Rider. The Rate Rider shall not be available for any electric service schedule allowing for resale.

### **4. APPLICABILITY**

The Rate Rider is applicable to eligible Customer-generators with a City-approved Interconnection Agreement. The Rate Rider is not applicable where the nameplate AC capacity of the Generation Facility exceeds 25 kW for Residential Customer-generators or 200 kW for Commercial Customer-generators. Generation Facilities must be appropriately sized to the Customer-generator's electrical load as determined herein.

### **5. CHARACTER OF SERVICE**

The electric service shall be 60 cycles per second (60 Hertz) alternating current (AC) at supply voltages and number of phases under the Residential or Commercial electric rate schedule that would apply if the Customer-generator did not have an interconnected Generation Facility.

**6. METERING**

Metering shall be accomplished by use of City approved electric meter or meters capable of registering the flow of electricity in each direction. Specific metering shall be at the City's discretion. If the existing electric meter(s) installed at the Customer-generator's premises is not capable of measuring the bidirectional flow of electricity, the City, upon written request of the Customer-generator, shall install an appropriate meter or meters with such capability. For purposes of monitoring Customer-generator generation and load, the City may install, at its expense, load research metering. The Customer-generator shall supply, at no expense to the City, a suitable location for meters and associated equipment used for billing and for load research.

**7. BILLING AND PAYMENT**

The City shall render a bill for electric service at approximately 30-day intervals during its normal billing process. Billing by the City to the Customer-generator shall be in accordance with the applicable rate schedule. Net consumption is defined as the kWh supplied by the City to the Customer-generator minus kWh supplied by the Customer-generator to the Electric Distribution System during the billing period. Net consumption shall be valued as follows:

- a. To the extent that the Customer-generator's net energy consumption is positive (i.e. Customer-generator received more kWh from the City during the billing period than the Customer-generator provided to the Electric Distribution System), the Customer-generator will be billed in accordance with the City's standard rate schedule for Energy Charges (for the net energy consumption), and for all applicable Customer Charges, Demand Charges, other charges and/or any Minimum Charges that would otherwise be applicable to the Customer-generator under the standard rate schedule.
- b. To the extent that the Customer-generator's net energy consumption is negative (i.e. Customer-generator supplied more kWh to the Electric Distribution System during the billing period than the City supplied to the Customer-generator), the Customer-generator will pay all applicable Customer Charges, Demand Charges, other charges and/or any Minimum Charges that would otherwise be applicable to the Customer-generator under the standard rate schedule. For energy delivered by the Customer-generator to the Electric Distribution System, the City shall pay one hundred fifty percent (150%) of the City's average cost of energy as calculated by the City. At City's discretion, such amounts shall be credited to Customer-generator's account or paid at least annually. The City will not provide payment or credit for surplus energy that exceeds the Customer-generator's prior year energy consumption.
- c. To the extent that the Customer-generator's net energy consumption is zero (i.e. the Customer-generator supplied the same kWh to the Electric Distribution System during the billing period as was supplied by the City to the Customer-generator), the Customer-generator will be billed in accordance with the City's otherwise applicable standard rate

schedule for the eligible Customer-generator, including any applicable Customer Charges, Demand Charges, other charges and/or Minimum Charges.

**8. APPROPRIATELY SIZED GENERATION FACILITY**

The City may refuse interconnection of any Generation Facility that is not appropriately sized for Customer-generator's anticipated electric load or if connection of a proposed Generation Facility would cause total Customer-owned generation capacity to exceed 5% of the electric system's previous calendar year peak demand.

Customer-owned Generation Facilities shall be appropriately sized for Customer-generator's electric load as determined by the City. Such determination will include but not be limited to Customer-generator's:

- a. load profile;
- b. average and peak monthly demand; and
- c. monthly and annual energy consumption.

Generation Facility capacity shall not exceed 25 kW<sub>AC</sub> for Residential Customer-generators and 200 kW<sub>AC</sub> for Commercial Customer-generators.

Customer-generator's base load energy requirements will be determined by dividing the Customer-generator's monthly energy (kWh) consumption by the number of hours in the month during the lowest usage month of the previous twelve (12) months or by a study of customer energy consumption, whichever is less.

**9. TERMS AND CONDITIONS**

- a. The City will supply, own and maintain at its expense all necessary meters and associated equipment utilized for billing. Specific metering shall be at the City's discretion. In addition, and for purposes of monitoring Customer-generator's energy production and load, the City may install load research metering at its expense. The Customer-generator shall supply, at no expense to the City, a suitable location for meters and associated equipment used for billing and for load research. Such equipment shall be accessible at all times to City personnel.
- b. The City shall have the right to require the Customer-generator, at certain times and as electric operating conditions warrant, to limit the production of energy from the Generation Facility to an amount no greater than the load at the Customer-generator's premises.
- c. The Customer-generator shall furnish, install, operate and maintain in good order and repair without cost to the City such relays, locks and seals, breakers, automatic synchronizers, disconnecting devices, and other control and protective devices as shall be designated by the City as being required as suitable for the operation of the Generation

Facility in parallel with the Electric Distribution System.

- d. The Customer-generator shall install and maintain an external alternating current (AC) disconnect switch within six (6) feet of the City electric meter(s) that is visible and readily accessible to City representatives at all times. This switch shall be clearly labeled as “Generator AC Disconnect Switch.” This manual switch shall be capable of being locked in an open position and shall prevent the Generation Facility from supplying power to the Electric Distribution System while in the open position. This manual switch shall also serve as a means of isolation for the Generation Facility during Customer-generator maintenance activities, routine outages or emergencies. The City shall give notice to the Customer-generator before the manual switch is locked open or an isolating device used, if possible, and otherwise shall give notice as soon as practicable after locking open or isolating the Generation Facility.
- e. The Customer-generator shall reimburse the City for any equipment, facilities, protective equipment or upgrades required to accommodate interconnection of the Generation Facility with the Electric Distribution System. See the Interconnection Standards for Installation and Parallel Operation of Customer-Owned Residential and Commercial Renewable Energy Generation Facilities for additional information.
- f. The Customer-generator shall provide the City reasonable opportunity to inspect the Generation Facility prior to its interconnection and Commercial Operation Date and to witness initial testing and commissioning of the Generation Facility.
- g. Customer-generator shall operate the Generation Facility in such a manner as not to cause undue voltage fluctuations, power quality issues, intermittent load characteristics or to otherwise interfere with the operation of the Electric Distribution System. At all times when the Generation Facility is operated in parallel with the Electric Distribution System, Customer-generator shall operate said Generation Facility in such a manner that no disturbance will be produced thereby to the electric service rendered by the City to any of its other customers or to any electric system interconnected with the Electric Distribution System. Customer-generator understands and agrees that the interconnection and operation of the Generation Facility pursuant to these Interconnection Standards is secondary to, and shall not reduce the safety, quality, or reliability of electric service provided by the City.
- h. A Generation Facility shall not damage the Electric Distribution System or equipment or present an undue hazard to City personnel. The City shall not be liable directly or indirectly for permitting or continuing to allow the interconnection of a Generation Facility or for the acts or omissions of a Customer-generator that cause loss or injury, including death, to any third party. The Customer-generator agrees to hold the City harmless from injury or property damage incurred by any person and arising out of the ownership, operation, maintenance, or use of Generation Facility and to indemnify the City against all liability and expense related thereto.

- i. Prior to installing and interconnecting a Generation Facility, the Customer-generator shall enter into an Interconnection Agreement with the City setting forth the terms and conditions of Generation Facility interconnection and operation.
- j. Service under the Net Metering/Parallel Generation Rate Rider is subject to the City's Interconnection Standards and Interconnection Agreement and subsequent modifications thereto.
- k. The Interconnection Agreement between the City and Customer-generator must remain in effect and the Generation Facility must be in full compliance with the terms and conditions of the Interconnection Standards for Installation and Parallel Operation of Customer-Owned Renewable Energy Generation Facilities.
- l. Charges and credits for service under this Rate Rider are exclusive of and in addition to charges for service rendered to the Customer-generator under any other applicable electric rate schedule.
- m. Service under this Rate Rider is subject to all applicable provisions of the Ordinances of the City of Garden City, Electric Utility Rules and Regulations, and Interconnection Standards for Installation and Parallel Operation of Customer-Owned Renewable Energy Generation Facilities.
- n. Insurance coverage requirements are addressed in the Interconnection Standards for Installation and Parallel Operation of Customer-Owned Renewable Energy Generation Facilities.
- o. Nothing in this Rate Rider shall abrogate a Customer-generator's obligation to comply with all applicable federal, state and local laws, codes or Ordinances.
- p. This Renewable Energy Net Metering/Parallel Generation Rate Rider is subject to the terms and conditions of the applicable electric rate schedule under which the Customer-generator receives service, the City of Garden City Ordinances, and Electric Utility Rules and Regulations. This Rate Rider is also subject to the applicable provisions of the Interconnection Standards for Installation and Parallel Operation of Customer-Owned Renewable Energy Generation Facilities.

**RENEWABLE ENERGY NET METERING/PARALLEL GENERATION RATE RIDER  
APPLICATION FOR SERVICE**

**City of Garden City**

Customer Name: \_\_\_\_\_

Service Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Utility Account Number: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

This application is for electric service under the City of Garden City (“City”) Renewable Energy Net Metering/Parallel Generation Rate Rider for the above Customer-generator. The Customer-owned Generation Facility is a Renewable Energy Generation Facility as defined in the City’s Interconnection Standards for Installation and Parallel Operation of Customer-Owned Renewable Energy Generation Facilities.

The Generation Facility qualifies for the Net Metering/Parallel Generation Rate Rider as it meets the definitions and requirements of said Interconnection Standards. Total rated output of the Generation Facility under the Renewable Energy Net Metering/Parallel Generation Rate Rider, is \_\_\_\_ kW<sub>AC</sub>. Customer-generator acknowledges that he/she has read the Rate Rider and agrees to all terms and conditions contained therein, including without limitation those specified in the Interconnection Standards for Installation and Parallel Operation of Customer-Owned Renewable Energy Generation Facilities. Specifically, the Customer-generator understands and agrees that an electric meter or meters capable of registering the flow of electricity in each direction must be in service at the Customer-generator’s premises. If a City-approved meter with this capability is not in service, Customer-generator must submit a written request to the City to acquire, install, maintain, and read an approved meter or meters.

Customer-generator acknowledges and agrees that operation of said Generation Facility is intended primarily to offset part or all of Customer-generator’s own electricity requirements, and that the Generation Facility is not sized to exceed the annual electric energy requirements of the Customer-generator’s premises. Customer-generator further acknowledges and agrees that the City will not provide credit for surplus energy generated by the Generation Facility under the Renewable Energy Net Metering/Parallel Generation Rate Rider that exceeds the Customer-generator’s prior year energy consumption.

Requested By:

\_\_\_\_\_  
Customer Name

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

Approved By:

\_\_\_\_\_  
Name

\_\_\_\_\_  
City Signature

\_\_\_\_\_  
Date

Rejected:

\_\_\_\_\_  
Name

\_\_\_\_\_  
City Signature

\_\_\_\_\_  
Reason for Rejection

\_\_\_\_\_  
Date

ORDINANCE NO. \_\_\_\_\_-2014

AN ORDINANCE ESTABLISHING INTERCONNECTION AND INSTALLATION STANDARDS, METERING, AND A RATE RIDER FOR PARALLEL OPERATION OF CUSTOMER OWNED RESIDENTIAL AND COMMERCIAL RENEWABLE ENERGY GENERATION FACILITIES; CREATING NEW CODE SECTION 90-309; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

BE IT ORDAINED by the Governing Body of the City of Garden City, Kansas:

**Section 1.** That new Section 90-309 of the Code of Ordinances for the City of Garden City, Kansas, is hereby added, to read as follows:

**Section 90-309. Customer owned residential and commercial renewable energy generation facilities.**

All policies, procedures, and regulations for interconnection and installation standards, metering, and a rate rider for parallel generation of customer owned residential and commercial renewable energy generation facilities shall be established and governed by policies, procedures, and regulations adopted by the governing body and maintained by the department of public utilities. The policies, procedures, and regulations established and maintained by the department of public utilities are incorporated by reference, and the same may be amended from time to time as deemed appropriate by the department of public utilities.

**SECTION 2.** That this ordinance be given full force and effect from and after its publication, in the Garden City Telegram, the official city newspaper.

APPROVED AND PASSED by the Governing Body of the City of Garden City, Kansas, this 4th day of February, 2014.

\_\_\_\_\_  
DAN FANKHAUSER, Mayor

ATTEST:

\_\_\_\_\_  
CELYN N. HURTADO, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
RANDALL D. GRISELL  
City Counselor

RESOLUTION NO. \_\_\_\_\_-2014

**A RESOLUTION AUTHORIZING THE CITY OF GARDEN CITY TO ENTER INTO A MUNICIPAL LEASE/PURCHASE AGREEMENT (LEASE NO. 5000127-005) FOR POLICE DEPARTMENT EQUIPMENT WITH CLAYTON HOLDINGS, LLC.**

The undersigned, being the officer identified below of The City of Garden City, Kansas (the "Lessee"), hereby certifies that the following is a true and correct copy of a resolution adopted by the Governing Body of the Lessee at a meeting duly held on February 4, 2014.

\*\*\*

**WHEREAS**, in order to facilitate the acquisition of certain equipment for use by the Lessee and to pay the cost thereof, it is necessary and desirable for the Lessee to enter into a State & Municipal Lease/Purchase Agreement (together with all Exhibits and Schedules, the "Lease") with Clayton Holdings, LLC (together with its successors and assign, the "Lessor", pursuant to which the Lessee will lease the Equipment from the Lessor with an option to purchase; and

**NOW THEREFORE, BE IT RESOLVED** by the Governing Body of the Lessee, as Follows:

**SECTION 1. Approval of the Lease.** The Lease is hereby approved in substantially the forms submitted to and reviewed by the Governing Body of the Lessee on the date hereof, with such changes therein as shall be approved by the following officer of the Lessee, said officer's execution thereof to be conclusive evidence of the approval thereof:

<u>Title</u>	<u>Printed Name</u>	<u>Signature</u>
<i>Mayor</i> _____	<i>Dan Fankhauser</i> _____	_____

Said officer is hereby authorized and directed to execute and deliver the Lease on behalf of and as the act and deed of the Lessee, and to affix the seal of the Lessee, if applicable.

**SECTION 2. Further Authority.** The Lessee shall, and the officials and agents of the Lessee are hereby authorized and directed to, take such action, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this resolution and to carry out, comply with and perform the duties of the Lessee with respect to the Lease and the Equipment.

\*\*\*

I further certify that the foregoing Resolution has not been modified, amended or repealed and is in full force and effect as of the date hereof.

WITNESS my hand this 4<sup>th</sup> day of February 2014.

