

AGENDA
CITY COMMISSION MEETING
Tuesday, June 3, 2014
1:00 P.M.

- I. No Pre-Meeting.**
- 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)
- VI. CONSIDERATION OF PETITIONS, MEMORIALS AND REMONSTRANCES.**
 - A. Ms. Carole Fry, on behalf of the Finney County Fair, requests Governing Body consideration of the following items:
 - 1. Special rate fee (\$20.00) for solid waste service.
 - 2. Permission to close-off Lake Avenue to thru traffic for July 23 – 26, 2014
 - 3. A waiver of the deposit and daily fees normally required for the carnival.
 - 4. A waiver to the restricted height of aircraft over the corporate limits for allow for helicopter rides.
 - B. Dr. Merilyn Douglass, Board Chair for the Board of Trustees, GCCC, pursuant to Code Sections 6-35 and 6-133, requests Governing Body consideration and approval to allow for dispensing and consumption of cereal malt beverage or alcoholic liquor at Lee Richardson Zoo on the evening of June 13, 2014.
- VII. REPORT OF THE CITY MANAGER.**
 - A. Blue Cross Blue Shield recently announced that the Garden City Recreation Commission received the BlueCHIP award. The BlueCHIP is a community health improvement program created to recognize and reward Kansas communities that encourage and support healthy lifestyles through programs, initiatives, policies and/or community-wide events.
 - B. The Big Pool appeared in the Summer 2014 issue of KANSAS magazine.
 - C. The City has received correspondence from Cox Communication regarding channel line-up changes.
 - D. Staff has provided the following items of information for Governing Body review including: from Finance Director Hitz the monthly City and County sales tax reports.
 - E. Meetings of note:

- ✓ May 28 - June 1, 2014 - The Commemorative Air Force B-17 will be at the Garden City Regional Airport. The B-17 will be available to the public from 9:00 a.m. – 6:00 p.m.
- ✓ May 30 – June 8, 2014 – Beef Empire Days – “Beef....The Chef’s Choice!”
- ✓ May 31, 2014 – BED Children’s Parade at Stevens Park, 10:00 a.m.
- ✓ June 1 – 5, 2014 – American Junior Golf Association (AGJA) tournament at Buffalo Dunes Golf Course
- ✓ June 7, 2014 – BED Chuck Wagon Breakfast at Stevens Park, 6:30 a.m. - 9:30 a.m.
- ✓ June 7, 2014 – BED Parade on Main Street, 10:30 a.m.
- ✓ June 7, 2014 – BED Chuck Wagons in the Park at Stevens Park, 11:30 a.m.
- ✓ June 12, 2014 – Jameson Energy Center Ribbon Cutting at 10:00 a.m.
- ✓ June 21, 2014 – Global Bazaar at Lee Richardson Zoo, 8:00 a.m. – 4:00 p.m.
- ✓ July 23 – 26, 2014 – Finney County Fair
- ✓ August 4 – 10, 2014 – Southwest Kansas Pro-Am
- ✓ August 23 – 24, 2014 – Tumbleweed Festival at Lee Richardson Zoo
- ✓ September 18, 2014 – Diversity Dinner at Garden City High School
- ✓ September 19, 2014 – Multi-Cultural Summit – Garden City Community College
- ✓ September 20, 2014 –Fall Fest 2014

VIII. CONSIDERATION OF APPROPRIATION ORDINANCE.

- A. Appropriation Ordinance No. 2365-2014A.

IX. CONSIDERATION OF ORDINANCES AND RESOLUTIONS.

- A. Ordinance No. _____ - 2014, an ordinance approving the rezoning of land from “C-2” General Commercial District to “R-2” Single Family Residential District (1105 N. 9th Street).
- B. 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 Sections 23.020, 23.030, 23.040, and 23.100; adding new zoning regulation Section 23.105; repealing in its entirety current zoning regulation Sections 23.020, 23.020, 23.030, 23.040, and 23.100. all to the Code of Ordinances of the City of Garden City, Kansas.
- C. Consideration of a Resolution to hold a public hearing to add Lot 2, Stone Creek Addition to the 2013 Redevelopment District.
 - 1. Resolution No. _____-2014, a resolution stating the intent of the City of Garden City, Kansas to consider the addition of area to a redevelopment district and providing for notice of a public hearing on such matter.
- D. Resolution No. _____ - 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. (510 N. 4th Street and 509 N. Taylor Avenue)
- E. 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. (1017 N. 4th Street)

X. OLD BUSINESS.

A. None at this writing.

XI. NEW BUSINESS.

A. 2:00 p.m. - Mr. Charles Claar, Ms. Theresa Dasenbrock and Ms. Kristin Sekavec of Lewis, Hooper and Dick, the City's auditors, will be present to review with the Governing Body the Comprehensive Annual Financial Report (Audit) for the City of Garden City for the year 2013.

B. Finance Director Hitz will discuss the following items related to the 2015 Proposed Budget:

1. Review of Tax Funds and their Support Funds - Recreation Commission (#25), Bond & Interest (#40), Airport (#60), Airport Improvement (#61), and General Fund (#01) departmental budgets.

C. Fire Chief Allen Shelton requests Governing Body consideration and approval for a waiver to the ordinance prohibiting the discharge of fireworks within the corporate limits of the City from July 3, 2014 to July 5, 2014 between the hours of 10:30 a.m. and 10:30 p.m.

D. Staff is seeking Governing Body consideration and approval to implement a performance management system including software used for conducting employee performance evaluation.

E. Governing Body consideration and approval to enter into a grant application process for the 2014 Local Solicitation Edward Byrne Memorial Justice Assistance Grant. If the grant of \$12,995 is awarded, the Garden City Police Department intends to purchase L3 Systems in-car cameras.

F. Advisory Board Recommendations:

1. Garden City Recreation Commission – 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. KDOT has provided Supplemental Agreement No. 1 to the State and City Agreement, No. 209-12, for the Windsor Hotel Enhancement Project. The Governing Body is asked to authorize the Mayor and City Clerk to execute the agreement.

2. Governing Body consideration and approval of an agreement for towing services between the City of Garden City, Kansas and Skeeter's Body Shop.

3. Quit Claim Deed from Charles &/or Doline Skilling transferring Spaces 1 & 2, Lot 66, Zone I of Valley View Cemetery to the City of Garden City, Kansas.

4. Licenses:

(2014 New)

- a) Barnett Home Improvement..... Class A General
- b) Garden City Recreation Commission Class B General
- c) Glassman Corporation..... Class D-M Mechanical
- d) Fast Eddie's Appliance Repair..... Class E-SOC Specialized Other
- e) Rocky Mountain West Telecom Class E-SOC Specialized Other

H. Staff requests Governing Body consideration of an Executive Session pursuant to K.S.A. 75-4319(b)(2) pertaining to consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship.

XII. CITY COMMISSION REPORTS.

A. Commissioner Dale

B. Commissioner Doll

C. Commissioner Fankhauser

D. Commissioner Law

E. Mayor Cessna

XIII. ADJOURN.

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS

City of Garden City

May 20, 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, May 20, 2014 with all members present. Mayor Cessna opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

Bill Green, Cash Fast, Inc. was present to discuss the amendments to the zoning regulations city wide as they related to allowing retail in the I-1 and I-2 Districts.

Mike Weber and Don Geier expressed their concerns with the zoning in the area of west Mary Street and asked that the City reconsider allowing retail in the I-1 and I-2 districts. Ken Green and Lona Duvall were present and expressed their concern with allowing retail in the I-1 and I-2 Districts.

Debbie Jordan, owner of Fool Moon Saloon, asked to remove her request for Governing Body consideration and approval for a waiver to the noise ordinance on June 7, 2014 from 7:00 p.m. – midnight at 1621 Taylor Plaza for an outdoor music concert.

Mayor Cessna moved to approve the request from Finney County Historical Society for a waiver of the sign ordinance and fee for three signs to be placed at Third Street & Kansas Avenue, Main Street zoo entrance and the north zoo fence west of the museum from July 5–13, 2014. Commissioner 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

Louise Hinkle, Ron Tarpley and Tracy Stoecklein were present and expressed their concerns with the waiving of the noise ordinance for Jax Sports Grille. Heather Wright Renick and Shelly Nelson both spoke in support of granting the waiver of noise ordinance.

Lindsey Becker and Jonathan Meinert, Jax Sports Grille were present to answer questions the Governing Body or the public had in regards to the requests and stated they are willing to work with the Commission and the neighborhood.