**Lessee: The City of Garden City, Kansas**

\_\_\_\_\_  
Dan Fankhauser, Mayor

ATTEST:

\_\_\_\_\_  
Celyn N. Hurtado, CITY CLERK

# Old Business

# New Business



**To:** City Commission  
**Date:** January 29, 2014  
**From:** Melinda Hitz, Finance Director  
**RE:** Lease Purchase Financing

CITY COMMISSION

DAN FANKHAUSER,  
Mayor

ROY CESSNA

MELVIN DALE

JANET DOLL

CHRIS LAW

MATTHEW C. ALLEN  
City Manager

MELINDA A. HITZ, CPA  
Finance Director

RANDALL D. GRISELL  
City Counselor

**Issue:**

Lease purchase financing for Police Department equipment.

**Discussion:**

The Police Department has received bid quotes for (4) 2014 Police Interceptor Utility AWD command vehicles and (2) Victory Police Motorcycles that were approved on January 21, 2014. The 2014 budget was prepared using lease purchase financing to purchase these pieces of equipment.

The City has received two local quotes for lease purchase financing and one vendor quote

1) Clayton Holdings, LLC	Rate
3 year Interceptor Utility AWD	2.04%
4 year Motorcycle	2.09%
2) Western State Bank	
3 year Interceptor Utility AWD	3.00%
4 year Motorcycle	3.00%
3) HQ.Com	
4 year Motorcycle	3.05%

**Alternatives:**

- 1) Award lease purchase financing to Clayton Holdings, LLC.
- 2) Pay from cash balance and amend 2014 budget to reflect total cost.

**Recommendation:**

Staff recommends the lease purchase financing option with Clayton Holdings, LLC, approval of the resolution, and approval for the Mayor to sign the lease purchase documents.

**Fiscal Note:**

The lease purchase payments are adequately funded in the 2014 budget.

CITY ADMINISTRATIVE  
CENTER

301 N. 8<sup>TH</sup>

P.O. Box 998

GARDEN CITY, KS

67846-0998

620.276.1160

FAX 620.276.1169

[www.garden-city.org](http://www.garden-city.org)



# Clayton Holdings, LLC

8000 Forsyth Boulevard  
St. Louis, Missouri 63105-1797  
(314) 746-3678

01/29/2014

City of Garden City  
Ms. Melinda Hitz, Finance Director  
301 N. 8<sup>th</sup> Street, P.O. Box 998  
Garden City, KS 67846

Dear Ms. Hitz:

On behalf of Clayton Holdings, LLC, we would like to offer the following lease-purchase proposal for your consideration:

**Type of Financing:** A tax-exempt, State and Municipal Lease/ Purchase Agreement (the "Lease").

**Lessor:** Clayton Holdings, LLC – An equity subsidiary of Commerce Bank.

**LESSEE:** City of Garden City, KS

**Equipment:** Two (2) 2014 Commander 1 Fairing Model Police Motorcycles - \$72,601.30  
Four (4) 2014 Police Interceptor Utility AWD vehicles – \$110,627.32

**Total Finance Amount:** \$183,228.62

**Commencement Date:** On or before 03/01/2014

**Base Term:** Blended 3 and 4 years

**Interest Rate:** 2.064% fixed, rate locked until 03/03/2014

**Payment Amount:** Please see attached sample amortization schedules.  
*\*1<sup>st</sup> payment due 07/01/2014*

**Payment Frequency:** Annual/Arrears  
*\*The first payment is due 07/01/2014.*

**Documentation:** Shall be provided by Lessee. Funding of the Lease is contingent, in part; upon receipt and review by Lessor of executed Lease documentation in form acceptable to Lessor.

**Interest Rate Adjustment:** The above quoted interest rate is based on a spread over the Three (3) and Four (4) year Interest Rate Swaps as quoted in the Federal Reserve Statistical Release H.15 (the "Index"). For Purposes of this proposal, as of 01/24/2014 the Three (3) Year interest rate swap is 0.85% and the Four (4) Year interest rate swap is 1.28%.

In the event the transaction does not close by 03/01/2014, Lessor reserves the right, but has no obligation, to adjust the Interest Rate after 03/01/2014 based on changes in the Index between the Quote Date and the Commencement Date. The adjustment, if made, would preserve Lessor's original lease investment assumption on a nominal pre-tax yield basis.

- Early purchase Option:** In the event Lessee desires to prepay this lease, they may do so in whole, but not in part at par. There is no prepayment penalty on the financing.
- General Terms:** This financing structure, rate and payment are based on the Transaction being designated as Tax Exempt and Non-Bank Qualified under the IRC Section 103 and 265 b (3). The Lessee intends to issue more than \$10 million dollars in tax-exempt obligations in the current calendar year.
- Titles/Liens:** Lessor shall have a perfected security interest in the Equipment.
- Non-appropriation:** The Lease shall provide for Lessee to terminate the agreement at the end of any fiscal period if insufficient funds are available to make the scheduled Rental Payments due in the following fiscal period.
- Bank Qualified:** The Transaction is expected to be Non-Bank Qualified.
- Escrow:** Upon closing, funds may be disbursed into an escrow account to be maintained by Commerce Trust as escrow agent. Upon final delivery and acceptance of all of the equipment, and receipt of Lessee's authorization to release funds, escrow agent shall disburse payment to the vendors. Terms, conditions, and procedures regarding escrow and escrow agreement are subject to mutual approval by Lessee and Lessor. It is intended that the interest earnings on un-disbursed funds shall accrue for the benefit of Lessee. An escrow account shall be established at Commerce Trust. There is a **\$250.00 fee** for the escrow account. **This fee is not applicable if an escrow is not required.** Commerce Trust does assess a cash management fee which is deducted from the Escrow Earnings.
- Net Lease:** The lease shall be a net lease in all respects, and Lessee shall be responsible for all fees, charges, assessments or other costs and expenses of every nature whatsoever arising from the lease of the Equipment.
- Not a Commitment:** The terms set forth herein reflect a proposed, preliminary structure and are subject to final credit approval by Clayton Holdings, LLC and the negotiation of mutually acceptable documentation. These terms are being provided to the Lessee with the understanding that neither the terms nor their substance shall constitute a definitive agreement or an exhaustive statement of all terms and conditions which may ultimately be included in a transaction among Lessee and Lessor. This is a proposal only and not a commitment to lend. Final approval and funding of the transaction is based on a formal credit review by Lessor, including final lease documentation acceptable to both Lessee and Lessor.

This proposal is not intended to, and does not create, in any way, a legally binding or any other type of commitment or obligation on the part of Clayton Holdings, LLC, or any of its/their subsidiaries, and/or any of its/their employees. Information regarding this proposal, including the financial statements of Lessee necessary to complete the credit process, may be provided to third party funding sources in either written or electronic format.

Thank you for the opportunity to offer this proposal. We appreciate your consideration and look forward to your favorable response. Should you have any questions, please do not hesitate to contact us. The representative shown below is "not" a Municipal advisor. The Bank and its representatives are responding to an RFP issued by the City. The City acknowledges that it is entitled to engage municipal advisory services should it elect to do so.

Respectfully submitted,



Frank D. Hill  
Officer of Clayton Holdings, LLC  
Senior Vice President, Tax Exempt-Leasing - Commerce Bank  
Phone: 785-587-1541  
[frank.hill@commercebank.com](mailto:frank.hill@commercebank.com)

Compound Period: Annual

Nominal Annual Rate: 2.064%

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	3/1/2014	183,228.62	1		
2 Payment	7/1/2014	56,732.89	3	Annual	7/1/2016
3 Payment	7/1/2017	18,849.87	1		

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

	Date	Payment	Interest	Principal	Balance
Loan	3/1/2014				183,228.62
1	7/1/2014	56,732.89	1,281.40	55,451.49	127,777.13
2014 Totals		56,732.89	1,281.40	55,451.49	
2	7/1/2015	56,732.89	2,636.87	54,096.02	73,681.11
2015 Totals		56,732.89	2,636.87	54,096.02	
3	7/1/2016	56,732.89	1,520.52	55,212.37	18,468.74
2016 Totals		56,732.89	1,520.52	55,212.37	
4	7/1/2017	18,849.87	381.13	18,468.74	0.00
2017 Totals		18,849.87	381.13	18,468.74	
Grand Totals		189,048.54	5,819.92	183,228.62	

Compound Period: Annual

Nominal Annual Rate: 2.040%

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	3/1/2014	110,627.32	1		
2 Payment	7/1/2014	37,883.02	3	Annual	7/1/2016

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

	Date	Payment	Interest	Principal	Balance
Loan	3/1/2014				110,627.32
1	7/1/2014	37,883.02	764.80	37,118.22	73,509.10
2014 Totals		37,883.02	764.80	37,118.22	
2	7/1/2015	37,883.02	1,499.59	36,383.43	37,125.67
2015 Totals		37,883.02	1,499.59	36,383.43	
3	7/1/2016	37,883.02	757.35	37,125.67	0.00
2016 Totals		37,883.02	757.35	37,125.67	
Grand Totals		113,649.06	3,021.74	110,627.32	

Compound Period: Annual

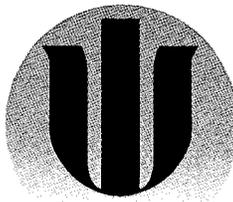
Nominal Annual Rate: 2.090%

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	3/1/2014	72,601.30	1		
2 Payment	7/1/2014	18,849.87	4	Annual	7/1/2017

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

	Date	Payment	Interest	Principal	Balance
Loan	3/1/2014				72,601.30
1	7/1/2014	18,849.87	514.22	18,335.65	54,265.65
2014 Totals		18,849.87	514.22	18,335.65	
2	7/1/2015	18,849.87	1,134.15	17,715.72	36,549.93
2015 Totals		18,849.87	1,134.15	17,715.72	
3	7/1/2016	18,849.87	763.89	18,085.98	18,463.95
2016 Totals		18,849.87	763.89	18,085.98	
4	7/1/2017	18,849.87	385.92	18,463.95	0.00
2017 Totals		18,849.87	385.92	18,463.95	
Grand Totals		75,399.48	2,798.18	72,601.30	



# WESTERN STATE BANK

*"Quality Tradition You Can Trust"*

January 23, 2014

City of Garden City, Kansas  
Melinda Hitz  
301 N 8th  
Garden City, Ks 67846

Dear Melinda,

This letter represents a conditional lease commitment from Western State Bank to the City of Garden City, Kansas.

## **Lease #1**

**Borrower:** City of Garden City, Kansas

**Lease amount:** One-Hundred Ten Thousand Six-Hundred Thirty-Seven Dollars and 22/100 (\$110,637.22)

**Term:** 3 yrs

**Interest Rate:** 3% fixed

**Repayment:** Annual Payments, with payments made each July beginning in 2014.

**Fees:** None

**Collateral requirements:** (4) 2014 Ford Police Interceptor Utility AWD Vehicles

**Other Loan Requirements** Insurance on collateral  
Borrowing resolution for City of Garden City, Kansas.  
Minutes from board meeting approving the purchase of this equipment.

## **Lease #2**

**Borrower:** City of Garden City, Kansas

**Lease amount:** Seventy-Two Thousand Six-Hundred One Dollars and 30/100 (72,601.30)

**Term:** 4 yrs

**Interest Rate:** 3% fixed

**Repayment:** Annual Payments, with payments made each July beginning in 2014.

**Fees:** None

**Collateral requirements:** (2) Victory Commander 1 Fairing Model Motorcycles

**Other Loan Requirements** Insurance on collateral  
Borrowing resolution for City of Garden City.  
Minutes from board meeting approving the purchase of this equipment.

**This commitment will expire on February 28, 2014.**

Western State Bank is pleased to have the opportunity to support the City of Garden City in this transaction and looks forward to continuing a long and mutually beneficial relationship. If you accept the terms and conditions of this commitment, please sign below and return to me as soon as possible. If you have any questions or comments please feel free to contact me at 620 275-4128.

Sincerely,



Tanner Lucas  
Vice President, Western State Bank

Accepted this \_\_\_\_ day of \_\_\_\_ 2014

---

By: Melinda Hitz, Finance Director, City of Garden City, Kansas

## Melinda Hitz

---

**From:** Michael Reagle  
**Sent:** Wednesday, January 22, 2014 2:54 PM  
**To:** Melinda Hitz  
**Subject:** FW: Victory Police Motorcycles - Financing Quote for Garden City, KS Police Department

Let me know if this works?

-----Original Message-----

**From:** Denise Churchill (FINANCING-HQ.COM) [<mailto:Denise.Churchill@FINANCING-HQ.COM>]  
**Sent:** Wednesday, January 22, 2014 2:39 PM  
**To:** Michael Reagle  
**Cc:** Mike Schultz; Michael Kerley  
**Subject:** RE: Victory Police Motorcycles - Financing Quote for Garden City, KS Police Department

Hello Captain,

On a 4 year term, our rate would go to a 3.05% with payments of \$16,077.22. This is with the corrected financed amount of \$61,101.30 (\$72,601.30 per the build sheet less \$11.5k as an upfront payment).

Please let me know if you have any questions.

Thank you,

Denise

312-706-1916

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**From:** Michael Reagle [[Michael.Reagle@gardencityks.us](mailto:Michael.Reagle@gardencityks.us)]  
**Sent:** Wednesday, January 22, 2014 1:52 PM  
**To:** Denise Churchill (FINANCING-HQ.COM)  
**Subject:** FW: Victory Police Motorcycles - Financing Quote for Garden City, KS Police Department

Could you please provide us with the numbers on a 4-year lease?

Captain Michael Reagle  
Community Response Division Commander  
Garden City Police Department  
304 N. 9th St.  
Garden City, KS 67846  
(620) 276-1352

From: "Denise Churchill (FINANCING-HQ.COM<<http://FINANCING-HQ.COM>>)" <[Denise.Churchill@FINANCING-HQ.COM](mailto:Denise.Churchill@FINANCING-HQ.COM)<<mailto:Denise.Churchill@FINANCING-HQ.COM>>>

Date: January 22, 2014 at 12:33:07 CST

To: "[michael.kerley@gardencityks.us](mailto:michael.kerley@gardencityks.us)<<mailto:michael.kerley@gardencityks.us>>" <[michael.kerley@gardencityks.us](mailto:michael.kerley@gardencityks.us)<<mailto:michael.kerley@gardencityks.us>>>

Cc: Mike Schultz <[mike@victorypolicemotorcycles.com](mailto:mike@victorypolicemotorcycles.com)<<mailto:mike@victorypolicemotorcycles.com>>>

Subject: Victory Police Motorcycles - Financing Quote for Garden City, KS Police Department Hello Michael,

Below, please find a quote for two Victory Police Motorcycles, as requested.

Total Cost: \$72,000.00 (per our discussion you confirmed the department would be making a down payment of \$11,500.00 which would NOT be included in the financing total).

Amount Financed: \$60,500.00

Term: 5 Years, Annual/Advance Payments, Tax-Exempt

Payment Amount: 12,961.59 (5 annual payments)

Lease Rate: 3.19%

LRF (lease rate factor): .21

Please note this quote is subject to credit approval and valid for 30 days. To complete credit approval, we will need (2) years of audited financial statements and a completed credit application, which I have attached to this email.

Please feel free to contact me with any questions you may have.

Thank you,

Denise

312-706-1916

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The information contained in this e-mail message, including any attachments, is confidential. If you are not the intended recipient, you are hereby notified that any reading, use or dissemination of this message is strictly prohibited. If you have received this message in error, please immediately notify us by telephone at (314)997-7010 and delete this message and any electronic or printed copies of this electronic communication from your system.

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# MEMORANDUM

**January 30, 2014**

**To: Governing Body**

**CC: Matt Allen**

**From: Kathy Sexson, Zoo Director**

**Reference: *Wild Wednesday* Free Vehicle Admission Proposal**

## ISSUE

Lee Richardson Zoo requests approval to begin offering free admission on selected days at the zoo's vehicle gate to assist with maintaining the Part Time, non-KPERs status of our gate attendant staff. The entrance kiosk would be manned by a volunteer on designated days to fulfill USDA gate attendance requirements. This individual would carry out most of the daily gate attendant duties except collection of entrance fees (guest interaction, phones, daily visitation surveys, etc.).

"Wild Winter Wednesdays" would take place *weekly* on Wednesdays that the zoo is regularly scheduled to be open during the months of November through March (approximately 22 days annually depending on holiday dates). "Wild Wednesdays" would offer free vehicle admission *once per month* on the first Wednesday of each month that the zoo is scheduled to be open from April through October (6-7 days annually depending on Labor Day date).

## BACKGROUND

To comply with a USDA regulation requiring any gates within the zoo's perimeter fence to be manned by personnel when open, last fall the zoo implemented changes to:

- a. Increase our gate attendant staff from two individuals to three
- b. Change their status from Seasonal to Part Time
- c. Eliminate free vehicle admission during the months of December through February

It has come to my attention that the number of hours originally calculated to ensure these staff members worked fewer than 1,000 hours annually were underestimated slightly due to an error that did not include the calculation and application of Holiday Pay. To ensure that our average annual hours for the three attendants remain under the maximum of 1,000, I am proposing the *implementation of "Wild Wednesdays", both as a cost and hours-saving measure, as a benefit to our visitors, to promote winter attendance, and hopefully to promote the benefits of zoo membership.*

## ALTERNATIVES

1. Implement “Wild Wednesdays” weekly and monthly as proposed above.
2. Further reduce vehicle gate operating hours to limit staff hours, and as a result, public access to the zoo by vehicle.
3. Increase gate salary expenses to cover KPERs expenses for three part time employees.
4. Hire a fourth gate attendant, which would further reduce hours per person and days worked by each to 2 or fewer per week. This could potentially cause loss of current staff, and difficulties in attracting or retaining qualified staff for such an important “front door” position at a valuable community and tourism attraction.

## RECOMMENDATION

Staff recommends Alternative #1, implementation of monthly “Wild Wednesdays” and weekly “Wild Winter Wednesdays” as we believe it offers the best solution to conserve staff resources while minimizing the impact on public use of our facility, and enabling continued compliance with USDA regulations.

## FISCAL NOTE

While compliance with USDA requirements during winter months has created the first time LRZ has collected gate fees during the months of December, January and February, the Commission should not anticipate that this will increase the gate attendant expenses significantly. While there is some net profit during the spring, summer and fall months, it is too early to tell the net impact of staffing the gate during the winter months. This staff also provides valuable but more intangible services benefitting the zoo, its visitors and animals through customer service, increased security, and answering phones when the office is closed.

Gate receipts for 2013 were \$22,550 (March-December) compared to receipts of \$22,850 taken in between March and November of 2012. Gate salaries for March through December of 2013 were \$18,773, compared to salary costs of \$17,363 in 2012.

Winter gate receipts are affected by weather, reduced out of town tourism during the winter season, and the ratio of member to non-member admissions. Anticipated loss of revenue on a Wednesday is expected to be negligible, and will be more than offset by salary savings (see below). Gate receipts for December 2013 totaled \$810 with average Wednesday income of \$15/day. This is in line with our predicted additional winter income of \$2,000-3,000 for December through February.

December 2013 salaries totaled \$1,487, with an average daily salary expense of \$47.50. Free Winter Wednesdays would save approximately \$1,045 in salaries over the course of the winter season, and approximately \$475 in salary savings over the summer season. We could expect a possible net savings of \$32.50/free day (\$47.50 salary cost less gate receipts of \$15) during the winter season.



Memo

To: City Commission  
 From: Cole Wasinger, Golf Pro  
 Toby Witthuhn, Golf Superintendent  
 Thru: Matt Allen, City Manager  
 Date: January 29, 2014  
 Re: Golf Carts

Issue

Governing Body consideration and approval of the purchase of 50 Golf Carts to replace the existing fleet.

Background

City Administration authorized golf course staff to solicit proposals for golf cart fleet replacements options in early 2014. City Administration advised golf course staff to review options under \$100,000, which could be financed either internally or through a lease purchase over 3 years. Based on this information, Golf Course staff distributed the attached Request for Proposals to known local and regional golf cart dealers. Four proposals were received and opened on January 28<sup>th</sup> at 4pm. Below are the results of the proposals:

Criteria	M&M Golf Carts, Lee's Summit, MO	Kansas Golf & Turf, Wichita, KS	Masek Golf Cart, Gering, NE	Colorado Golf & Turf, Littleton, CO
1. Design Specs	Met	Met	Met	Met
2. Make	Club Car	EZ-Go	Yamaha	Club Car
3. Year	2010	2010	2010	2010
4. Color	Beige	White	White	Beige
5. Unit/Total Cost	\$2,395/\$119,750	\$2,800/\$140,000	\$2,347/\$117,350	\$2,850/\$142,500
6. Free Services, Warranty, Incentives	none	none	1 yr defective parts replacement over \$75, free 48 mo. lease on a gas utility cart, service school.	90 day part warranty, credit for EZGo parts in stock
7. Value of any non trade-in price adjustments	n/a	n/a	\$3,600 (utility cart)	<\$1,000 (parts)
8. Date of Delivery	after 3/1/14	3 weeks	4/1/14	30 days
9. Trade-in amount	\$40,400	\$56,800	\$52,500	\$35,600
10. Net total cost	\$79,350	\$83,200	\$64,850	\$106,900

**Alternatives**

1. Approve the proposal of Masek Golf Carts in the net amount of \$64,850 and direct staff to solicit a 2 year lease purchase financing option.
2. Approve the proposal of Masek Golf Carts in the net amount of \$64,850 and direct staff to finance the purchase internally.
3. Approve one of the other proposals and direct staff as to financing.
4. Reject all proposals.

**Recommendation**

Staff recommends approving the proposal from Masek Golf Carts for a net total cost of \$64,850. Staff also recommends directing staff to solicit lease purchase quotes to finance the purchase of this fleet over 2 years (Alternative 1).

**Fiscal Note**

The payment of the carts would be made by a 2014 distribution of approximately \$20,000 from Fund 30 (Special Parks and Recreation) and approximately \$13,000 from Fund 70 (Golf Course – Club House). A similar total amount would be required in 2015, but the split of those dollars between Fund 30 and Fund 70 would be determined as part of 2015 Budget deliberations. This fund payment strategy would be used whether the City Commission chooses a lease purchase program through a local lender, or whether the carts are internally financed through the Fund 08 (Community Trust Reserve).

## **Request for Proposals: Golf Carts for Buffalo Dunes Golf Course**

City of Garden City, KS

### **Purpose**

The City of Garden City is interested in purchasing 50 used golf carts with brand new batteries.

### **Request**

We are requesting all interested vendors to submit one or more proposals that include the following:

1. Specifications of the golf cart being proposed. Specify as to whether they meet the following specifications.
  - Electric with New Batteries
  - Plastic Bodies
  - Fleet Speed of 12-15 mph
  - Sun Tops and Baskets
  - Mounted 44 oz Sand and Seed Bottles
  - Sun Top Mounted plexi-glass event/message holder
2. Make of the Cart. Current Fleet is EZGO and we would prefer to stay the same for operational and maintenance reasons, but would consider other proposals.
3. Year of the cart. We will determine the best value through analyzing both price and age of the cart. 2010 model year or newer is preferred.
4. Specify color of carts being proposed (if used). While we will consider any proposal, we prefer all carts to be the same color and we prefer a lighter color rather than a dark color.
5. Identify per unit and total cost of the carts being proposed.
6. Identify any warranty, free services or added incentive included in your proposal.
7. If different than #5, identify the net per unit total cost of the proposal.
8. Identify date of delivery (The City prefers a delivery date of on or before April 1<sup>st</sup> 2014).
9. Trade-in amount for our current fleet. We have 32-2004 EZGO TXT Cars and 18-2008 EZGO RXV Cars. All 50 carts are white in color with tan tops.

The City will select the best proposal based on ability to meet the criteria listed above and the City's financial and operational needs.

### **Procedure**

Please respond to the Request for Proposal by submitting the above information in writing (fax or letter) to:

**City of Garden City  
Attn: Matt Allen, City Manager  
PO Box 998  
301 North 8<sup>th</sup> St.  
Garden City, KS 67846  
Fax Number: 620-276-1169**

Proposals must be received by 4:00 PM Tuesday January 28<sup>th</sup>, 2014.

For questions concerning the process, please call the City Manager's Office at 620-276-1210

For questions concerning the existing fleet, please call Buffalo Dunes Maintenance staff at 620-276-1210

**YAMAHA**

2010 BROCHURE

# ELECTRIC GOLF CAR



Designing a great golf car is like playing a great round: it's about controlling all the factors. From the advanced IntelliPower System™, with its state-of-the-art regenerative braking, to the ultra-reliable Trojan batteries, we're determined to leave nothing to chance. We're the only golf car manufacturer that designs and builds its

# SPECIFICATIONS



## DIMENSIONS

OVERALL LENGTH	94.3 in (2395 mm)
OVERALL WIDTH	47.2 in (1200 mm)
OVERALL HEIGHT (Suntop)	70.4 in (1789 mm)
OVERALL HEIGHT (No Suntop)	46.9 in (1190)
HEELBASE	64.6 in (1640 mm)
FRONT WHEEL TREAD	34.3 in (870 mm)
REAR WHEEL TREAD	38.6 in (980 mm)
MINIMUM GROUND CLEARANCE	4.3 in (110 mm)

## POWER SUPPLY / DRIVE TRAIN

MOTOR	Hitachi 48-volt high-efficiency, shunt wound motor with internal solid state tachometer
OUTPUT RATING	3.5 hp (2.6 kW) for 30 minutes
MOTOR CONTROL UNIT	Yamaha-built solid state microprocessor with high-efficiency MOSFET switching. 270 amp armature output, 20 amp field output
TRANSAXLE	EnduraDrive™ direct coupled transaxle equipped with high-precision helical gears, 12.49:1 drive axle ratio
BATTERIES	Four 12-volt Trojan T1275 Batteries
CHARGER	Yamaha-built automatic microprocessor-based high frequency switching-regulated charger with I.E.I.-type charging profile, an industry first. 17 amp DC max output at 48 volts, 9.5 amp 120 volt AC. Underwriters Laboratories (U.L.) Listed. C.S.A. Certified

## CHASSIS

FRAME	HybriCore™ Chassis features a robotically welded automotive ladder-style frame mated to a polypropylene structural floor. Frame components are protected with a multi-step full-immersion phosphate treatment, electro-deposition epoxy-based coating, and an electrostatically applied polyester/urethane powder topcoat
BODY	Custom-formulated thermoplastic olefin, painted with a two-part top coat of high-luster automotive-grade polyurethane
STEERING	Self-compensating double reduction helical rack-and-pinion, permanently lubricated with sealed, greaseless tie-rod ends
FRONT SUSPENSION	Tru-Trak II™ fully independent automotive-style strut suspension
REAR SUSPENSION	Unit swing arm with coil springs over hydraulic shock absorbers
BRAKES	Maintenance-free internal transaxle disc brake
SEATING	Seamless, fabric-backed vinyl bonded to pure, virgin foam contoured seat cushions and mated to a warp- and moisture-resistant polypropylene bottom, strengthened with plated steel inserts.
BUMPERS	Front and rear 5 mph energy-absorbing bumpers

## PERFORMANCE

MAX FORWARD SPEED	15 mph (24 km/h)
MAX REVERSE SPEED	7.5 mph (12 km/h)

# STANDARD FEATURES

# 21

REASON

# 47

## Largest Most Comfortable Seat in the Industry

Deep, supportive contours are intended to help hold occupants in place while the car is moving. Designed to accommodate occupants of all different heights and sizes, it's made of pure, supple foam bonded to a seamless, fabric-backed vinyl cover, and the polypropylene seat base is strengthened with plated steel inserts. Won't sag or warp, stands up to repeated pressure washings, and remains the most comfortable seat in the business despite daily abuse.



REASON



## EnduraDrive™ Transaxle with Internal Disc Brake Technology

An industry first, inspired by the Yamaha ATV. A completely enclosed disc brake system that eliminates brake drums and shoes, needs only one brake cable, and is projected, based on extensive testing, to have an incredibly long life with essentially no maintenance.

REASON

# 39

## ClimaGuard Top™ with Dual Gutters

Our top is wider and extends farther in the front for maximum occupant protection, and it's longer in the rear to give maximum protection without interfering with the clubs. It has the only 360° double rain channel in the industry, and its integrated water drain system has an exclusive clog-proof design. It's built for rattle-free stability and has integrated grab handles as well as universal mounting points for information holders and GPS systems. So who's afraid of a little rain?



REASON

# 18



## Most Powerful 48-Volt Electric Motor in the Industry

Manufactured by Hitachi, our electric motor is high quality, highly efficient, whisper quiet, and generates 3.5 horsepower, which beats anyone else's in the business. Its internal components are nickel-plated and stainless steel for corrosion resistance, and it even has its own internal solid state tachometer.

REASON

# 05

## HybriCore™ Chassis

How do you make a chassis nearly 20% lighter and 2.5 times stronger? We mated an automotive, ladder-style, 100% robotically welded frame, protected by an 18-step paint process, with a polypropylene structural floor. Integrated into the floor, the battery box surrounds the batteries, eliminating a corrosion point. A self-contained pedal box gives the pedals top and bottom protection from dirt, debris, and stray golf tees.



# STANDARD FEATURES

REASON

# 57

## Automotive-Style Dash

The auto industry spent a hundred years getting this right, so why not use it? We gave it four cup holders to hold different-size cups; a center storage area for wallets, cell phones, and personal items; six ball holders; six tee holders; and a big, easy-to-clean storage compartment on each side.