Commissioner Law moved to approve a waiver to the noise ordinance on June 6 - 7, 2014 from 8:00 p.m. – 11:30 p.m., a waiver of the sign permit fee (June 5-6) and a waiver to park in the empty lot to the east of the building (June 5-6) at Jax Sports Grille, 1907 E. Mary Street, for an outdoor music concert. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Nay	Nay	Yea	Yea

Commissioner Fankhauser moved to approve a request from Jaime Medina for a parking waiver at 606 W. Fulton Street. 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

Staff provided several items of information for Governing Body review including the following: from Director of Aviation Powell, the monthly enplanement reports, from Community Development Director Kentner, the monthly building and code enforcement reports, from Police Chief Hawkins the master activity report, from Finance Director Hitz, the monthly financials, from Public Works Director Curran the monthly transit report and projects update report and from Zoo Director Newland the monthly zoo report.

City Manager Allen congratulated Kristi Newland on her appointment to Lee Richardson Zoo Director.

Meetings of note:

- ✓ May 28 - June 1, 2014 - The Commemorative Air Force B-17 will be at the Garden City Regional Airport. The B-17 will be available to the public from 9:00 am – 6:00 pm.
- ✓ May 30 – June 8, 2014 – Beef Empire Days – “Beef...The Chef’s Choice!”
- ✓ May 31, 2014 – BED Children’s Parade at Stevens Park, 10:00 am
- ✓ June 1 – 5, 2014 – AJGA Event at Buffalo Dunes
- ✓ June 7, 2014 – BED Chuck Wagon Breakfast at Stevens Park, 6:30 am - 9:30 am
- ✓ June 7, 2014 – BED Parade on Main Street, 10:30 am
- ✓ June 7, 2014 – BED Chuck Wagons in the Park at Stevens Park, 11:30 am
- ✓ June 21, 2014 – Global Bazaar at LRZ, 8 am – 4 pm
- ✓ July 23 – 26, 2014 – Finney County Fair
- ✓ August 4 – 10, 2014 – Southwest Kansas Pro-Am
- ✓ August 23 – 24, 2014 – Tumbleweed Festival

Appropriation Ordinance No. 2364-2014A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$1,308,493.83,” was read and considered section by section. Mayor Cessna moved to approve and pass Appropriation Ordinance No. 2364-2014A. 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

Representatives from Professional Engineering Consultants, P.A. presented the Garden City Water Distribution Master Plan.

Lona DuVall and representatives from Finney County Economic Development Corporation reviewed the quarterly report and submitted their annual request for 2015 funding in the amount of \$105,000.00.

Nicole Lucas, Executive Director of Downtown Vision, Inc. reviewed the quarterly report and recent events.

Commissioner Fankhauser moved to approve an agreement between the City of Garden City, Kansas and Western Housing LLC for the collection of solid waste at East Garden Village and eight commercial properties. 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

Mayor Cessna moved to approve the following:

1. Governing Body consideration and approval of bids received on May 13, 2014 and accepting the low bid from Downing Sales & Service for metal trash containers.
2. Governing Body consideration and approval of bids received on May 16, 2014 from Justin Hurley for the WWTP Surplus Material.
3. Governing Body consideration and approval of a tournament sanction agreement between FTGA, LLC, d/b/a Symetra Tour and the City of Garden City, Kansas.

4. Governing Body consideration and approval of utility easement from Bernard Chappel, Glen Woods Trust and RBC-LLC on Lot 11, Block 7, Chappel Heights First Addition.
5. Quit Claim Deed from the heirs of Robert Gardiner transferring Space 6, Lot 42, Zone I of Valley View Cemetery to Robert &/or Constance Smith.
6. Licenses:

(2014 New)

- a) El Patron Mexican Restaurant Cereal Malt Beverage
- b) Feldt Guttering & Services.Class E-SOC Specialized Other
- c) J&G ConcreteClass E-SOC Specialized Other
- d) Pitzer’s Lawn Management, Inc.....Class E-SOC Specialized Other

Commissioner 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

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

Roy Cessna, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

City Commission Reports

Mayor Cessna thanked and congratulated Zoo Director Newland and stated he thinks she will do a great job.

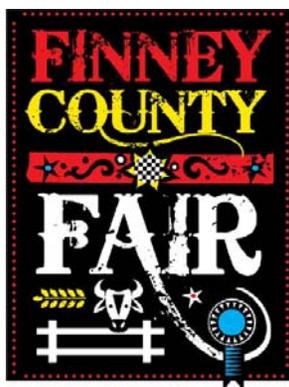
Commissioner Dale thanked Lona Duvall and FCEDC and stated the future looks bright. Commissioner Dale thanked Nicole Lucas and Downtown Vision and stated downtown is thriving. Commissioner Dale thanked Joshua Hobbs, Horsethief Reservoir for his presentation at pre-meeting and encouraged everyone to visit Horsethief Reservoir.

Commissioner Doll thanked the citizens that attended the meeting and stated it was great to hear their concerns. Commissioner Doll thanked FCEDC and Downtown Vision for all of the work they do in this community. Commissioner Doll congratulated Zoo Director Newland on her promotion.

Commissioner Fankhauser thanked FCEDC and Downtown Vision and stated it’s good to get the quarterly updates from both groups. Commissioner Fankhauser commented on the enplanements at the Airport and stated to keep it going.

Commissioner Law congratulated Zoo Director Newland and stated he looks forward to seeing her develop in this role. Commissioner Law thanked the citizens that came in to speak and stated he knows that is sometimes hard to do. Commissioner Law went on to say that he knows that every situation has two different sides to hear. Commissioner Law commented on the noise waiver issue and stated it does put the Police Department in a bad position and would like staff to look into a better way to enforce it.

Petitions



411 SOUTH 9TH

GARDEN CITY, KS 67846

P.O. BOX 891

May 29, 2014

Garden City Commissioners
City Administrative Center
301 North 8th, P.O. Box 499
Garden City, KS 67846-0499

Dear Commissioners:

It is once again time to get ready for the Finney County Fair at the Finney County Fair Grounds from July 23 thru July 26, 2014. We would like to take this opportunity to invite all of you down to visit the Fair and enjoy the many activities planned.

On Thursday evening there will be a free Hamburger Feed, with entertainment provided by *Clay Davenport*, a 16 year-old from Lakin, and the *Fulton Street Band*. This year's Horse shows and competitions will be held in the Grandstand Area.

On Friday evening we have the Food Court, where you will find everything from BBQ to pizza. Friday evening brings the roaring engines and crashes of the *Outlaw Demolition Derby*. This event has been growing larger every year and this year's contest promises to be the best yet.

For the highlight of Saturday evening, there will be Joe Hibbert's *Monster Truck Exhibition* in the Grandstand Arena. And if you saw something at the Food Court that you didn't get to sample on Friday, you can try it this evening.

DWTA Helicopters brought a unique feature to the 2013 Finney County Fair with their popular helicopter rides. With your permission, we would like bring the opportunity for others to enjoy the excitement of a helicopter ride.

The Pride of Texas Shows will again be our featured carnival. This year's carnival will feature several new attractions and should be as popular as ever, bringing in many visitors from Finney County and surrounding communities.

Don't forget the 4-H Bake Sale on Wednesday, July 23, starting at 10:00 a.m. and the Open Class Bake Sale on Friday, July 25, at 10:00 a.m. If you come a little late, don't worry – the cakes, cookies and breads being judged for top honors are the last ones to be brought out to the sale table.

Of course, we are writing to do more than invite you down to the fair. We would also like to make a few requests. First is to request a special rate fee (\$20) for trash service for the Finney County Fair. Second is to request permission to close off Lake Avenue to thru traffic, as we have done in the past, beginning Wednesday morning and continuing through Sunday morning. Additionally, we respectfully request a waiver of the deposit normally required for the carnival, as well as the \$300/day fee. Historically, the deposit has been returned to the Fair Board, in full.

Thank you for considering our requests. We'll look forward to seeing you at the 2014 Finney County Fair!!!!

Sincerely,

A handwritten signature in cursive script that reads "Carole Fry". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Carole Fry, on behalf of
The Finney County Fair Board



Special Event Request

301 N 8th Street
 PO Box 998
 Garden City, KS 67846
 620-276-1130

- Other
 - Carnival/Circus*
 - Sports Event*
 - Haunted House*
- *License Required

May 29, 2014

Today's Date

Finney County Fair

Name of Event (if applicable)

Wednesday-Saturday, 7/23-7/26/2014

Date of Event

Finney County Fair Grounds

Location of Event

Start and End Time of Event

Purpose of the Event

Carole Fry

411 South 9th ST, GC

620-272-7746

Applicant Name (please print)

Address

Phone

Additional Contact Names & Phone Numbers

Please mark all that you are requesting. (Note: Amenities are not available at all locations.)

Street Closure	Close Lake Ave wednesday morning 7/23 through Sunday morning 7/27	Steven's Park Bandshell	n/a	Noise Waiver**	n/a
Extra Trash Receptacles	special rate fee for trash services	Restrooms (Park Shelter Keys)	n/a	Electricity Access	n/a
Additional Request/Remarks	waiver of deposit required from vendors, to be returned to the Fair Board, in full, DWTA Helicopters rides (same as 2013)				

**** Sec. 62-9. Excessive sound, music or noise.**

(a) It shall be unlawful for any person to play, use, operate or permit to be played, used, or operated any radio receiving, set musical instrument, or any machine equipment, equipment, or device used for the production, reproduction or creation of sound at a louder volume than is necessary for the reasonable hearing of the person so playing, using or operating such instrument, equipment, machine, or device, and the reasonable hearing of other persons who are voluntary listeners thereto, or in such a manner so to disturb the peace, quiet, and comfort of neighboring inhabitants or other residents of the city.