REASON

# 37

## Four 12-Volt Battery Configuration

Instead of six 8-volt batteries, we use four 12-volt batteries. It's more efficient and less expensive to maintain, and it also has fewer cables and terminal connectors. What's more, it's 57 pounds lighter than the old configuration. All the power with a lot less trouble.

REASON

# 33



## Tru-Trak II™ Fully Independent Front Suspension

No other golf car has a suspension like this. We designed a maintenance-free suspension using automotive-style, coil-over-shock struts to minimize roll and deliver a smooth, comfortable ride. Sooner or later, some golfer will offer to trade you his car for it.

REASON

# 15

## Exclusive Yamaha Genius2™ PDA-Based Diagnostics and Programming

There's a reason we call it "Genius." A common PDA with an infrared wireless connection allows for communication with the motor control unit on The Drive.® In addition, it enables customization of the speed and regenerative braking, using 25 settings to match your course and terrain. It stores and displays battery and vehicle data such as AMP hours, miles, and MCU serial numbers, as well as diagnostic and troubleshooting information, helping you get peak performance and maximum profitability from your fleet.



1000 Highway 34 East  
Newnan, Georgia 30265  
1.866.747.4027  
www.yamahagolfcar.com

# YAMAHA

Golf Cars

**Service Centers in:**

Denver, CO • Kansas City, KS • Billings, MT  
Omaha, and Gering, NE  
masekgolfcars.com



**"Largest Golf Car Distributor in the United States"**

A Part of Masek Distribution Inc.

**Nebraska**  
425 M. Street • Gering, NE 69341

Local: 308.436.2100  
Toll Free: 800.800.8987  
Fax: 308.436.2800

**Colorado**  
5345 Newport Street  
Commerce City, CO 80022

## YAMAHA GOLF CAR PROPOSAL

For: City of Garden City, Buffalo Dunes Golf Course  
Attn: Matt Allen, City Manager  
PO Box 998  
301 North 8th St.  
Garden City, KS 67846

January 22, 2014

Tel: (620) 276 1160

Fax: (620) 276 1169

### Proposal Type and Terms:

A purchase of 50 used golf cars with new batteries.

### Description of Yamaha Units and included equipment:

Fifty (50) 2010 Yamaha YDRE "Drive" model 48v electric golf cars, Glacier White in color.  
Specifications and included equipment:

- New batteries
- Thermoplastic olefin (plastic) bodies
- Fleet speed of 12-15 mph
- Suntop (stone) and sweater basket
- Sand & Seed bottles, 2 per car, mounted and approx. 44oz
- Information or event/message holder, mounted to suntop
- Battery watering systems
- Fleet numbers, 2 per car

### Trades:

A quantity of thirty-two (32) 2004 EZGO TXT electric golf cars and eighteen (18) 2008 EZGO RXV electric golf cars, white in color, with top in complete, good running condition, with no major collision or abuse damage and all with good working chargers.

### Pricing:

\$1,297 per car x 50 = \$64,850 total difference.

YDRE's per unit and total cost = \$2,347 per car x 50 = \$117,350

Trade-in Amount = (\$1,050) avg. per car x 50 = (\$52,500)

### Delivery:

We plan to deliver the golf cars in April of 2014 or sooner. Pricing includes delivery to the course.

Warranty:

Masek Golf Car Company will include a one season defective parts replacement warranty (on parts that cost more than \$75), expires Dec 31, 2014.

Proposal expiration:

Our proposals normally expire within thirty days, due to changing factory prices and programs, and variations in interest rates. Used golf cars are subject to prior sale.

Free Services or Added Incentives:

Masek Golf Car Company will include the free use of a gas utility unit for a period of 48 months to be used by Buffalo Dunes Golf Course.

Masek's provides a free service school each spring, held in four locations around our territory. Golf course personnel are invited and encouraged to attend.

Thank you for the opportunity to be of service to you with YAMAHA, the world's finest golf cars and utility vehicles!

*J Allred 1-22-14*  
Justin Allred

Regional Sales Manager  
Masek Golf Car Company  
425 M St. Gering, NE 69341  
Office: 800.800.8987 ext. 102  
Cell: 308.672.8593  
[jallred.masekgolfcars@yahoo.com](mailto:jallred.masekgolfcars@yahoo.com)  
[www.masekgolfcars.com](http://www.masekgolfcars.com)



Cc: Joe Masek

# COLORADO GOLF & TURF

11757 S. Wadsworth Blvd.  
Littleton, Colorado 80125  
Phone: 303-761-3332  
Toll Free: 800-634-7823  
Fax 303-781-3372

January 14, 2014

City of Garden City  
Attn: Matt Allen, City Manager  
PO Box 998  
301 North 8<sup>th</sup> Street  
Garden City, KS 67846

Dear Mr. Allen,

Colorado Golf & Turf, Inc. is pleased to provide the City of Garden City, Kansas with the following proposal:

- 50 – 2010 Club Car Precedent Electric Golf Cars, equipped as follows
  - Beige Body, Seats, and Canopy Top
  - New 8 Volt Trojan Batteries
  - Dupont Surlyn Molded in Body Color (not painted over another color)
  - Speed Setting (your choice between 8 and 14.8 mph)
  - Sweater Basket
  - Aluminum Frame (no rust or corrosion)
  - Sand and Seed Bottles – 2 each
  - Top Mounted Plexi-glass Information Holder

## Pricing:

Quantity	Description	Unit Price	Amount
50	2010 Club Car Precedent	\$2,850.00	\$142,500.00
-32	2004 EZGO TXT	(\$550.00)	(\$17,600.00)
-18	2008 EZGO RXV	(\$1000.00)	(\$18,000.00)
	<b>Net Price*</b>		<b>\$106,900.00</b>

\*Pricing does not include any applicable state or locals sales taxes. Trades must be in fleet running condition with working chargers.

## Additional information:

We have a dealer in your area who would be willing to provide any service you would need. You would need to work with them directly. The dealer is Jerry's Golf Cars.

We would offer you a 90 day warranty on parts.

The cars we are quoting have come off lease from a course that is a very high end private club that puts very few rounds of golf on their fleet of golf cars.

If you currently have an inventory of EZGO replacement parts, we would give you full credit for those parts in the form of Club Car parts. You could decide what parts those would be, up to the value of your EZGO parts.

Delivery could happen within 30 days of acceptance of this proposal.

Price includes set-up and delivery to Buffalo Dunes Golf Course.

We can provide financing for the purchase of this fleet or a 3 or 4 year Fair Market Value lease if you desire.

Sincerely,

Tom Bauerle

*Presimmit Woods in St. Louis*

*Ball Washer  
Windshields*



## PROPOSAL

# M&M Golf Cars LLC

4252 NE Port Drive  
Lee's Summit, MO 64064

January 24, 2014

We are pleased to present the following quotations for your consideration. See the attached specification pages for a detailed list of standard vehicle features and benefits. The following options will come with:

50 - 2010 Club Car Precedent i2 Used Electric Golf Cars  
Beige Body, Seats, and Canopy  
Sand/Seed Bottle  
Information Holder  
New, 2014 Batteries for each car  
Fleet Speed of 12mph  
Canopy  
Sweater Basket

### Per Unit and Total Cost

\$2395/car or \$119,750/total

### Trades

32 - 2004 EZGO TXT      \$700/car or \$22,400  
18 - 2008 EZGO TXT      \$1000/car or \$18,000

Total for Trades - \$40,400

### Overall Net Price

**\$79,350 (Total minus trades)**

Delivery can be made after March 1<sup>st</sup>, 2014.



## PROPOSAL



# Precedent i2 Electric

### FEATURES & BENEFITS

- Industry-leading (6) 8-volt battery, 48-volt power plant
- Innovative Excel™ Drive System reduces maintenance & improves uptime with features like low-speed motor braking, hill descent assist, regenerative braking, & top speed control/speed range programming.
- The industry's tightest clearance circle provides superior maneuverability
- SportDrive™ steering & suspension provide an invigorating, sports car-like driving experience
- PowerShield™ protective battery housing safeguards electrical power systems from chemicals, water & ground debris
- Monsoon Top™ has built-in drain spouts to automatically channel water straight to the ground
- 360 degrees bumper system protects the frame & overall vehicle
- Molded-in body color with no clear coat or paint to worry about
- IQDM diagnostic tool: keep your entire fleet operating at peak capacity & profitability
- Sleek, functional dash allows golfers to easily see items & is easy to clean

#### POWER SOURCE

Batteries	Six 8-volt batteries
Charger	48-volt variable with on-board computer
Horsepower	3.3hp

#### STEERING/SUSPENSION

Steering	Self-compensating double reduction helical rack & pinion
Front Suspension	Independent leaf spring with dual hydraulic shocks
Brakes	Self-adjusting, rear, mechanical drum
Park Brake	Foot-operated, multi-lock

#### BODY/CHASSIS

Frame Chassis	Ladder-style aluminum box beam
Body/Body Color	Formion®/Molded In
Front/Rear Tires	18x8.50-8/18x8.50-8
Kickplate	Yes
Seating Capacity	2

#### DIMENSIONS

Overall LxWxH	91.5x47.25x68.5in (232x120x174cm)
Wheelbase	65.5in (166.4cm)
Ground Clearance	4.5in (11.4cm)
Floor Height	12in (30.5cm)
Tread	34.5in/38.5in (87.6cm/97.8cm)
Dry Weight (Less Batteries)	495lb (224.5kg)
Speed Range	7 speed settings: 5-19mph; 2 acceleration settings: aggressive or traditional; 3 pedal-up brake setting: none, mild & aggressive; speed adjustment in 0.1mph increments
Vehicle Warranty	4-year: batteries (20,000 energy units or 1,000 rounds), canopy, electronics, pedal group, seats, suspension, 3-year: body panels, electric power train. 2-year: all remaining components. Limited lifetime: frame.

There are no warranties, express or implied, contained herein. See Limited Warranty found in the owner's manual or write to Club Car, LLC. The company reserves the right to make design changes without obligation to make these changes on units previously sold. These vehicles are designed and manufactured for off-road use only. They do not conform to Federal Motor Vehicle Safety Standards for automobiles or to FMVSS 500 for low-speed vehicles, and are not equipped for operation on public streets, roads or highways.



**PROPOSAL**

## **M&M Golf Cars LLC**

4252 NE Port Drive  
Lee's Summit, MO 64064

January 24, 2014  
Mr. Matt Allen  
City of Garden City  
301 N 8<sup>th</sup> St  
Garden City, KS 67846

Dear Mr. Allen,

On behalf of M&M Golf Cars LLC, thank you for the opportunity to present this proposal to the City of Garden City. I have made every effort to ensure that it addresses the needs we have discussed and provides the solution your facility is seeking.

M&M Golf Cars LLC and Club Car takes pride in not only our products, but also our commitment to customer service and satisfaction. It is this combination of uncompromising quality, reliability and service that has made M&M Golf Cars LLC and Club Car the most respected companies in the golf industry and a valued partner with golf clubs in Missouri, Kansas, Iowa and Illinois.

If you have questions about any aspect of this proposal or if you would like to discuss additional ways we might meet your needs, please call me at 816-289-2935, or send an e-mail to [kcasburn@mmgolfcars.com](mailto:kcasburn@mmgolfcars.com). I look forward to serving you.

Sincerely,

Kris Casburn  
M&M Golf Cars LLC



Buffalo Dunes Golf Course  
5685 S Old Highway 83  
Garden City, KS 67846



PROPOSAL





## E-Z-GO FLEET PROPOSAL

**Mr. Matt Allen  
Mr. Cole Wasinger  
Buffalo Dunes Golf Course  
Fax: 620-276-1169**

We are pleased to provide you the enclosed proposal for your golf car and specialty vehicle needs. We are confident that after you have had an opportunity to review this proposal, you will agree that E-Z-GO and Kansas Golf and Turf will be your premiere partner for all of your vehicle needs.

### **The Following Proposal meets Buffalo Dunes bid specifications. Purchase Proposal between Kansas Golf and Turf and Buffalo Dunes**

KGT proposes the following purchase of off lease fleet cars.

<u>Qty</u>	<u>Model</u>	<u>Year</u>	<u>Sale price</u>
50	E-Z-GO TXT	2010	140,000.00

Trade in cars

<u>Qty</u>	<u>Model</u>	<u>Year</u>	<u>Trade price</u>
32	E-Z-GO TXT	2004	28,800.00

<u>Qty</u>	<u>Model</u>	<u>Year</u>	<u>Trade price</u>
18	E-Z-GO RXV	2008	28,000.00

<b>Grand Total</b>	<b>83,200.00</b>
--------------------	------------------

Included Options

<i>Color White</i>	<i>New Trojan Batteries</i>
<i>Tan Sun Tops</i>	
<i>One sand seed bottle</i>	
<i>Message holders</i>	

Kansas Golf and Turf agrees to deliver cars in approximately 3 weeks from a P.O subject to battery availability.

Kansas Golf and Turf agrees to deliver the new units and pick up the return units with all chargers and options.

Current Fleet car Condition

Prices quoted are those in effect at the time the quote is made and are guaranteed subject to acceptance within 20 days. Applicable state and local taxes and insurance are not included. All pricing and trade values are contingent upon management approval.

*\*All trades and chargers must be in running condition. A fleet inspection will be done prior to pick up.*

***It is our pleasure at Kansas Golf and Turf to serve Buffalo Dunes Golf Course its staff and its membership.***

**Buffalo Dunes Golf Course**

Accepted By \_\_\_\_\_

Date \_\_\_\_\_

Title \_\_\_\_\_

**Kansas Golf and Turf**

Accepted By \_\_\_\_\_

Date \_\_\_\_\_

Title \_\_\_\_\_



**Jerry's Golf Cars  
3210 SE CR Y  
Kendall, KS 67857  
620-384-5759**

City of Garden City  
Attn: Matt Allen, City Manager  
PO Box 998  
301 North 8<sup>th</sup> St.  
Garden City, KS 67846

Dear Matt,

Thank you for allowing Jerry's Golf Cars an opportunity to bid on the replacement golf cars for Buffalo Dunes golf course. I have arranged with a couple of my suppliers to bid and we may be asked to do some of the preparation and service work if they receive the bid. I felt that I would not be able to compete since I would be getting the cars through them.

I look forward to the opportunity to bid in the future. I have a large parts supply available and also carry new and used EZGo and Club Car utility/turf vehicles, as well as golf cars. I would be happy to help you in any way you need, please call us anytime.

Jerome Lampe

A handwritten signature in cursive script that reads "Jerome Lampe".

Jerry's Golf Cars  
620-384-5759

*Thank you for your consideration of a car from Jerry's Golf Cars. We strive for your complete satisfaction in the products and services we provide. We look forward to doing business with you.*



# MEMORANDUM

**TO:** Governing Body

**THRU:** Matt Allen, City Manager

**FROM:** Mike Muirhead, Public Utilities Director

**DATE:** January 29, 2014

**RE:** Water Rate Credit

**ISSUE:**

Governing Body consideration of issuing a water utility credit, to the City of Garden City rate payer's base rate increase, that was adopted by the revised ordinance Section 90-176 through Section 90-180 adjusting water rates charged. (Ordinance attached)

**BACKGROUND:**

On October 1, 2013 at the Governing Body's direction, staff revised city ordinances adjusting water rates. This was a result of the Wheatland Electric Cooperative raising the rate Garden City is charged for water treated and water purchased by 39% that was supposed to go into effect October 1, 2013. This increase was equivalent to \$505,000.00 annual increase to the City of Garden City. However, the Kansas Corporation Commission (KCC) has not approved the Wheatland Electric Cooperative water rate increase request and staff is unsure when the KCC may take such action.

Staff has been charging the increased rate since October 1, 2013 and is requesting direction from the Governing Body as to whether or not they would like to start issuing a credit (equal to the base charge increase) for the increase until the KCC approves the Wheatland Electric Cooperative water increase. Once approved, the credit for the Garden City water rate payers would stop.

The rate increase that went into effect October 1, 2013 also adjusted the "cost per 1,000 gallons" to generate approximately \$370,000.00, on an annual basis, to be used for water system modifications to specifically address the cast iron water mains, in the water system, by cleaning or replacing them.

**ALTERNATIVES:**

- a. Direct staff to begin issuing a credit for the base charge increase effective the next billing cycle.
- b. Direct staff to not issue a credit for the base charge and use the revenues for increased water system modifications.
- c. Direct staff to do nothing.

CITY COMMISSION

DAN FANKHAUSER,  
Mayor

ROY CESSNA

MELVIN DALE

JANET DOLL

CHRIS LAW

MATTHEW C. ALLEN  
City Manager

MELINDA A. HITZ, CPA  
Finance Director

RANDALL D. GRISELL  
City Counselor

CITY ADMINISTRATIVE  
CENTER

301 N. 8<sup>TH</sup>

P.O. Box 998

GARDEN CITY, KS

67846-0998

620.276.1160

FAX 620.276.1169

[www.garden-city.org](http://www.garden-city.org)



CITY COMMISSION

DAN FANKHAUSER,  
Mayor

ROY CESSNA

MELVIN DALE

JANET DOLL

CHRIS LAW

MATTHEW C. ALLEN  
City Manager

MELINDA A. HITZ, CPA  
Finance Director

RANDALL D. GRISELL  
City Counselor

**RECOMMENDATION:**

Staff recommends that the Governing Body provide direction to staff as to what action, if any, it would like to take.

**FISCAL NOTE:**

The increase in the base charge, since going into effect, has generated approximately \$170,000.00 in additional revenue to the water enterprise account.

CITY ADMINISTRATIVE  
CENTER

301 N. 8<sup>TH</sup>

P.O. Box 998

GARDEN CITY, KS

67846-0998

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FAX 620.276.1169

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## MEMORANDUM

*Approved*

**TO:** Governing Body

**THRU:** Matt Allen, City Manager

**FROM:** Mike Muirhead, Public Utilities Director

**DATE:** August 26, 2013

**RE:** Water Rate Change

**ISSUE:**

Adopt revised ordinance Section 90-176 through Section 90-180 adjusting water rates charged. (Ordinance attached)

**BACKGROUND:**

On August 6, 2013 the City Commission directed staff to make the necessary changes to existing City ordinances adjusting water rates charged. This is a result of the Wheatland Electric Cooperative raising the rate Garden City is charged for water treated and water purchased by 39% effective September 1, 2013. This increase is equivalent to \$505,000 annual increase to the City of Garden City. Staff was also directed to adjust the "cost per 1,000 gallons" to generate approximately \$370,000 on an annual basis to be used for water system modifications specifically addressing the cast iron type of water mains by cleaning or replacing them.

**ALTERNATIVES:**

- a. Approve the ordinance reflecting the change in rates.
- b. Do not approve the ordinance reflecting the change in rates.

**RECOMMENDATION:**

Staff recommends that the City Commission approve the new water rate structure as presented in the revised ordinance 90-176 through 90-180.

**FISCAL NOTE:**

The new water rate structure will generate approximately \$880,970 in annual revenues to cover the \$509,000 increase from the Wheatland Electric Cooperative, and approximately \$371,970 to be used for water system improvements.

CITY COMMISSION

DAN FANKHAUSER,

Mayor

ROY CESSNA

MELVIN DALE

JANET DOLL

CHRIS LAW

MATTHEW C. ALLEN  
City Manager

MELINDA A. HITZ, CPA  
Finance Director

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ORDINANCE NO. \_\_\_\_\_-2013

AN ORDINANCE ESTABLISHING WATER RATES FOR THE CITY OF GARDEN CITY, KANSAS; AMENDING CURRENT CODE SECTIONS 90-177 AND 90-180; REPEALING CURRENT CODE SECTIONS 90-177 AND 90-180; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

**BE IT ORDAINED** by the Governing Body of the City of Garden City, Kansas:

**SECTION 1.** Section 90-177 of the Code of Ordinances of the City of Garden City, is hereby amended, to read as follows:

**Sec. 90-177. – Water rates.**

The monthly water rates required to be charged and collected through its officers and agents for water service furnished by the waterworks system of the city, the same being a part of the water and sewage system, shall be as follows:

- (1) *Rates for residential water used inside the corporate limits of the city:*
  - a. *Availability.* Water service under this rate schedule is available within the corporate limits of the city.
  - b. *Applicability.* Water service under this schedule is applicable in individually metered service units for single and multifamily and for multiple service units served through single service connections all of which are considered dwelling units. The city reserves the right to require special contracts in the case of unusual water requirements.
  - c. *Net monthly rate schedule.*

	Effective 10/01/2013 and thereafter
Gallons of Consumption	Rate per 1,000 gallons
0-15,000	\$1.80
15,001-30,000	\$2.05
30,001-60,000	\$2.45
60,001 and over	\$3.00
Gallons of consumption are computed on a per meter basis.	

- 
- 
- 
- d. *Minimum monthly charge.* The minimum monthly charge shall be determined by the size of the meter and main tap through which individual service units and for multiple serviced units served through single service connections and shall be charged according to the following schedule at such time as service is made available following application therefore.

Meter Size in Inches	Minimum Monthly Charge
¾	\$11.15
1	\$12.65
1½	\$15.15
2	\$23.90
3	\$42.65
4	\$61.15
6	\$80.15
8	\$130.15
The minimum monthly charge is computed on a per meter basis.	

e. *Delayed payment.* The total amount based upon the net monthly rates specified herein is due on the date indicated on the bill. After that date the amount due will be increased by five percent.

(2) *Rates for commercial water used inside the corporate limits of the city:*

- a. *Availability.* Water service under this rate schedule is available within the corporate limits of the city.
- b. *Applicability.* Water service under this schedule is applicable to individually metered service units and for multiple service units served through single service connections all of which are considered for commercial or industrial type use. The city reserves the right to require special contracts in case of unusual water requirements.
- c. *Net monthly rate schedule.*

	Effective 10/01/2013 and thereafter
Gallons of Consumption	Rate per 1,000 gallons
All	\$1.86
Gallons of consumption are computed on a per meter basis.	

d. *Minimum monthly charge.* The minimum monthly charge shall be determined by the size of the meter and main tap through which individual service units and for multiple served units served through single service connections shall be charged according to the following schedule at such time as service is made available following application thereof.

Meter Size in Inches	Minimum Monthly Charge
¾	\$11.15
1	\$12.65
1½	\$15.15
2	\$23.90
3	\$42.65
4	\$61.15
6	\$80.15

8	\$130.15
The minimum monthly charge is computed on a per meter basis.	

- e. *Delayed payment.* The total amount based upon the net monthly rates specified herein is due on the date indicated on the bill. After that date, the amount due will be increased by five percent.
- (3) *Rates for residential and commercial water used outside the corporate limits of the city:*
- a. *Availability.* Water service under this rate schedule is available outside the corporate limits of the city; provided, that water service shall not be made available for use outside the corporate limits of the city, in any manner whatsoever except upon specific approval of the governing body.
  - b. *Applicability.* Service under this schedule is applicable to individually metered service units and multiple service units served through single service connections for all normal water use.
  - c. *Net monthly rate.* The rate for water service outside the corporate limits shall be two times the rate established for like service within the corporate limits. Bills shall be computed under the inside city rate and multiplied by two.
  - d. *Minimum monthly charge.* The minimum monthly charge is computed on a per meter basis and shall be two times the minimum monthly charge for the same size of service connection inside the city.
  - e. *Delayed payment.* The total amount based upon the net monthly rates specified herein is due on the date indicated on the bill. After that date, the amount due will be increased by five percent.

The rates scheduled in this section shall apply and be figured on the consumption of water by the 1,000 gallons or fraction thereof to the nearest 100 gallons.

**SECTION 2.** Section 90-180 of the Code of Ordinances of the City of Garden City, is hereby amended, to read as follows:

**Sec. 90-180. – Tank water and miscellaneous sales.**

For miscellaneous and tank water sales provided at the dispensing station or by agreement with the water department at a hydrant and not delivered to a service connection attached to the municipal waterworks distribution system, the following charges shall apply:

- (1) All water so delivered at a rate per 1,000 gallons or fraction thereof according to the schedule below; provided, that delivery of any such sales shall be made only at dispensing stations within the corporate limits of the city, and under rules and regulations as may be established by the city manager; provided further, that the minimum charge for any such water sales shall be \$10.00.

	Effective 10/01/2013 and thereafter
Gallons of Consumption	Rate per 1,000 gallons
All	\$5.00

- (2) Water delivered through a hydrant, at a rate per 1,000 gallons or fraction thereof according to the schedule below, shall require a meter issued by the water department. Written authorization from the water department is required and shall indicate specific locations and duration of use, and shall be available at the point of use for verification. In the event of an extended period of use, meter readings are required to be reported to the water department by the twenty-fifth of each month. Readings not reported or meters not returned by the twenty-fifth of the month will be assessed a nonrefundable \$50.00 monthly meter fee, and will be billed regardless of water usage.

	Effective 10/01/2013 and thereafter
Gallons of Consumption	Rate per 1,000 gallons
All	\$5.00

- (3) Unauthorized taking of water from a hydrant, or failure to use a meter, as required by this section, is a Class C violation, punishable as provided in section 1-8.

**SECTION 3.** Code of Ordinances Sections 90-177 and 90-180 as previously existing, are hereby repealed, to be replaced as specified in this ordinance.

**SECTION 4.** That this ordinance shall be in full force and effect October 1, 2013, and after its publication in the Garden City Telegram, the official city newspaper.

APPROVED AND PASSED by the Governing Body of the City of Garden City, Kansas, the 3rd day of September, 2013.

\_\_\_\_\_  
DAN FANKHAUSER, Mayor

ATTEST:

\_\_\_\_\_  
CELYN N. HURTADO, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
RANDALL D. GRISELL, City Counselor



To: City Commission  
From: Matt Allen, City Manager  
Date: January 31, 2014  
RE: Request from Wheatland Electric Cooperative

**CITY COMMISSION**

DAN FANKHAUSER,  
Mayor

ROY CESSNA

MELVIN DALE

JANET DOLL

CHRIS LAW

**Issue**

Wheatland Electric Cooperative requests governing body consideration and approval of a motion authorizing the Mayor to sign a "Statement in Support of Wheatland Electric Cooperative, Inc. Motion for Issuance of Interim Rates."

**Background**

On January 31, 2014, Wheatland staff contacted City staff requesting the attached document be signed. Staff felt the language of the document varied from the language agreed to by the parties in Paragraph "3." of Amendment No. 2 of Joint Agreement For Water Purchase, Treatment and Distribution and therefore would require City Commission approval.

**Alternatives**

- a. This adds an alternative to the rate "credit" and accelerated maintenance/ capital projects alternatives presented by staff under this agenda item. This is another alternative.

**Recommendation**

Staff advises the City Commission to consider this request along with those already prepared and shown in other attachments for this agenda item.

**Fiscal Note**

One month of collections under the October 1, 2013 change in base rate generates approximately \$42,000. This amount was projected to be equivalent to the proposed rate change in Amendment No. 2 for Water Purchase, Treatment and Distribution between the City and Wheatland Electric Cooperative.

MATTHEW C. ALLEN  
City Manager

MELINDA A. HITZ, CPA  
Finance Director

RANDALL D. GRISELL  
City Counselor

CITY ADMINISTRATIVE  
CENTER  
301 N. 8<sup>TH</sup>  
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FAX 620.276.1169  
[www.garden-city.org](http://www.garden-city.org)

**BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

In the Matter of the Application of )  
Wheatland Electric Cooperative, Inc. for )  
Approval to Make Certain Changes in Its ) Docket No. 14-WHLW-218-RTS  
Charges for Water Service to Tyson Fresh )  
Meats, Inc. )  
)

In the Matter of the Application of )  
Wheatland Electric Cooperative, Inc. for a )  
Regulatory Order Establishing and ) Docket No. 14-WHLW-217-CON  
Approving Amendment No. 1 to Agreement )  
on Facilities Between Sunflower Electric )  
Power Corporation and Wheatland Electric )  
Cooperative, Inc. )  
)

In the Matter of the Application of )  
Regulatory Order Establishing and )  
Approving Amendment No. 2 of Joint ) Docket No. 14-WHLW-176-CON  
Agreement for Water Purchase Treatment )  
and Distribution Between the City of Garden )  
City, Kansas, and Wheatland Electric )  
Cooperative, Inc. )  
)

In the Matter of the Application of )  
Wheatland Electric Cooperative, Inc. for )  
Regulatory Order Establishing and )  
Approving Amendment No. 1 to Agreement ) Docket No. 14-WHLW-157-CON  
on Facilities Between Finney County Rural )  
Water District No. 1 and Wheatland Electric )  
Cooperative, Inc. )  
)

**STATEMENT IN SUPPORT OF**  
**WHEATLAND ELECTRIC COOPERATIVE, INC.**  
**MOTION FOR ISSUANCE OF INTERIM RATES**

COMES NOW the City of Garden City, Kansas and states its agreement and support of Wheatland Electric Cooperative, Inc.'s Motion for Issuance of Interim Rates as filed in the above captioned docket.

City of Garden City, Kansas

---

Dan Fankhauser, Mayor

VERIFICATION

STATE OF KANSAS            )  
  ) ss  
COUNTY OF FINNEY        )

Dan Fankhauser, of lawful age, being first sworn upon oath states: he is the Mayor for City of Garden City, Kansas; he has read the above and foregoing Statement in Support of Wheatland Electric Cooperative, Inc.’s Motion for Issuance of Interim Rates; knows the contents thereof, and the allegations contained therein are true.