(b) This prohibition shall include sound, music, or noise created by automobile radios, musical bands, groups or orchestras in public or private buildings. It shall be prima facie evidence of a violation of this sections of the sound, music, or noise is plainly audible at the real property line on the real property from which the sound, music, or noise is emanating; provided, however, that nothing in this section shall be construed to prohibit the playing of church chimes or the ringing of church bells, the testing or use of the civil defense warning system, or the authorized use of public safety vehicle sirens.

(Ord. No. 1858, § 4(20-142), 8-23-94)

****Please note that a waiver of noise ordinance does not prohibit an officer or City official from advising you to lower the amplified noise of your event or issuing a citation upon failure to comply with such warnings.**

RESOLUTION NO. 2435-2011

A Resolution granting to the City Manager, or Designee, the authority to grant certain request of persons, businesses of groups for special events or activities.

By signing below, I hereby certify that I have read and understand the statements above and that all related information which I have provided are true, accurate and complete to the best of my knowledge.

Request on File

May 29, 2014

Signature

Date

For office use only		GC Downtown Vision	n/a
Police	JH 5/29/14	Airport	RP 5/29/14
Fire	AS 5/29/14	Public Works	SC 5/29/14
Inspection	n/a	Parks/Grounds	n/a
City Manager		Application Received by	Raelene Stoecklein 5/29/2014



OFFICE OF THE PRESIDENT

GARDEN CITY
COMMUNITY COLLEGE

Dr. Herbert J. Swender

801 Campus Drive
Garden City, Kansas 67846
(620) 276-9533
www.gcccks.edu

May 22, 2014

Garden City City Commissioners
Mr. Matt Allen, City Manager
311 N. Ninth St.
P.O. Box M
Garden City, Ks 67846

Dear City Commissioners and Mr. Allen:

Garden City Community College Governing Body respectfully requests permission to allow the serving of alcoholic beverages at the Finnup Center on the evening of June 13, 2014.

GCCC is hosting the Kansas Association of Community College Trustees quarterly meeting and the social hour and dinner will be held in the large meeting room of the Finnup Center with social hour on the veranda.

Thank you for your consideration of our request.

Respectfully,

Dr. Merilyn Douglass
Board Chair
Board of Trustees
Garden City Community College

Report of the City Manager

News Releases - 2014

January 28, 2014

Six Kansas Communities Receive BlueCHIP® Awards for Promoting Healthy Environments

What do Baldwin City, Eudora, Garden City, Manhattan, Ottawa and Thomas County all have in common? Not only a collaborative nature that has resulted in healthier communities but also a BlueCHIP® Award from Blue Cross and Blue Shield of Kansas (BCBSKS) and the [Kansas Recreation and Park Association](#) (KRPA).

In its fourth year, BlueCHIP is a community health improvement program created to recognize and reward Kansas communities that encourage and support healthy lifestyles through programs, initiatives, policies and/or community-wide events. The BlueCHIP Awards were announced today during a luncheon at the 2014 KRPA Annual Conference and Trade Show at the Hyatt Regency Wichita.

In winning a BlueCHIP Award, Baldwin City, Eudora, Garden City, Manhattan, Ottawa and Thomas County will each receive \$2,500 to assist residents in continuing their efforts to improve the health of their communities.

"These six communities deserve to be recognized for the extensive effort each one is making to improve the health and quality of life of their respective residents," said Marlou Wegener, BCBSKS manager of community relations. "By working together, individual residents and organizations are implementing multifaceted plans to increase physical activity, improve nutritional offerings and promote clean air."

Erika DeVore, executive director of KRPA, said that KRPA takes pride in recognizing communities that are actively working to improve the collective health of their residents.

"BlueCHIP Awards recognize and reward Kansas communities that encourage and support healthy lifestyles through programs, initiatives, policies and/or community-wide events," DeVore said. "They are increasing the quality of life for their residents and providing healthy lifestyles opportunities. We are proud to recognize these six communities that are committed to creating a healthy environment."

The BlueCHIP selection committee was comprised of representatives from the Kansas Department of Health and Environment, Kansas Healthy Schools, Kansas State Department of Education, KRPA and BCBSKS.

Following is information on each of the BlueCHIP awardees:

Baldwin City, Douglas County

Nominated by: Stevens Friend, Baldwin City Recreation Commission, (785) 594-3670, steve@baldwinrec.org.

Intended use of award: Expand the wellness assessments the city began in 2013 into a year-long activity. During the summer of 2013, interested residents received measurements for percentage of body fat, BMI, weight, circumference and resting heart rate. Weight loss identified as the primary concern and general counseling on diet and exercise was provided.

Partner organizations: [Baldwin City Recreation Commission](#), [USD 348](#), [Lawrence Memorial Hospital](#), [Baker University](#), [City of Baldwin City](#), and [Kansas Department of Wildlife, Parks and Tourism](#).

City of Eudora, Douglas County

Nominated by: Gary Scott, City of Eudora, (785) 542-2453, gscott@cityofeudoraks.gov.

Intended use of award: Offer two, rather than one, community health fairs, allowing more residents access to free health and wellness information and health-related activities. The award also will be used to fast-track planning, development and implementation of a community meltdown program to encourage weight loss.

Partner organizations: [City of Eudora](#), [Eudora School District \(USD 491\)](#), [Douglas County Health Department](#), [The Bridge](#) – a network of agencies whose programs and services make a difference in Eudora – and the [Eudora Chamber of Commerce](#).

Garden City, Finney County

Nominated by: Donna Gerstner, Garden City Recreation Commission, (620) 276-1200, donna.gerstner@gardencityks.us.

Intended use of award: Add amenities to the existing trail system such as signage and benches. Garden City boasts an extensive trails and sidewalk system, thanks in part to the city passing a complete streets ordinance which commits staff each year to find funding to continue development of the trails system.

Partner organizations: [Finney County Health Coalition](#), [USD 457](#) and [Garden City Recreation Commission](#).

Manhattan, Riley County

Nominated by: Katy Oestman, Riley County Health Department, (785) 776-4779, koestman@rileycountyks.gov.

Intended use of award: Continue to cultivate access to healthy food options by purchasing equipment needed to offer healthier food choices at the City of Manhattan's concession stands located at three community pools, Sunset Zoo and several ball fields.

Partner organizations: [Riley County Health Department](#), [Riley County K-State Research and Extension](#), [Greater Manhattan Community Foundation](#), [Mercy Regional Health Center](#), [City of Manhattan](#), [USD 383-Manhattan/Ogden School District](#), [Fort Riley Public Health](#), [Kansas State Master of Public Health Program](#), [Manhattan Broadcasting](#) and the [Manhattan Area Chamber of Commerce](#).

Ottawa, Franklin County

Nominated by: Tommy Sink, Ottawa Recreation Commission and Play Task Force member, (785) 242-1939, tommy.sink@sbcglobal.com.

Intended use of award: Increase the interest of trail walking and physical activity amongst children by building "pods of play" along existing trails. These play areas could include tire climbers, small climbing areas or swings, and are meant to give children a reason to walk, bike or jog a little further or a little longer.

Partner organizations: [City of Ottawa](#), Play Task Force, [Franklin County Health Department](#), [ECKAN](#), [Ottawa Library](#), [Communities in Schools](#) and [USD 290](#).

Thomas County

Nominated by: Sue Evans, Northwest Kansas Council on Substance Abuse, Inc., (785) 460-8177, nwksrpc@st-tel.net.

Intended use of award: Continue to support access to healthy food by funding a part-time community garden coordinator to oversee the Thomas County Community Garden. Produce from the garden is given to low income families through the local food bank, a regional domestic violence shelter and a child care center.

Partner organizations: [USD 315](#), [USD 316](#), [USD 317](#), [Colby Community College](#), [Thomas County Health Department](#), [Thomas County Extension Office](#), [Citizens Medical Center, Inc.](#), [City of Colby](#), [Thomas County Community Foundation](#) and [Colby/Thomas County Chamber of Commerce](#).

About Blue Cross and Blue Shield of Kansas

For more than 70 years, Blue Cross and Blue Shield of Kansas has built a reputation of trust with its members and contracting providers by providing outstanding customer service while quickly and accurately processing claims; fairly administering benefit plans and contracts; offering programs, services and tools to help members improve or maintain their health; and operating under the highest ethical standards while being good stewards of premium dollars. Blue Cross and Blue Shield of Kansas is an independent licensee of the Blue Cross and Blue Shield Association and is the state's largest insurer, serving all Kansas counties except Johnson and Wyandotte. For more information, visit www.bcbsks.com.