\_\_\_\_\_  
Dan Fankhauser, Affiant

Subscribed and sworn to before me this \_\_\_\_ day of January, 2014.

\_\_\_\_\_  
Notary Public

Commission expires: \_\_\_\_/\_\_\_\_/\_\_\_\_

CERTIFICATE OF MAILING

I, Dan Fankhauser, do hereby certify that on the \_\_\_\_ day of January, 2014, I electronically filed a true and correct copy of the above and foregoing Statement in Support of Wheatland Electric Cooperative, Inc.’s Motion for Issuance of Interim Rates and property addressed to:

- slowry@sunflower.net ;
- mmuirhead@gardencity.org ;
- sarah.sullivan@stinsonleonard.com ;
- lfreese@weci.net ;
- will.higginbothom@tyson.com ;
- s.feather@kcc.ks.gov ;
- m.neeley@kcc.ks.gov ;
- b.fedotin@kcc.ks.gov ;
- marty.bregman@stinsonleonard.com

\_\_\_\_\_  
Dan Fankhauser, Mayor

AMENDMENT NO. 2  
OF  
JOINT AGREEMENT FOR WATER PURCHASE  
TREATMENT AND DISTRIBUTION

THIS AMENDMENT NO. 2 OF THE JOINT AGREEMENT FOR WATER PURCHASE, TREATMENT, AND DISTRIBUTION made this FIRST day of OCTOBER, 2013 between WHEATLAND ELECTRIC COOPERATIVE INC., a public utility having its principal place of business in Scott City, Kansas, (Wheatland) and the CITY OF GARDEN CITY, KANSAS, a municipal corporation, (City).

WITNESSETH.

WHEREAS, Wheatland and City entered into the Joint Agreement for Water Purchase, Treatment and Distribution on the 22nd day of May 2001, referred to as Agreement herein, wherein Wheatland agreed to sell RO treated and blended water to the City and the City agreed to purchase RO treated and blended water from Wheatland and in addition Wheatland agreed to RO treat water owned by the City and to deliver the same to City for payment from City in accordance with Exhibit "A" attached to the Agreement; and,

WHEREAS, The payment rates established in Exhibit "A" attached to the Agreement are based on one making considerations such as cost recovery as conditions existed on the execution date of the Agreement and the parties anticipated as conditions and costs changed the rates established in Exhibit "A" would change over the term of Forty (40) years to provide for adequate cost recovery.

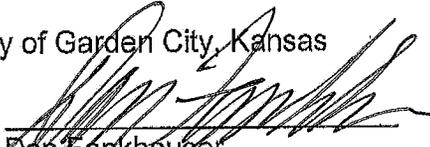
WHEREAS, Wheatland's cost of pumping, RO treating and delivering have risen and those costs are not being shared by other water users as anticipated; and,

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties agree as follows:

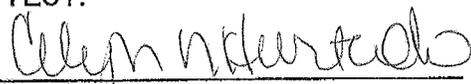
1. The parties hereto agree to amend the Agreement by adopting Schedule "A" to the Agreement and incorporating the same herein by reference as though fully set forth in this Amendment No. 2 to the Agreement.
2. The parties hereto agree the terms and conditions of this Amendment No. 2 shall be implemented by the parties and become effective on the date the Kansas Corporation Commission enters its order approving this Amendment No. 2
3. Until such time as Amendment No. 2 and Schedule "A" thereto are approved by order of the Kansas Corporation Commission the terms and conditions in Amendment No. 1 of Joint Agreement For Water Purchase, Treatment and Distribution Agreement dated December 23, 2008 shall remain in full force and effect between the parties.

City of Garden City, Kansas

By

  
Dan Fankhauser  
Mayor

ATTEST:

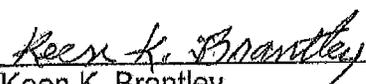
  
Celyn Hurtado  
City Clerk

Wheatland Electric Cooperative Inc.

By

  
Bruce W. Mueller,  
General Manager

ATTEST:

  
Keen K. Brantley  
Assistant Secretary

Schedule "A"  
to  
Amendment No. 2  
of  
Agreement for Water Purchase, Treatment and Distribution  
between  
City of Garden City and Wheatland Electric Cooperative, Inc.

Water Pricing Schedule

The Monthly Water Bill will be the sum of:

- I. Fixed Facilities Fee
- 2 Variable Water Supply Fee

Each line item is summarized below. The fixed facilities fee will apply for each month of the contract period, regardless of whether or not water is delivered during the month. The variable water supply fee will only apply during months when water is supplied and will be calculated based on the amount of water supplied.

Item I — Fixed Facilities Fee

Calculation of Billed Amount:

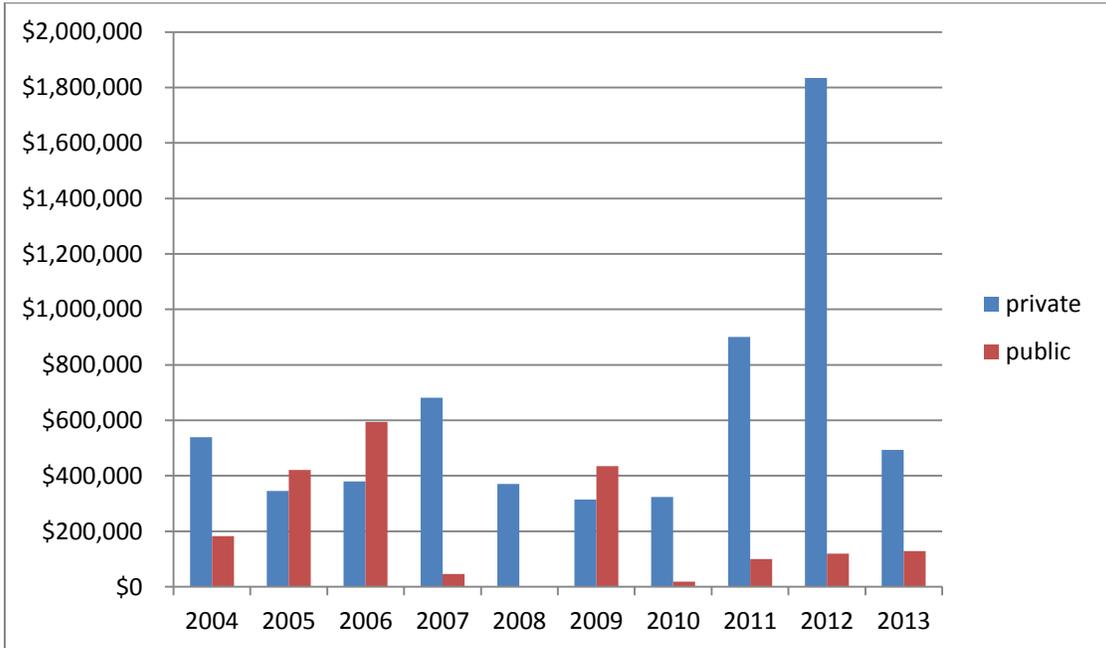
Allocated Facilities Cost (from Schedule "B")	\$10,096,200
Contract Term	25 years
Interest Rate	4.70 %
Monthly Payment Amount	\$57,270.00

Item 2 — Variable Water Supply Fee

Calculation of Billed Amount (pricing per 1,000 gallons of water):

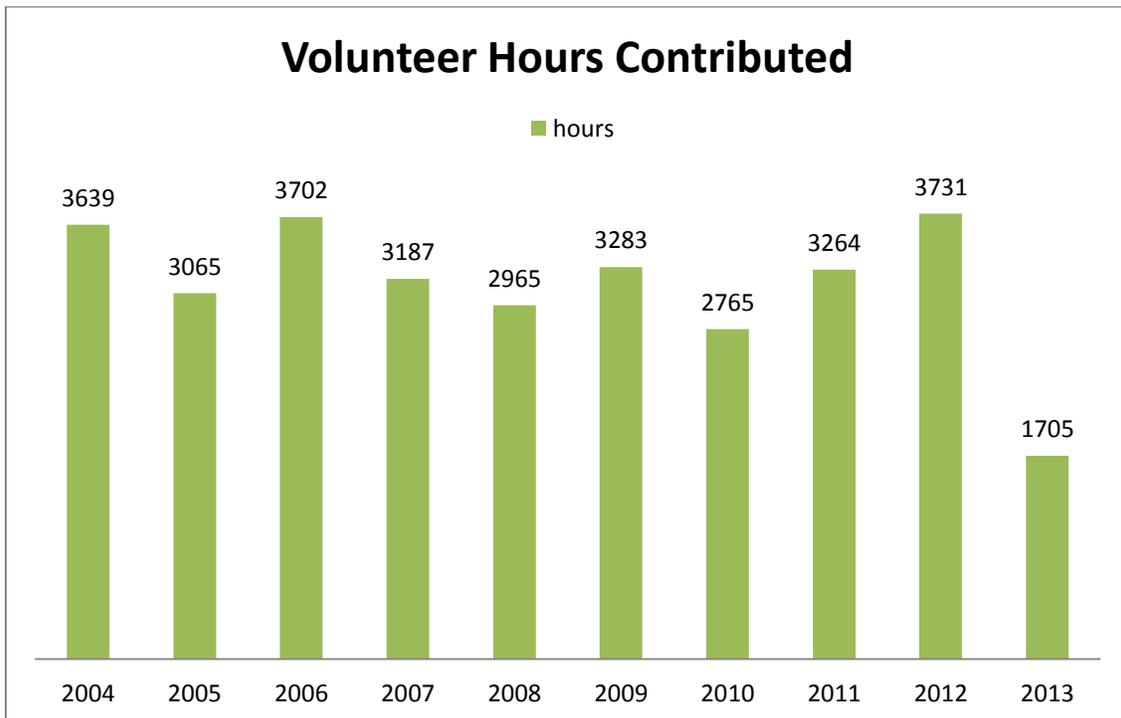
	<u>Wheatland Water</u>	<u>GC Water</u>
Electricity	\$00.235	\$00.165
Chemicals/Membranes	\$00.50	\$00 .50
Water (Wheatland Sources)	<u>\$00.264</u>	<u>\$00.00</u>
Total Expenses	\$00.999	\$00.665

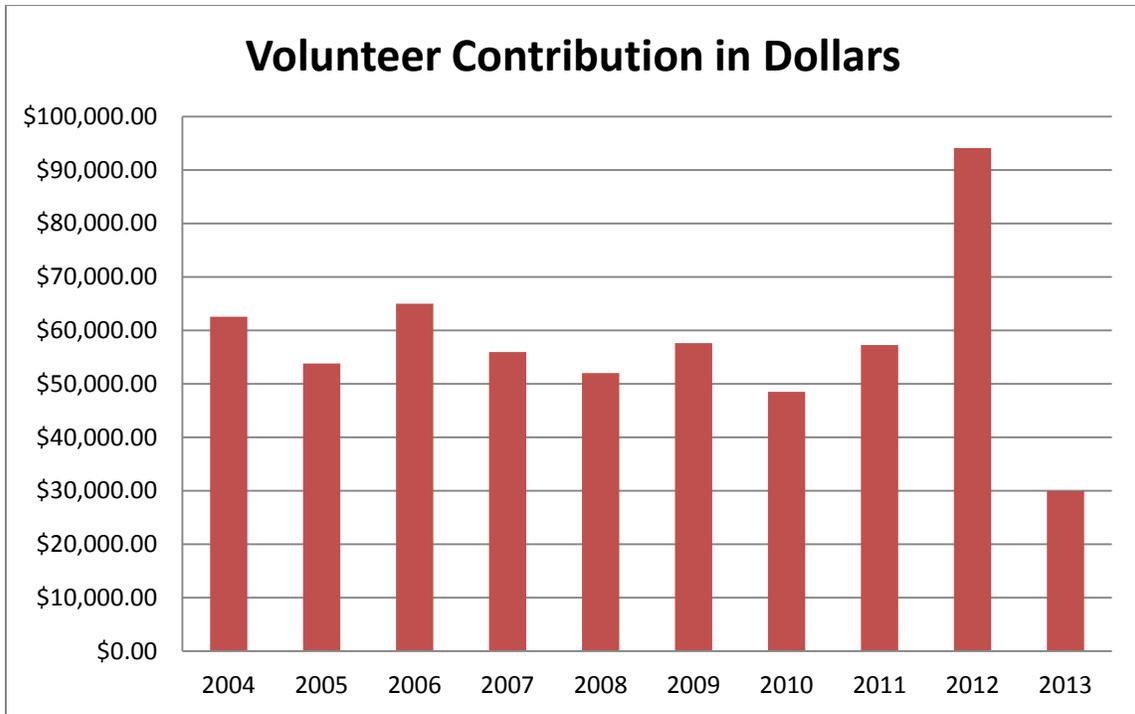
## Public vs. Private Reinvestment



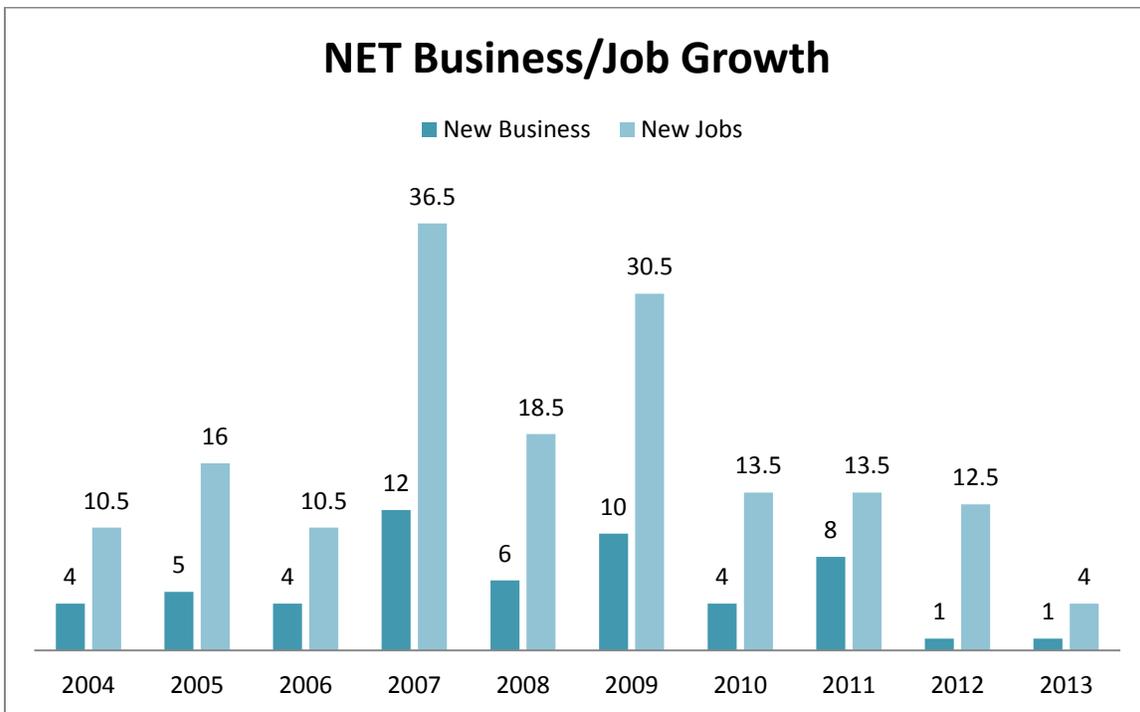
**Total Public Reinvestment= \$6,183,288**  
**Total Private Reinvestment= \$2,100,955**

## Volunteer Hours Contributed





**Total Contribution= \$590,207.35**



**Since 2004—Net gain of 54 businesses, 169 jobs**



## MEMORANDUM

**TO:** Governing Body  
**FROM:** Ashley Freburg, Art Grant Committee Staff Liaison  
**DATE:** January 30, 2014  
**RE:** Committee Appointments

---

### CITY COMMISSION

DAN FANKHAUSER,  
Mayor

ROY CESSNA

MELVIN DALE

JANET DOLL

CHRIS LAW

MATTHEW C. ALLEN  
City Manager

MELINDA A. HITZ, CPA  
Finance Director

RANDALL D. GRISELL  
City Counselor

### Issue

The Commission is asked to appoint a community member to the Art Grant Committee.