About Kansas Recreation and Park Association

[Kansas Recreation and Park Association](#) is a non-profit, professional corporation dedicated to the promotion of healthy lifestyles in Kansas communities through the wise use of recreation and stewardship of parks and natural resources. KRPA is comprised of citizens and park and recreation professionals who serve millions of Kansans and tourists at parks, open spaces and recreation facilities, and through healthy programs for children, adults and senior citizens.

KANSAS!

Dear Kansan,

Thank you for being a part of the Summer 2014 issue of *KANSAS!* magazine. You are another shining example of what makes Kansas a great place live and visit.

Enclosed are two complimentary copies of the magazine along with your “featured” certificate. We hope you will proudly display your certificate. If you would like to subscribe to *KANSAS!* magazine you may do so on-line at KansasMag.com or the enclosed subscription card. *KANSAS!* also makes a great gift!

To increase your visibility further, be sure you are listed on the TravelKS.com website. For a free listing on TravelKS.com please contact your local community tourism office about obtaining a listing on the website. If you aren't sure who to contact in your area, please contact Kansas Travel & Tourism office at 785-296-2009 or jennifer.haugh@TravelKS.com.

Along with your appearance in the magazine you will also be mentioned in our Facebook and Twitter pages. *KANSAS!* participates in several opportunities to showcase the magazine such as Kansas State Fair and Kansas Sampler Festival. We like to share our featured people and places at these events. If you are interested, please let me know.

Enjoy the magazine!

Sincerely,



Jennifer Haugh, Editor

KANSAS!

culture issue

Kristin Goering
Gavin Snider
Charlie Norton
Jim Richardson
Kevin Willmott
Wyatt Townley

The Big Pool

*Appeared in the Summer 2014 issue of KANSAS!
Thank you for being a shining star in Kansas!*



A handwritten signature in black ink, appearing to read "Jennifer Haugh".

Jennifer Haugh, Editor

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Wichita, Kansas 67211
316.260.7000 tel
www.cox.com

May 23, 2014

Mr. Matt Allen
City Manager
301 N. 8th St.
Garden City, KS 67846

Dear Mr. Allen,

On or after Wednesday, June 25, the following channel changes will occur for Cox Communications and Cox Business customers:

- QVC HD will launch on channel 2023.
 - Requires a subscription to Advanced TV, TV Essential and an HD receiver or CableCARD.
- TVGN HD will launch on channel 2080.
 - Requires a subscription to Advanced TV, TV Essential and an HD receiver or CableCARD and Contour.
- Nick Jr. HD will launch on channel 2106.
 - Requires a subscription to Advanced TV, Bonus Pak and an HD receiver or CableCARD.
- TV Land HD will launch on channel 2048.
 - Requires a subscription to Advanced TV, TV Essential and an HD receiver or CableCARD.
- ID will move from channel 104 to channel 90, and ID HD from channel 2104 to channel 2090.
 - Requires a subscription to Advanced TV, TV Essential and an HD receiver or CableCARD.

Also, we have been notified by NBC that as of Saturday, June 14, FEARnet will be discontinued. Because of this change, FEARnet will no longer be available on the Cox channel lineup or On Demand.

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.

Best Regards,

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.



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May 23, 2014

Dear Local Franchise Authority,

I am writing to inform you of a customer equipment change that may affect someone in your community. Similar to previous communications, Cox Communications and Cox Business will soon be migrating additional channels to the Switched Digital Video (SDV) platform. Switched Digital Video technology allows Cox to maximize our network capacity, enabling us to offer even more high-definition channels and entertainment options to our customers.

As with other advanced services we offer such as On DEMAND and the Interactive Programming Guide, SDV technology requires customers to use a device capable of two-way communication in order to access the SDV channels. One-way devices with CableCARDS (some referred to as Digital Cable Ready [DCR] devices) are not capable of two-way communications. If a customer owns a DCR device, they have a couple of options they may choose from that will allow them to continue to receive all of the channels they currently enjoy.

First, if a customer owns one of the devices listed below, Cox is able to provide them with a Tuning Adapter free of charge that will allow them to continue receiving all of their existing channels with their device. This adapter will make their device compatible with the SDV platform. Tuning Adapters are currently available for the following devices:

- Tivo (Series 3, Tivo HD and HD XL, Tivo Premiere, Premiere XL and Premiere Elite)
- Moxi HD DVR
- Windows Media Center OCUR
- Ceton InfinitiTV-4 and InfinitiTV-6
- HD HomeRun Prime

Tuning Adapters are easy to install and self-installation kits and tuning adapters can be picked-up at a local Cox retail center. For the customer's convenience, we will include a list of Cox retail locations in the notification letter.

If the customer's DCR device is not listed above, it may not be compatible with the Tuning Adapter. As an alternative for continued access to the switched channels, Cox can offer these customers, for lease, a digital or high-definition receiver. These receivers enable access to the channels listed on the back of this page as well as other two-way services including On DEMAND and the Interactive Program Guide. Cox will offer the receiver for the same price as a CableCARD for 12 months at \$1.99 a month. Customers can call us and refer to special offer code CBLCARSDV.*

If a customer does not request a free Tuning Adapter, or lease a receiver, they will not be able to view the switched channels with their one-way DCR device on or after Wednesday, June 25. There are approximately 1,900 customers statewide with CableCARD technology to which this letter refers.

If you have any questions, please feel free to contact me directly at (785) 215-6720. If you receive calls or questions from any Cox customers, please refer them to call us at (866) 961-0363.

Thank you,

Coleen Jennison
Director, Government Affairs
Cox Communications

The channels requiring either a two-way digital receiver or a compatible retail device with a tuning adapter are listed on the back of this notification.



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

Beginning on or after Wednesday, June 25, the channels listed below will require either a two-way digital receiver or a device compatible with the Tuning Adapter for viewing. Customers may contact Cox today at 866-961-0363 for a discounted Cox receiver.

Channel #	Channel Name
2087	FXX HD
2210	WE tv HD
2229	Esquire Network HD
2237	fuse HD
2245	ESPNews HD
2508	STARZ EDGE HD

*Offer expires 12/31/14 and is available only to residential customers in Cox service areas who currently receive the service level with the channels listed with a CableCARD™. After 12 months, the HD or standard digital receiver regular rate will apply. Other equipment fees, installation fees, taxes, franchise fees and other fees and surcharges are additional. Televisions and other consumer owned devices equipped with a CableCARD™ may require a digital set top receiver in order to receive all programming options offered by Cox Advanced TV. Terms and conditions are subject to change. Other restrictions may apply. ©2014 CoxCom, Inc., All rights reserved.

Staff Reports

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	244,277
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	200,357
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	202,588
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	225,522
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>1,080,006</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	575,307
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	469,435
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	468,167
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	528,216
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>2,521,837</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%	

**CONSIDERATION OF
APPROPRIATION ORDINANCE**

Ordinances & Resolutions

STAFF REPORT

GC2014-22 and 30 – Comprehensive Plan Amendment and Rezoning from “C-2” General Commercial District to “R-2” Single Family Residential District, 1105 N. 9th Street, Garden City, KS

GENERAL INFORMATION

Date:	March 28, 2014	Jurisdiction:	Garden City
Owner:	Karen Rupp		
Applicant:	Karen Rupp		
Requested Action:	Comprehensive Plan Amendment and Rezoning from “C-2” General Commercial District to “R-2” Single Family Residential District		
Purpose:	To bring a nonconforming residence into compliance		
Location address:	1105 N. 9 th Street		
Comprehensive Plan:	Current Use is not consistent with the Comprehensive Plan		
Sites Existing Zoning:	“C-2” General Commercial District		
Surrounding Zoning:	North: “R-2” Single Family Residential District South: “C-2” General Commercial District East: “C-2” General Commercial District West: “C-2” General Commercial District		
Land Area:	0.11 acres +/-		
Notice Date:	This project was published and noticed by mail as required by code.		

COMMENTS & FINDINGS:

1. The applicant needed to make repairs to a nonconforming home (residential use in a commercial district). The applicant applied for a Conditional Use Permit and the case was brought before the Board of Zoning Appeals on March 11, 2014.
2. The BZA approved the request contingent upon the applicant rezoning the property as to make the home in compliance.
3. The Comprehensive Plan for the City shows this parcel as Commercial Potential and the applicant is also requesting that the Comprehensive Plan be amended to show this parcel as residential potential, to allow for the rezone. (Case: GC2014-30)

RECOMMENDATION:

Staff is unable to recommend approval of the rezoning unless the comprehensive plan is amended.

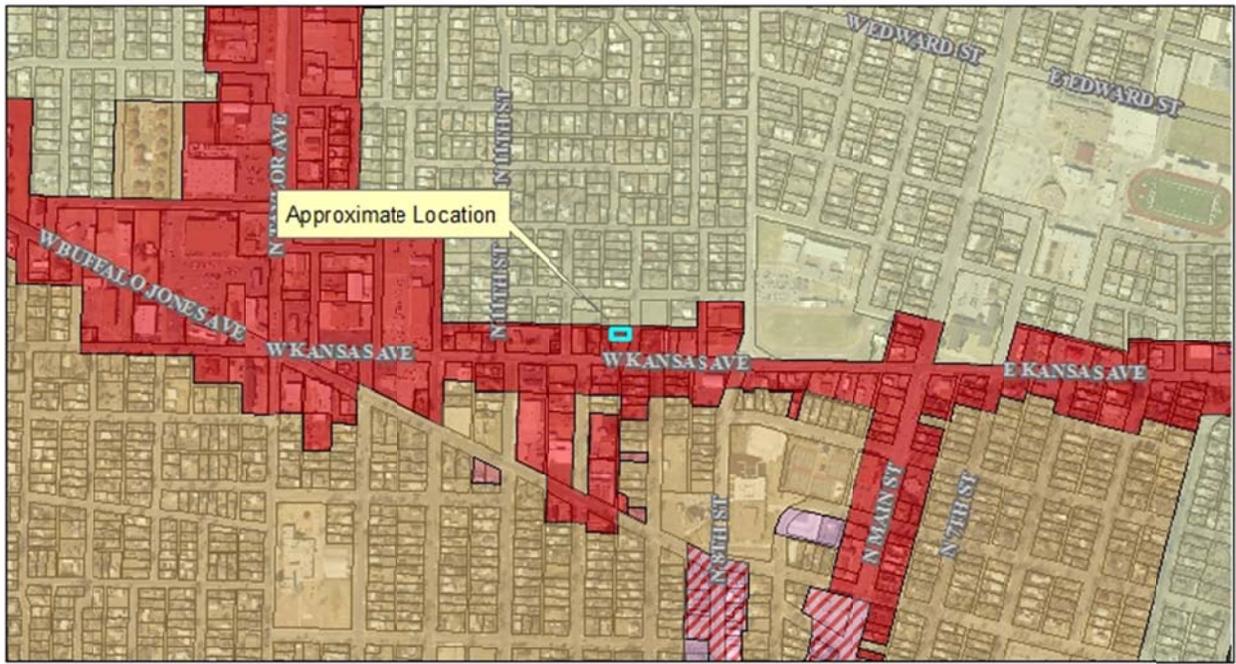
PLANNING COMMISSION RECOMMENDATION FOR THE COMPREHENSIVE PLAN AMENDMENT: The Planning Commission recommended approval of the Comprehensive Plan Amendment.

Members Present- 5
Yea vote- 5
Nay vote- 0

PLANNING COMMISSION RECOMMENDATION FOR THE REZONING: The Planning Commission recommended approval of the rezoning.

Members Present- 5
Yea vote- 5
Nay vote- 0

*Attached you will find the minutes from the Planning Commission pertaining to this case.



Case Number: GCBZA2014-03
 Applicant: Karen Rupp
 Address: 1105 N. 9th
 Request: CUP for nonconforming property





View of Front of Property



View of Property to the West



View of Street Looking South



View of Street Looking North



View of Property to the South



View of Property to the North

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

5/15/2014

GC2014-22/30: Amend Comp Plan and Rezone 1109 N. 13th from C-2 to R-3, Karen Rupp

Staff Davidson reads staff report.

OPEN PUBLIC COMMENT

CLOSE PUBLIC COMMENT

Member Weber- Was the intent to rezone this so they could do construction?

Secretary Kentner- That was a condition that the BZA put on it so that in the future, they wouldn't have any issues.

Member Weber- Is that with every case or just this one?

Secretary Kentner- It's case-by-case. The BZA made it a condition with this case.

Member Lopez- I think it's kind of a safety measure; to help properties that aren't necessarily in compliance.

Member Weber- So if the zoning fails, their option is to bulldoze it?

Secretary Kentner- Not necessarily because the BZA has already given them a CUP to remodel. If it weren't rezoned, it would just remain nonconforming. They can continue to use it as residential but if something else happened to it, it's likely that they wouldn't get another CUP.

Member Lopez- I think it will make it easier for the property owner so they don't have to come get permission from the City any time they want to make improvements to the property.

MEMBER WEBER MAKES MOTION TO APPROVE THE COMPREHENSIVE PLAN AMENDMENT

MEMBER GIGOT 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	Yea	Yea	Yea	Yea	Not Present	Not Present	Not Present

Motion passed.

MEMBER HOWARD MAKES MOTION REZONE.

MEMBER WEBER 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	Yea	Yea	Yea	Yea	Not Present	Not Present	Not Present

Motion passed.

ORDINANCE NO.

AN ORDINANCE APPROVING THE REZONING OF LAND FROM "C-2" GENERAL COMMERCIAL DISTRICT TO "R-2" SINGLE FAMILY RESIDENTIAL DISTRICT; AMENDING THE ZONING ORDINANCE, THE COMPREHENSIVE PLAN OF THE CITY, AND THE DISTRICT ZONING MAP OF THE CITY; REPEALING THE CURRENT ZONING ORDINANCE, COMPREHENSIVE PLAN, AND DISTRICT ZONING MAP BUT ONLY TO THE EXTENT AS AMENDED IN THIS ORDINANCE; 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. The Zoning Ordinance of the City of Garden City, Kansas, adopted by Ordinance No. 2528-2011 with all amendments thereto, is hereby amended and shall read as follows:

The South one-third (1/3rd) of the Northeast Quarter (NE/4) of Block Three (3) in Teitelbaum's Addition to Garden City, Kansas; more particularly described as follows: Beginning at the Northeast corner of said Block Three (3), thence southerly on the east line of said Block, a distance of one hundred feet for a place of beginning; thence continuing southerly a distance of 50 feet, thence westerly on a line parallel with the north line of said block, a distance of one hundred fifty feet, thence northerly on a line parallel with the east line of said block, a distance of fifty feet; thence easterly on a line parallel with the north line of said block a distance of one hundred fifty feet to the east line of said block, and the place of beginning.

SECTION 2. The District Zoning Map referred to in the Zoning Regulations Article 3, Section 3, of the Garden City, Kansas, adopted by Ordinance No. 2528-2011, as previously existing and amended, be and the same is hereby amended, to be consistent with the amendments set forth herein.

SECTION 3. The current Zoning Ordinance and District Zoning Map of the City of Garden City, Kansas, as previously existing and amended, be and the same hereby are repealed but only to the extent as amended in this ordinance, to be replaced as specified in this ordinance.

SECTION 4. That 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 3rd day of June, 2014.

ROY CESSNA, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

APPROVED AS TO FORM:

RANDALL D. GRISELL, City Counselor



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Memo

To: Planning Commission
From: Kaleb Kentner
CC: File
Date: March 28, 2014
Re: GC2014-23 An Amendment to Article 23, Signs and Outdoor Advertising

ISSUE: An amendment to Article 23, Signs and Outdoor Advertising: to amend Section 23.100, Signs Permitted in the Central Business District; to address advertising in the Airport Districts; and to amend miscellaneous clerical errors within the regulation.

BACKGROUND: At the request of the Downtown Vision Board of Directors, staff has been asked to review the sign regulations for the “C-3” Central Business District. Staff has created proposed amendments according to the request of the Downtown Vision Board of Directors. In addition to this, staff has additional proposed amendments regarding advertising in the Airport Districts as well as amending clerical errors. The following proposed changes to the Ordinance are addressed below; **the changes are highlighted in yellow:**

A. For **Section 23.100 (A)(4)**, the Downtown Vision Board recommends the Central Business District be exempt from the sight triangle requirements. The following change addresses this issue for the buildings that are established on the property line:

The proposed Section 23.100 will read:

23.100 SIGNS PERMITTED IN THE CENTRAL BUSINESS DISTRICT “C-3”

- (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:
 - (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. In the “C-3 District, where the structures are established on the property line, signs shall be exempt from the sight triangle requirements.~~
 - (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.



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B. Based on the above changes, Section 23.040 (B)(1) will also need to be changed.

The proposed Section 23.040 (B)(1) will read:

(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 unless it is otherwise stated in these regulations.

C. For Section 23.100 (A)(5), the Downtown Vision Board recommends prohibiting backlit translucent panel signs but to allow for individual letters to be backlit.

The proposed Section 23.100 (A)(5) will read:

23.100 SIGNS PERMITTED IN THE CENTRAL BUSINESS DISTRICT “C-3”

(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:

(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. Where a sign is illuminated, backlit translucent panel signs shall be prohibited; however, individual letters may be lit.

(i.) Illuminated signs in direct vision of traffic shall not be of red, green or amber illumination.

D. The current sign regulations do not cover the Airport Zones. Staff proposes we amend the sign regulations by adding a section that addresses specific terms for the Airport Zones.