### Background

When the Commission established the Art Grant in 2012, it also authorized the mayor to appoint a three-member committee to make recommendations to the City Commission. Three people were appointed to one-year terms for 2013. Those terms ended in January, creating three vacancies. At the January 21, 2014 Commission meeting, Brian Seagraves and Shawna Deal were both appointed to three-year terms. Staff is asking that the Commission appoint one of the following applicants to a two-year term. The applicants are:

- Misty Baldwin
- Melissa Gallegos
- Barbara Hilt

### Alternatives

1. Appoint Misty Baldwin to a two-year term on the Art Grant Committee
2. Appoint Melissa Gallegos to a two-year term on the Art Grant Committee
3. Appoint Barbara Hilt to a two-year term on the Art Grant Committee
4. Solicit additional applications before making an appointment

### Recommendation

Staff has no recommendation.

### Fiscal Note

In 2014, the Commission has budgeted \$14,250 for the Art Grant.

CITY ADMINISTRATIVE  
CENTER  
301 N. 8<sup>TH</sup>  
P.O. Box 998  
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67846-0998  
620.276.1160  
FAX 620.276.1169  
[www.garden-city.org](http://www.garden-city.org)

**GARDEN CITY IS MY TOWN TOO!**

I would be willing to serve on a planning or advisory board/committee.

NAME: Misty Baldwin HOME PHONE: (620) 640-7876

ADDRESS: P.O. Box 773 WORK PHONE: (620) 805-5523

E-MAIL ADDRESS: mbaldwin@gcckschools.com

OCCUPATION (if employed): Teacher

PLACE OF EMPLOYMENT: Garden City High School

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? 6 years

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

I am very involved in the arts in Garden City and think that grants for our various programs are essential.

OTHER APPLICABLE EXPERIENCE: \_\_\_\_\_

PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:

- |   |  |
|---|--|
| <input type="checkbox"/> Airport                          | <input type="checkbox"/> Local Housing Authority |
| <input type="checkbox"/> Alcohol Fund Advisory Board      | <input type="checkbox"/> Lee Richardson Zoo      |
| <input checked="" type="checkbox"/> Art Grant Committee   | <input type="checkbox"/> Parks & Tree            |
| <input type="checkbox"/> Building Safety Board of Appeals | <input type="checkbox"/> Planning Commission     |
| <input type="checkbox"/> Cultural Relations               | <input type="checkbox"/> Police/Citizen          |
| <input type="checkbox"/> Golf                             | <input type="checkbox"/> Recreation Commission   |
| <input type="checkbox"/> Environmental Issues Board       | <input type="checkbox"/> Traffic Committee       |
| <input type="checkbox"/> Landmarks Commission             | <input type="checkbox"/> Zoning Board of Appeals |

**RETURN THIS FORM TO:**

City Manager's Office - Attn: Celyn  
City Administrative Center  
P.O. Box 998  
Garden City, KS 67846-0998

**GARDEN CITY IS MY TOWN TOO!**

I would be willing to serve on a planning or advisory board/committee.

NAME: Melissa Gallegos HOME PHONE: 620-290-2220

ADDRESS: 2320 W. 6<sup>th</sup> St. WORK PHONE: 620-271-9484

E-MAIL ADDRESS: Melissa@wkef.org

OCCUPATION (if employed): Operations Director

PLACE OF EMPLOYMENT: Western Kansas Community Foundation

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? since 1991

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

I have a passion for the arts and know the financial strains on organizations who focus in the arts. I also have experience in reviewing grant applications.

OTHER APPLICABLE EXPERIENCE: I am employed by a granting organization and have experience in the granting process.

PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:

- |   |  |
|---|--|
| <input type="checkbox"/> Airport                          | <input type="checkbox"/> Local Housing Authority |
| <input type="checkbox"/> Alcohol Fund Advisory Board      | <input type="checkbox"/> Lee Richardson Zoo      |
| <input checked="" type="checkbox"/> Art Grant Committee   | <input type="checkbox"/> Parks & Tree            |
| <input type="checkbox"/> Building Safety Board of Appeals | <input type="checkbox"/> Planning Commission     |
| <input type="checkbox"/> Cultural Relations               | <input type="checkbox"/> Police/Citizen          |
| <input type="checkbox"/> Golf                             | <input type="checkbox"/> Recreation Commission   |
| <input type="checkbox"/> Environmental Issues Board       | <input type="checkbox"/> Traffic Committee       |
| <input type="checkbox"/> Landmarks Commission             | <input type="checkbox"/> Zoning Board of Appeals |

**RETURN THIS FORM TO:**  
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City Administrative Center  
P.O. Box 998  
Garden City, KS 67846-0998

**GARDEN CITY IS MY TOWN TOO!**

I would be willing to serve on a planning or advisory board/committee.

NAME: Barbara Hilt HOME PHONE: (620)249-9439

ADDRESS: 1302 N. 13th WORK PHONE: (620)805-5517

E-MAIL ADDRESS: bhilt@gckschools.com

OCCUPATION (if employed): Theatre Teacher/ Director

PLACE OF EMPLOYMENT: Garden City High School

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? 2 years

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:  
I would be interested in becoming more involved in civic activities and becoming a greater part of the Finney County Community where I have made my permanent residence.

OTHER APPLICABLE EXPERIENCE: I have served as a director of productions for Pittsburg Community Theatre, and as the director for the Pittsburg, KS YMCA Show Biz Kids program.

*PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:*

- |   |  |
|---|--|
| <input type="checkbox"/> Airport                          | <input type="checkbox"/> Local Housing Authority |
| <input type="checkbox"/> Alcohol Fund Advisory Board      | <input type="checkbox"/> Lee Richardson Zoo      |
| <input checked="" type="checkbox"/> Art Grant Committee   | <input type="checkbox"/> Parks & Tree            |
| <input type="checkbox"/> Building Safety Board of Appeals | <input type="checkbox"/> Planning Commission     |
| <input type="checkbox"/> Cultural Relations               | <input type="checkbox"/> Police/Citizen          |
| <input type="checkbox"/> Golf                             | <input type="checkbox"/> Recreation Commission   |
| <input type="checkbox"/> Environmental Issues Board       | <input type="checkbox"/> Traffic Committee       |
| <input type="checkbox"/> Landmarks Commission             | <input type="checkbox"/> Zoning Board of Appeals |

**RETURN THIS FORM TO:**

City Manager's Office – Attn: Celyn  
City Administrative Center  
P.O. Box 998  
Garden City, KS 67846-0998

# MEMORANDUM

**TO:** City Commission  
**FROM:** James R. Hawkins, Chief of Police  
**DATE:** January 28, 2014  
**SUBJECT:** Police / Citizen Advisory Board Recommendation



I am recommending Stephanie Percival be accepted to serve as a member of the Police/Citizen Advisory Board.

The board would welcome Mrs. Percival as a new member and she would serve as a member at large.

If approved, the Police/Citizen Advisory Board would be left with six vacancies; GCCC Student, High School Student, Religious Community, Business, African American and Hispanic Representatives.

Your thoughtful consideration is appreciated.

A handwritten signature in black ink, appearing to read 'James R. Hawkins'. The signature is stylized with a large, looping initial 'J'.

James R. Hawkins  
Chief of Police

1 GARDEN CITY IS MY TOWN TOO!

I would be willing to serve on a planning or advisory board/committee.

NAME: Stephanie Percival HOME PHONE: 620-260-6204

ADDRESS: 13105 N Jennie Bark WORK PHONE: 620-275-4700

E-MAIL ADDRESS: mwbs\_75@mwbs.kscoxmail.com

OCCUPATION (if employed): Office Manager

PLACE OF EMPLOYMENT: Midwest Body Shop

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? August 1993

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

Taking Citizens Police Academy, and there are openings asked if anyone interested

OTHER APPLICABLE EXPERIENCE: \_\_\_\_\_

PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:

Airport

Lee Richardson Zoo

Alcohol Fund Advisory Board

Parks & Tree

Building Safety Board of Appeals

Planning Commission

Cultural Relations

Police/Citizen

Golf

Recreation Commission

Environmental Issues Board

Traffic Committee

Landmarks Commission

Youth Council

Local Housing Authority

Zoning Board of Appeals

RETURN THIS FORM TO:

City Manager's Office - Attn: Celyn  
City Administrative Center  
P.O. Box 998  
Garden City, KS 67846-0998

# Consent Agenda

# ***MEMORANDUM***

**TO:** GOVERNING BODY

**FROM:** Steve Cottrell

**DATE:** 30 January 2014

**RE:** WINDSOR HOTEL TRANSPORTATION ENHANCEMENT  
PROJECT - BIDS

## ISSUE

Bids were to be received at 2:00 p.m. on January 24<sup>th</sup>, for the renovation project at the Windsor Hotel. The project was originally bid last August and did not have any bidders. The Commission is asked to consider and approval the results of the second attempt.

## BACKGROUND

The City received the Transportation Enhancement, Historic Category, \$844,000 total project, \$675,200 grant with \$168,200 local match, from KDOT in August of 2010. The City is the intermediary agency between KDOT and the Finney County Preservation Alliance (FCPA). Since the project was originally bid on August 14, 2013, the FCPA has been working toward getting an initial project restoration and stabilization project ready to bid. Alternate bidding methods, specifically via construction management, were discussed with KDOT, the Kansas Department of Administration, and the FHWA, before a final decision to rebid as a conventional contract was reached in late October.

The rebid date was originally set for December 12<sup>th</sup>. However, another interested contractor requested a postponement as they were late in learning about the project. The bids were postponed until January 14<sup>th</sup> and subsequently until today. The bid tabulation is attached, showing the two bids received. The rebid process includes a base bid with several deductive alternates as noted on the attachment.

The FCPA recommends awarding the contract to The Wilson Group, Inc. for the Base Bid less Deduct Alternates 1 through 6, inclusive. The recommended amount is within the grant budget and provides grant coverage of the previously approved Architectural inspection services agreement. Should the FCPA find additional funding, they would request KDOT approval to add back Alternate 6, for the repairs to the skylight.

## ALTERNATIVES

- 1) The Governing body may award a contract to The Wilson Group, Inc., in the amount of \$722,129.00, which is the base bid less deduct alternates No. 1 through 6 inclusive.
- 2) The Governing Body may reject the bids or defer action until a later date.



## **Engineering Department**

Steven F. Cottrell, P.E.,  
City Engineer

C.W. Harper, P.E.,  
Assistant City Engineer

CITY ADMINISTRATIVE  
CENTER  
301 N. 8<sup>TH</sup>  
P.O. Box 998  
GARDEN CITY, KS  
67846-0998  
620.276.1130  
FAX 620.276.1137  
www.garden-city.org



## **Engineering Department**

Steven F. Cottrell, P.E.,  
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[www.garden-city.org](http://www.garden-city.org)

### RECOMMENDATION

Staff and the FCPA recommend awarding a contract to The Wilson Group, Inc., in the amount of \$722,129.00, which is the base bid less deduct alternates No. 1 through 6, inclusive, and authorization for the Mayor and City Clerk to execute the contract documents.

### FISCAL

There is no cost to the City related to the Windsor Hotel project, except Staff administration time.

## **HISTORIC WINDSOR HOTEL TE GRANT PROJEC**

### **PROPOSAL EXPLANATION:**

Base Bid, Single-Prime (All Trades) Contract: The Bidder agrees to furnish all material, labor, equipment and services, necessary to complete the construction of the project

Alternate No. 1: Deduct compacted gravel, concrete slab on grade, etc. (Per Schedule)

Alternate No. 2: Deduct demolition existing floors, non-historic walls, elevator and pit, and ceilings, etc. (Per Schedule)

Alternate No. 3: Deduct anchorage of wood floor joist to masonry walls, etc. (Per Schedule)

Alternate No. 4: Deduct structural repair work for the stair and balcony framing, etc. (Per Schedule)

Alternate No. 5: Deduct wood door and window repair, etc. (Per Schedule)

Alternate No. 6: Deduct skylight structural repair work and skylight finish work, etc. with inclusion of temporary weather proofing allowance. (Per Schedule)

Alternate No. 7: Deduct finial and corbel replacements, etc. (Per Schedule)

1.3 ALTERNATES

A.

\$ \_\_\_\_\_

1.4 BID GUARANTEE

- A. The undersigned Bidder agrees to execute a contract for this Work in the above amount and to furnish surety as specified within 10 after a written Notice of Award, if offered within 60 days after receipt of bids, and on failure to do so agrees to forfeit to Owner the attached cash, cashier's check, certified check, U.S. money order, or bid bond, as liquidated damages for such failure, in the following amount constituting five percent (5%) of the Base Bid amount above:
  - 1. \_\_\_\_\_ Dollars (\$\_\_\_\_\_).
- B. In the event Owner does not offer Notice of Award within the time limits stated above, Owner will return to the undersigned the cash, cashier's check, certified check, U.S. money order, or bid bond.

1.5 SUBCONTRACTORS AND SUPPLIERS

- A. The following companies shall execute subcontracts for the portions of the Work indicated:
  - 1. Demolition Work: \_\_\_\_\_.
  - 2. Concrete Work: \_\_\_\_\_.
  - 3. Masonry Work: \_\_\_\_\_.
  - 4. Steel Work: \_\_\_\_\_.
  - 5. Rough Carpentry: \_\_\_\_\_.
  - 6. Wood Door and Window Refinishing \_\_\_\_\_.
  - 7. Roofing Work: \_\_\_\_\_.
  - 8. Skylight Work: \_\_\_\_\_.