The proposed Section 23.105 will read:

23.105 SIGNS PERMITTED IN AIRPORT DISTRICTS - "A-O", "A-I", "A-A", and "F-S". Signs in the "A-O", "A-I", "A-A", and "F-S" 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.
- (2) 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 fifteen (15) 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.

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CITY ADMINISTRATIVE
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301 N. 8TH

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- (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.



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- (7) Off-site advertising signs shall not exceed eighty (80) square feet in size.
 - (8) 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.
 - (9) Off-site advertising signs shall not be closer than one hundred (100) feet from any building.
 - (10) Off-site advertising signs shall be located no closer than five hundred (500) feet to land that is zoned residential.
 - (11) Off-site advertising signs shall not be located within ten (10) feet of the Sight Triangle (Also, Vision Clearance Area) as defined in Section 2.030.115.
 - (12) Off-site advertising signs shall not be located closer to the property line than a distance of ten (10) feet.
 - (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.
- (1) 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 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.



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(2) ELECTRONIC MESSAGE BOARDS (EMB): In "A-O", "A-I", "A-A", and "F-S" 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 shall not exceed eighty (80) square feet.

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

(4) All plans for proposed EMB monument signs must include a landscaping plan. Minimum landscaping requirements for all EMB pole and monument signs must have at least an eighty (80) foot area encompassing the base of the sign reserved for a landscaping bed, to include native species of trees, shrubs, and grasses. For off-site advertising, in lieu of the landscaping requirements in areas where water is not assessable, the Planning and Community Development Director or her/his designee may approve a sign structure that shall have a subtle visual impact and harmonize with the surrounding environment by using earth-tone colors.

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

(3) 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.

(4) SIGNS PROHIBITED: Signs prohibited in "A-O", "A-I", "A-A", and "F-S" District, include but are not limited to:

(1) Pole Signs

(2) Pylon Signs

(3) Vehicle Signs.

(4) See also Article 23.110 SIGNS PROHIBITED.

E. In addition to the proposed changes, staff would like to correct a clerical error found in Figure 23.020.G(13). This figure depicts a pole sign but is described as a pylon sign.

The proposed Figure 23.020.G (13) will read:



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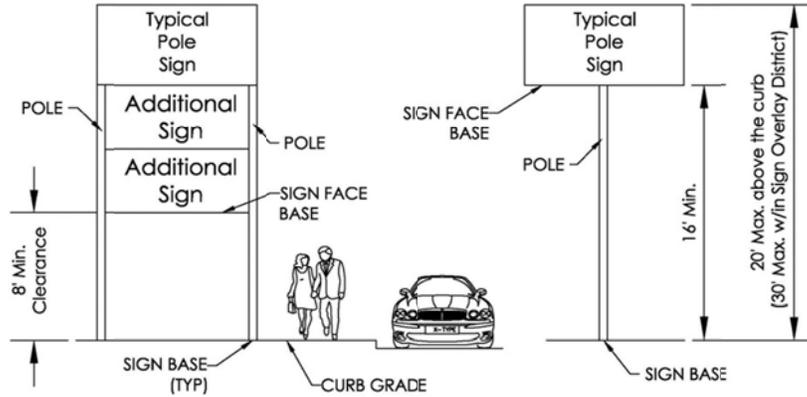


Figure 23.020.G (13) – Typical Pylon Pole Sign

- F. One final change is proposed, that is to amend Section 23.030. To add a minimum amount to the off-site and EMB sign fees. Before the last sign amendment, the fee for all signs was set at seventy five (\$75) dollars. This change will insure the minimum fee for all off-site and EMB signs will remain seventy five (\$75) dollars.

The proposed Section 23.030 will read:

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 signs: \$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) with a minimum fee amount set at \$75.00.



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(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.

ALTERNATIVES: The Planning Commission may recommend

1. Approval of the amendment as requested.
2. Approval of the amendment with changes.
3. Against approval of the amendment.

STAFF RECOMMENDATION: Staff recommends approval of this amendment request.

PLANNING COMMISSION RECOMMENDATION:

Present-
Yea-
Nay-

***Attached you fill find the Planning Commission minutes pertaining to this case.**



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

5/19/2014

GC2014-23: Sign Amendment, Downtown Vision

Secretary Kentner explains case.

OPEN PUBLIC COMMENT

CLOSE PUBLIC COMMENT

Member Weber- Have there ever been and EMB signs under \$75?

Secretary Kentner- No.

Member Weber- So we aren't really putting (inaudible)?

Secretary Kentner- Right. The \$75 would be the base price for the sign which covers the cost of the stakeout inspection and the electrical inspection.

Member Weber- You will likely have EMB signs over \$75.

Secretary Kentner- Yes. This just sets the minimum.

Member Gigot- Is it determined by square footage?

Secretary Kentner- Valuation of the cost of the sign and installation. If it's a small sign, it will mostly likely be \$75.

Member Weber- Why do we have to have a set fee?

Secretary Kentner- Because in the last amendment we made for the EMB's, we made it based on valuation and what this does, is say that it will be valuation based with a minimum charge of \$75. We will probably be coming back to make the same amendment to the county.

Member Weber- I was just wondering if you'd ever had one that fell below \$75?

Secretary Kentner- There could be the potential.

Member Lopez- It's just a baseline cost for administrative costs.

MEMBER GIGOT MAKES MOTION TO APPROVE

MEMBER WEBER 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	Yea	Yea	Yea	Yea	Not Present	Not Present	Not Present

Motion passed.

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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 SECTIONS 23.020, 23.030, 23.040, AND 23.100; ADDING NEW ZONING REGULATION SECTION 23.105; REPEALING IN ITS ENTIRETY CURRENT ZONING REGULATION SECTIONS 23.020, 23.020, 23.030, 23.040, AND 23.100. 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 23.020 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

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.

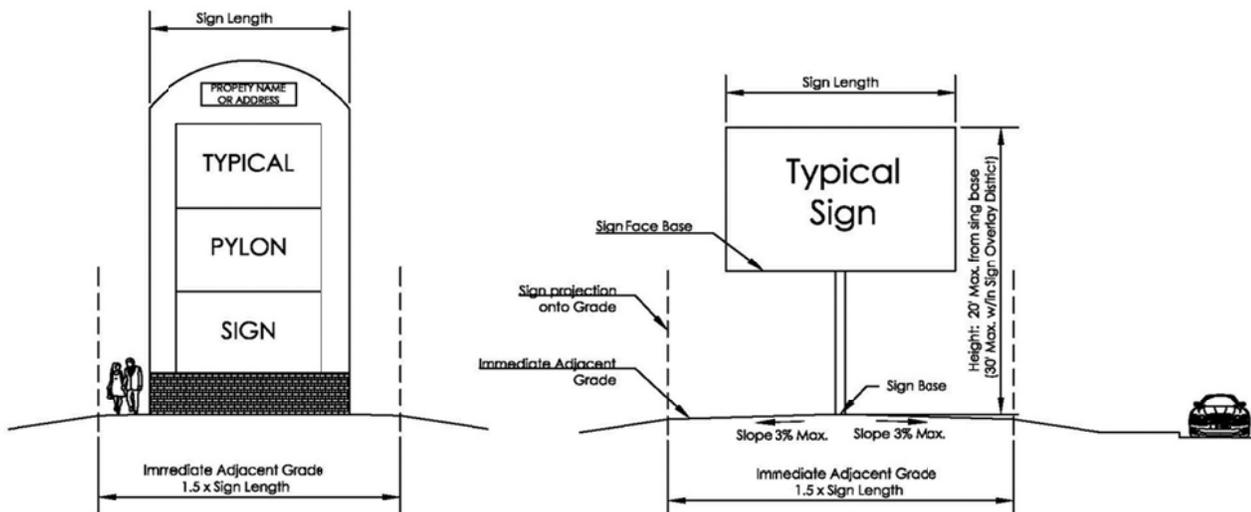


Figure 23.020 (D) – Immediate Adjacent Grade

- (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.

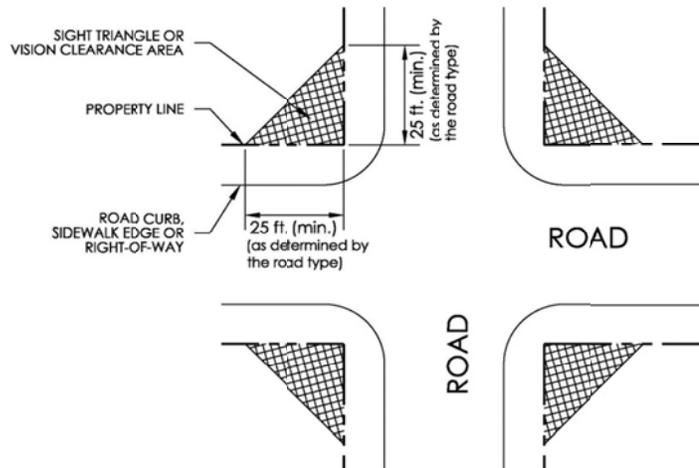


Figure 23.020 (F) – Sight Triangle

- (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.

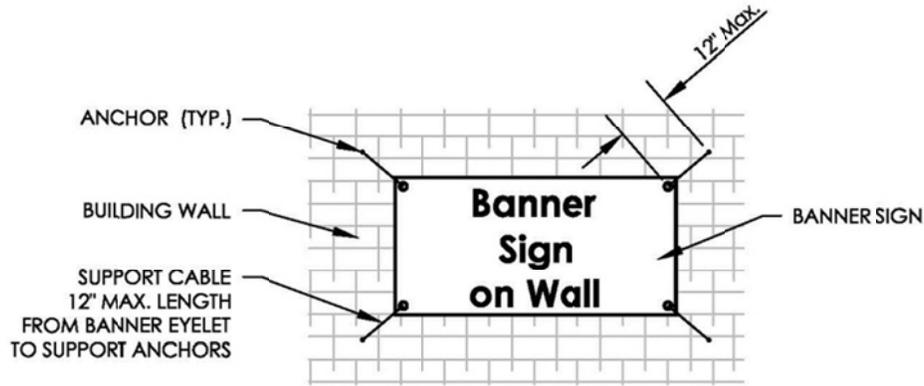


Figure 23.020.G (5.a) – Wall Mounted Banner Sign

- (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.

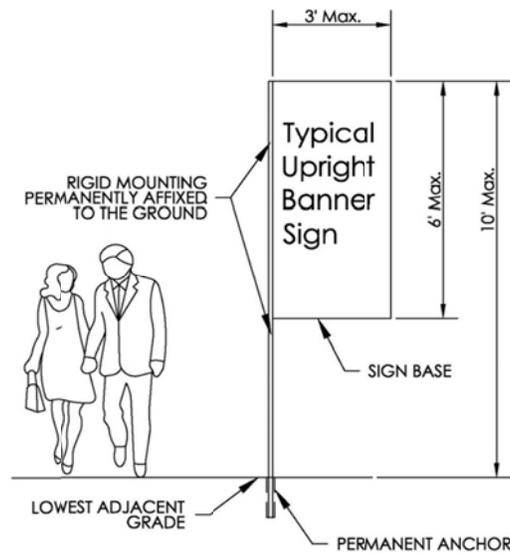


Figure 23.020.G (5.b) - Typical Upright Banner Sign

- (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.

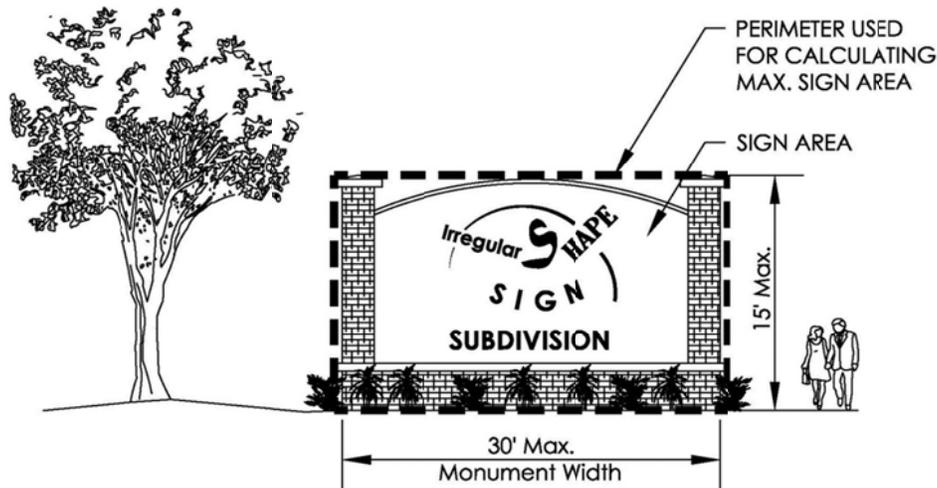


Figure 23.020.G (11) – Monument Sign

- (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.

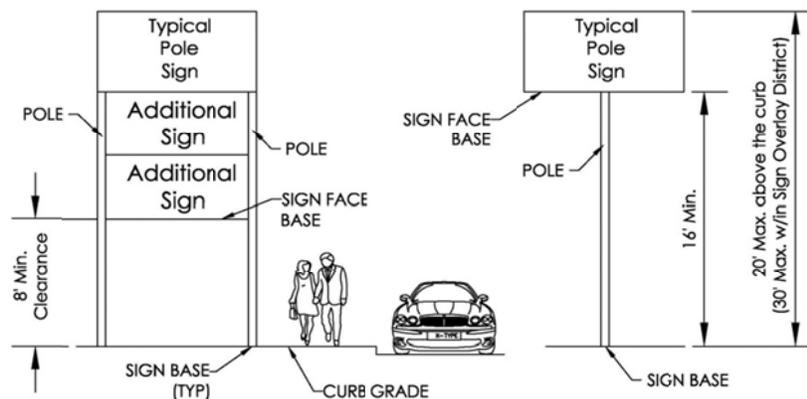


Figure 23.020.G (13) – Typical Pole Sign

- (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.

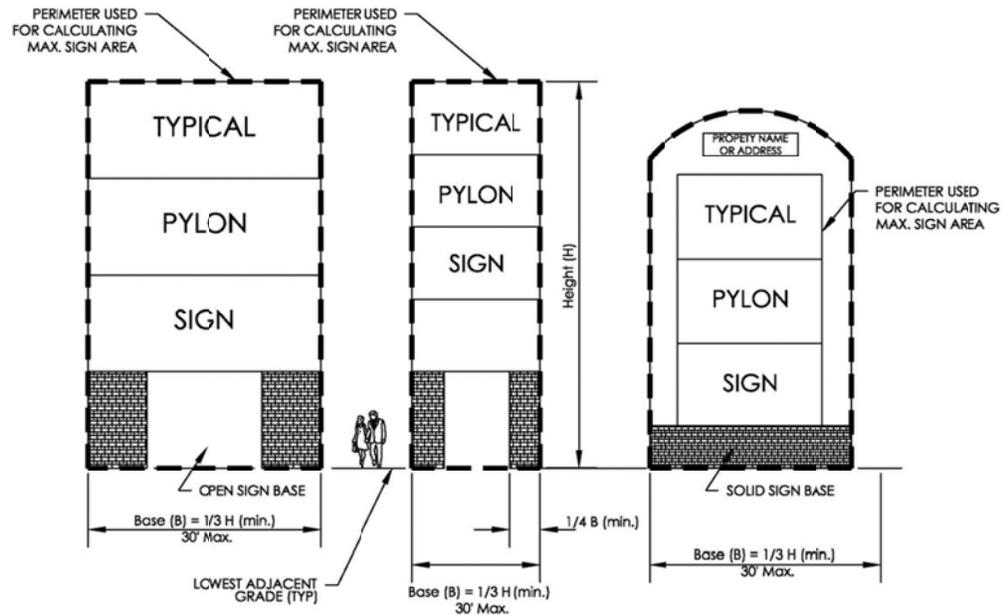


Figure 23.020.G (14) – Typical Pylon Sign

- (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.

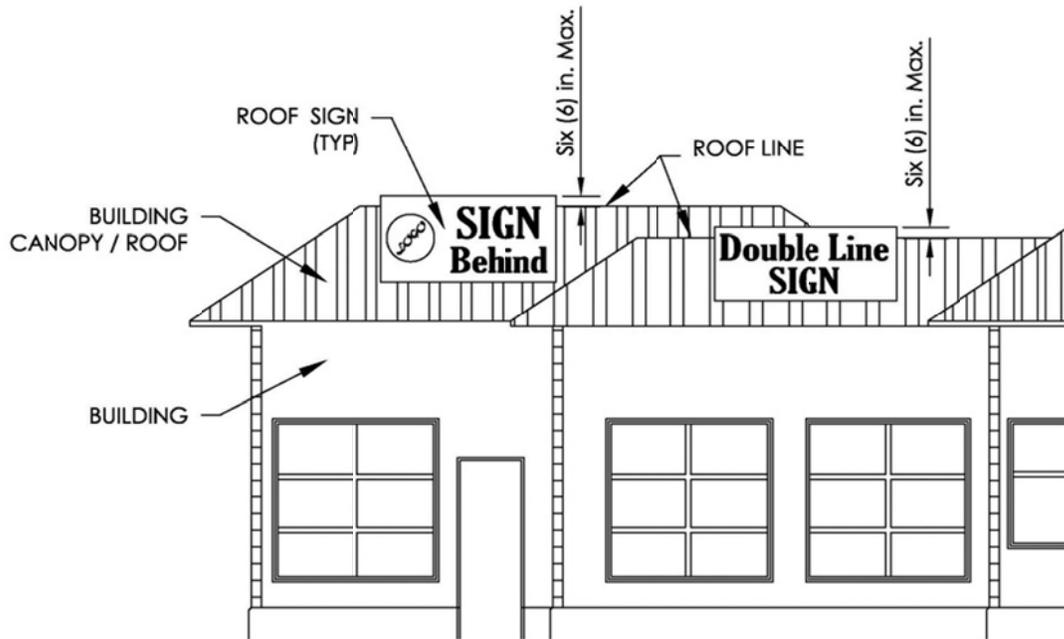


Figure 23.020.G (19) – Roof Sign

- (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.