1.6 TIME OF COMPLETION

- A. The undersigned Bidder proposes and agrees hereby to commence the Work of the Contract Documents on a date specified in a written Notice to Proceed to be issued by Architect.
  - 1. Completion Time: \_\_\_\_\_

1.7 CONTRACTOR'S LICENSE

- A. The undersigned further states that it is a duly licensed contractor, for the type of work proposed, in Garden City, Kansas, and that all fees, permits, etc., pursuant to submitting this proposal have been paid in full.

- 1.8 **REQUIRED CONTRACT PROVISIONS:** The current versions of the following Required Contract Provisions (I-V) require the Contractor to furnish information. The Contractor shall complete and submit with its proposal these (Local Administered Project) provisions. The city of Garden City will reject proposals that fail to contain completed Required Contract Provisions I, II, and III may reject proposals that fail to contain Provisions IV.

- I. 08-10-66-R5 Certification-Noncollusion & History of Debarment
- II. 04-26-90-R4 Declaration-Limitations on Use of Federal Funds for Lobbying
- III. 07-19-80-R12 DBE Contract Goal
- IV. 01-01-11 Tax Clearance Certificate

1.9 CERTIFICATION:

I CERTIFY THAT I AM AUTHORIZED TO REPRESENT THE CONTRACTOR IN PREPARING AND PRESENTING THIS PROPOSAL. I CERTIFY UNDER PENALTY AND PERJURY THAT THE FOREGOING (INCLUDING BUT NOT LIMITED TO THE INFORMATION CONTAINED IN THE REQUIRED CONTRACT PROVISIONS REFERENCED ABOVE) IS TRUE AND CORRECT. EXECUTED ON \_\_\_\_\_(DATE).

1.10 SUBMISSION OF BID

Respectfully submitted this \_\_\_\_day of \_\_\_\_\_, 2014.

Submitted By: \_\_\_\_\_  
(Name of bidding firm or corporation)

Authorized Signature: \_\_\_\_\_  
(Handwritten signature)

Signed By: \_\_\_\_\_  
(Type or print name)

Title: \_\_\_\_\_  
(Owner/Partner/President/Vice President)

Street Address:  
City, State, Zip

Phone: \_\_\_\_\_

License No.: \_\_\_\_\_

Federal ID No.: \_\_\_\_\_

(Affix Corporate Seal Here)

CITY OF GARDEN CITY, KANSAS  
ENGINEERING DEPARTMENT

TABULATION OF BIDS    TABULATION OF BIDS  
January 24, 2014        January 24, 2014  
2:00 p.m.                2:00 p.m.

HISTORIC WINDSOR HOTEL TE GRANT PROJECT  
Project No. 28 TE-0359-01

BIDDER	ARCHITECT'S ESTIMATE		BUILDING SOLUTIONS LLC Dodge City		THE WILSON GROUP, INC. Greenwood MO	
	BASE BID	running total in order	BASE BID	running total in order	BASE BID	running total in order
ALTERNATE 1	\$ (150,000.00)	\$ 1,103,500.00	\$ (213,850.00)	\$ 3,131,080.00	\$ (164,730.00)	\$ 980,693.00
ALTERNATE 2	\$ (160,000.00)	\$ 943,500.00	\$ (258,250.00)	\$ 2,872,830.00	\$ (39,121.00)	\$ 941,572.00
ALTERNATE 3	\$ (50,000.00)	\$ 893,500.00	\$ (93,750.00)	\$ 2,779,080.00	\$ (16,158.00)	\$ 925,414.00
ALTERNATE 4	\$ (3,500.00)	\$ 890,000.00	\$ (25,000.00)	\$ 2,754,080.00	\$ (10,360.00)	\$ 915,054.00
ALTERNATE 5	\$ (15,000.00)	\$ 875,000.00	\$ (17,000.00)	\$ 2,737,080.00	\$ (8,582.00)	\$ 906,472.00
ALTERNATE 6	\$ (140,000.00)	\$ 735,000.00	\$ (328,400.00)	\$ 2,408,680.00	\$ (184,343.00)	\$ 722,129.00
ALTERNATE 7	\$ (12,000.00)	\$ 723,000.00	\$ (13,000.00)	\$ 2,395,680.00	\$ (8,114.00)	\$ 714,015.00
RECOMMENDED AWARD					Base Bid with deduct Alternates 1 through 6 inclusive	
COMMENT						

# Other Entities Minutes

## **Golf Advisory Board**

**Jan. 13,2014**

**7:00pm-8:25pm**

Members Present: Sandy Rodgers, Cole Wasinger, Ray Navarro, Caleb Woods, Deanna Mann, Scott Ackerman, Toby Witthuhn. Absent: Tom Richardson, David Duvall (term completed)

Old business:

None at this time.

**New business:**

**Election of officers:**

Ray Navarro is Chairman

Deanna Mann is Vice Chairman

Sandy Rodgers is secretary

**Advisory Board Members**

Caleb Woods serves through Dec. 2014

Sandy Rodgers serves through Dec. 2014

Tom Richardson serves through Dec. 2014

Deanna Mann serves through Dec. 2015

Scott Ackerman serves through Dec. 2015

Lee Barrett is going to be asked to serve a term through Dec. 2015

(David Duvall's term has been completed.)

2014 Outlook

A lengthy discussion was held on ways to provide for more golf playing involvement. All members are to come to the next meeting with ideas to accomplish this goal. One item considered was a service industry appreciation day. Another consideration was to again meet with leaders of the service industry businesses about having payroll deduction for their employees. Ray will begin this process with Lone star restaurant. Cole is to prepare a power point presentation to be used at business meetings to introduce employers/employees to the payroll deduction plan. Ray and Cole will meet to iron out more details so that all board members can participate in making this plan a way to increase golf play.

Monthly reports:

Cole Wasinger: Golf Professional

1. There is no report available at this time. It is forthcoming. The weather is a factor in the lower playing numbers.
2. Family tee markers will most likely be a metal disk. Companies have told Cole and Toby that limestone markers will not last, but crumble.
3. Proposals have been sent to 11 cart companies. The goal is to have the fleet of 50 carts be newer than 2010 and have new batteries.

Toby Witthuhn: Green Superintendent

1. The computer system for the new irrigation has not been completely installed.
2. The irrigation is being used, but weather is causing stress on fairways. It may be necessary to limit cart use at times.

Next meeting: Feb. 11, 2014 location to be determined.

Reported by Sandy Rodgers

**Garden City Recreation Commission  
Minutes  
Monday, December 16, 2013**

**I. Call Meeting to Order**

Chairperson Maria Hardwick called the meeting to order at 5:16pm. GCREC Board Members present were David DuVall and Anna Urrutia. Marcus Ramos arrived at 5:32pm. GCREC Staff present were Superintendent John Washington, Assistant Superintendent Donna Gerstner, Maintenance Director Brian Knight and Finance Director Terri Hahn. Guest was Arma Samy.

**II. Approval of Agenda**

Board Chairperson Maria Hardwick asked about the new personal trainer. John and Donna both replied that it was Dominic Luna. He is going thru certification to be a trainer. Board Chairperson Maria Hardwick also asked about Debi Zimmerman leaving and the new dance instructor. John replied that Debi Zimmerman is retiring from teaching dance and that this was her last class. Also Brian Seagraves has hired a new dance instructor which is Marla Hoffman who worked for the GCREC in 1997-2000 as a dance instructor. Motion by David DuVall to approve the agenda, seconded by Anna Urrutia. Motion carried with all in favor.

**III. Consent Agenda**

**The following shall stand approved and/or accepted as presented unless action is taken to remove an item from the consent agenda.**

- **Minutes of Regular Meeting November 25, 2013**
- **Financial Reports for November 2013**
- **Staff Reports for December 2013**
- **Participation Reports**

Motion by Anna Urrutia to approve the consent agenda, seconded by David DuVall. Motion carried with all in favor.

**IV. Superintendents Reports**

- **RSVP for the 2014 Board/Staff Dinner** – Due January 10, 2014 – Reminder about the 2014 Board/Staff Dinner. Invitations were sent out with a RSVP by January 3<sup>rd</sup>, 2014.
- **Building will be closed on Christmas Eve & Day, New Year Eve & New Year's Day.** – John let the GCREC Board know that the GCREC Building will be closed on Christmas Eve and day, and New Year Eve and Day.

John informed the GCREC Board about the Capital Improvement meeting. Good discussion until the pool projects came up. The committee was upset about how much is left on the pool projects, 6.5 million dollars. John explained that was left to do and the process that it needs to go thru. The committee is wanting the pool project to go to the City Commissioners.

Public was not happy with the spray parks funding about having to go thru outside entity's to get funding for this project.

**V. New Business**

- a. **Brian Knight is seeking approval for a shared purchase of a Hydro-Seeder with the City of Garden City Parks Division. \$3,500.** – Maintenance Director Brian Knight is asking for

approval to a shared purchased of a Hydro-Seeder with the City of Garden City Parks Division in the amount of \$3,500.00. Parks Department will be trading in a tractor for the used 2007 Hydro Seeder which will be purchased in January 2014. Motion by Anna Urrutia to approve the shared purchase with the City of Garden City Parks Department of the used 2007 Hydro-Seeder for \$3,500.00, seconded by David DuVall. Motion carried with all in favor.

- b. **Staff is seeking approval to move forward with the financing for Artificial Turf and Lights at Clint Lightner Stadium. Recommendations will be provided and discussed.** – Financing quotes were received for the artificial turf and lights at Clint Lightner Stadium. They were:

American State Bank	Pass
Western State Bank	10 years, 3.25% interest. Fixed for 4 years and variable every 3 years thereafter. Annual Payment \$52,387.14 until January 1, 2017.
Kansas State Bank	7 years, 3.540% fixed interest. Down payment \$45,556.50 \$67,154.76 First Payment due 1 year.
Commerce Bank	10 years, 2.84% fixed interest. Option 1: \$52,970.95 due one (1) year after closing. Option 2: \$51,508.11 due at closing. Clayton Holdings, LLC an equity subsidiary of Commerce Bank will be offering the lease-purchases.

Motion by Marcus Ramos to move forward with the financing of the artificial turf and lights at Clint Lightner Stadium and to approve Commerce Bank with 2.84% interest rate for ten (10) years. The motion was seconded by Anna Urrutia. Motion carried with all in favor.

- c. **Requesting for consideration sports lighting at Clint Lightner Field. Bids were received on November 21, 2013 at 1pm.** – Bids were received from the following companies for Clint Lightner Stadium lighting.

MUSCO Lighting	\$155,000.00 Base Bid \$ 2,000.00 Demo of existing lights
Heineken Sports Lighting Inc	\$169,800.00 Base Bid \$ (7,000.00) Deduct Remote System
Techline Sports Lighting	\$156,400.00 Base Bid \$( 8,000.00) Deduct 30 yr-10 yr

John is recommending to go with MUSCO Lighting for the base bid of \$155,000.00. Motion by Marcus Ramos to approve the quote from MUSCO Lighting for lights at Clint Lightner Stadium for the quote of \$155,000.00. The motion was seconded by Anna Urrutia. Motion carried with all in favor.

- d. **GCREC Staff is requesting for consideration Artificial Turf at Clint Lightner Field (Infield Surface). Bids were received on November 21, 2013 at 1pm.** – Bids were received from the following companies for the artificial turf at Clint Lightner Stadium.

Hellas Construction	\$324,940.00 Base Bid \$ 39,918.00 Alternates
---------------------	--

Mid-America Golf and Landscape	\$133,015.00 Base/Drainage System \$134,410.00 Synthetic Turf, Lines/Fill \$ 16,570.00 Diamond R Synthetic Turf \$(4,078.00) Diamond M Synthetic Turf
--------------------------------	--

Motion by Marcus Ramos to approve the bid from Mid-America Golf and Landscape for artificial turf for Clint Lightner Field for \$133,015.00 Base/Drainage System, \$134,410.00 Synthetic Turf, Lines/Fill and \$16,570.00 Diamond R Synthetic Turf for a total of \$300,565.00. The motion was seconded by Anna Urrutia. Motion carried with all in favor.

- e. **Real Property Agreement – (Executive Session).** Motion by Anna Urrutia to go into executive sessions for twenty (20) minutes, seconded by Marcus Ramos. Motion carried with all in favor.

Went into executive session at 6:36pm.

Out of executive session at 6:56pm.

No Action Taken.

#### VI. Old Business

#### VII. Executive Session-Recreation Board will go into executive session at 6pm., for the purpose of discussing personnel and/or real property. The Recreation Board will reconvene into open session at 6:30pm.

Motion by Anna Urrutia to go into executive session for one (1) hour for the purpose of discussing real property, seconded by David DuVall. Motion carried with all in favor.

Went into executive session at 5:19pm.

Out of executive session at 6:13pm.

No Action Taken.

#### Garden City Recreation Commission Question and Comments

#### VIII. Adjournment

Motion by David DuVall to adjourn the meeting. Seconded by Anna Urrutia. Meeting adjourned at 7:00pm.

Secretary

Terri Hahn      Approved 01/20/2014      Terri Hahn and Maria Hardwick



# GARDEN CITY RECREATION

## REVISED AGENDA - Garden City Recreation

Regular Meeting

Monday – January 20, 2014 @ 5:15 p.m.

Garden City Recreation Center, 310 N. 6<sup>th</sup> Street

---

- I. Call Meeting To Order (Introduction of Torre Mohler)**
- II. Approval of Agenda**
- III. Consent Agenda**

The following shall stand approved /accepted as presented unless action is taken to remove an item from the consent agenda.

  - Minutes of Regular Meeting December 16, 2013
  - Financial Reports for December 2013
  - Staff Reports for January 2014
  - Participation Reports
- IV. Superintendents Report**
  - Citizens Academy (David DuVall)
  - City of Garden City Commissioner's Retreat TBA
  - 2014 Projects
  - Sunflower Trails Grant
  - Lighting/Turf Project
- V. New Business**
  - a) Recreation Commission Board recommendation for the replacement of Maria Hardwick.
  - b) Donna Gerstner, Asst. Supt. is submitting for approval will present the 2014 Beverage Bid for approval.
  - c) Election of Garden City Recreation Commission Board Chair & Vice Chair for 2014
  - d) Approval of the 2014 Recreation Commission Meeting Calendar
  - e) Approval of the 2014-15 Salary Wage Schedule.
  - f) Approval of Policy 6.17.1 Initial Probation change.
  - g) Approval of adding Severe Weather Policy.
- VI. Old Business**
  - 
  - 
  -
- VII. Executive Session –Recreation Board will go into executive session at 6:00 pm, for the purpose of discussing personnel and/or real property.**
- VIII. GARDEN CITY RECREATION COMMISSION QUESTIONS & COMMENTS**
- IX. ADJOURNMENT**

### Next Meeting

February 24, 2014

Activity Center @ 5:15pm

310 N. 6<sup>th</sup> Street, Room 112