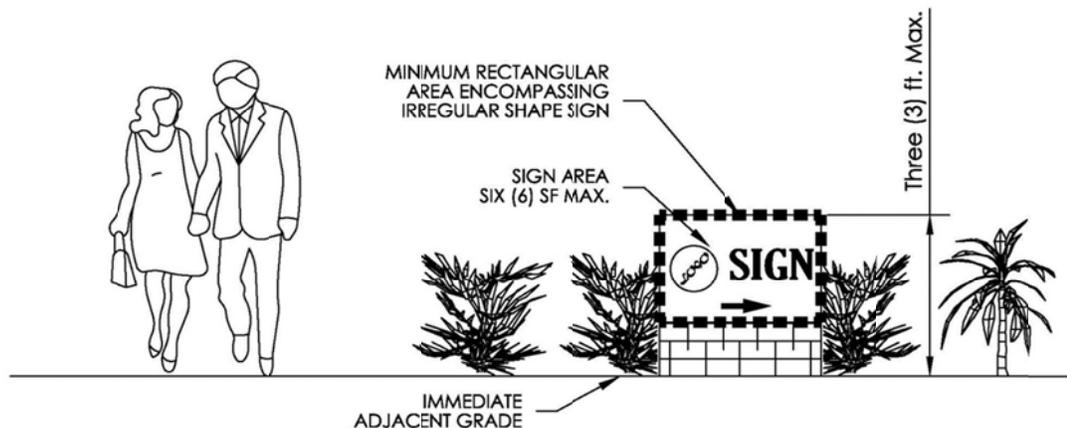


Figure 23.020.G (21) – Off-Site Directional Sign

- (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.

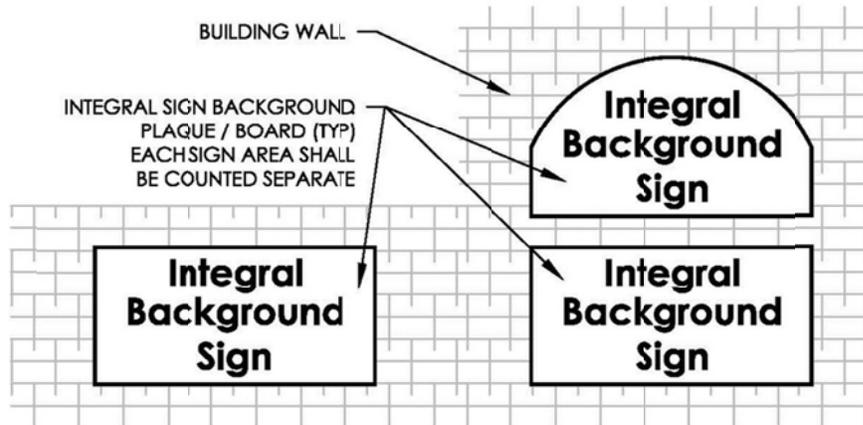


Figure 23.020.E (1) Integral Background Signs

- (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.

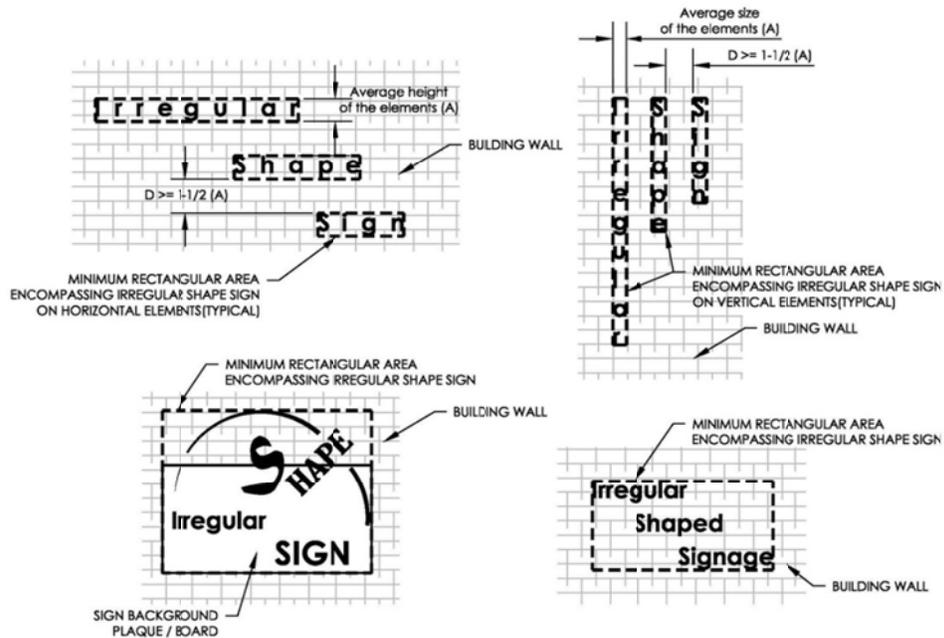


Figure 23.020.E (2) - Irregular Shaped Signs

- (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.

SECTION 2. Section 23.030 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

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 signs: \$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) with a minimum fee amount set at \$75.00.
 - (c.) Section 42-121.
 - (d.) For temporary signs: 10 Days or Less: \$25.00
11 to 30 Days: \$35.00
 - (e.) 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.

SECTION 3. Section 23.040 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

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 unless it is otherwise stated in these regulations.
- (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.

SECTION 4. Section 23.100 of the Zoning Regulations for the City of Garden City, Kansas, is hereby amended to read as follows:

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.) In the "C-3 District, where the structures are established on the property line, signs shall be exempt from the sight triangle requirements.
- (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, backlit translucent panel signs shall be prohibited; however, individual letters may be lit.
- (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.

SECTION 5. New Section 23.105 of the Zoning Regulations for the City of Garden City, Kansas, is hereby added to read as follows:

23.105 SIGNS PERMITTED IN AIRPORT DISTRICTS - "A-O", "A-I", "A-A", and "F-S". Signs in the "A-O", "A-I", "A-A", and "F-S" 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.
- (2) 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 fifteen (15) 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 eighty (80) square feet in size.
 - (8) 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.
 - (9) Off-site advertising signs shall not be closer than one hundred (100) feet from any building.
 - (10) Off-site advertising signs shall be located no closer than five hundred (500) feet to land that is zoned residential.
 - (11) Off-site advertising signs shall not be located within ten (10) feet of the Sight Triangle (Also, Vision Clearance Area) as defined in Section 2.030.115.
 - (12) Off-site advertising signs shall not be located closer to the property line than a distance of ten (10) feet.
 - (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.
- (1) 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 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.
- (2) ELECTRONIC MESSAGE BOARDS (EMB): In "A-O", "A-I", "A-A", and "F-S" 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 shall not exceed eighty (80) square feet.
 - (3) EMB may be mounted only on monument or wall signs.
 - (4) All plans for proposed EMB monument signs must include a landscaping plan. Minimum landscaping requirements for all EMB pole and monument signs must have at least an eighty (80) foot area encompassing the base of the sign reserved for a landscaping bed, to include native species of trees, shrubs, and grasses. For off-site advertising, in lieu of the landscaping requirements in areas where water is not assessable, the Planning and Community Development Director or her/his designee may approve a sign structure that shall have a subtle visual impact and harmonize with the surrounding environment by using earth-tone colors.
 - (5) A limit of one (1) stagnant, non-animated message change every fifteen (15) seconds.
- (3) 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.
- (4) SIGNS PROHIBITED: Signs prohibited in "A-O", "A-I", "A-A", and "F-S" District, include but are not limited to:
- (1) Pole Signs
 - (2) Pylon Signs
 - (3) Vehicle Signs.

(4) See also Article 23.120 SIGNS PROHIBITED.

SECTION 6. The Zoning Regulations for the City of Garden City, Kansas, Sections 23.020, 23.030, 23.040, and 23.100 as previously existing, are hereby repealed, to be replaced as specified in this ordinance. All Zoning Regulation Sections not specifically amended herein shall remain in full force and effect.

SECTION 7. 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 3rd day of June, 2014.

Roy Cessna, Mayor

ATTEST:

CELYN N. HURTADO, City Clerk

APPROVED AS TO FORM:

RANDALL D. GRISELL

City Counselor



COMMUNITY
DEVELOPMENT
DEPARTMENT
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GARDEN CITY
HOLCOMB
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Memo

To: City Commission
From: Kaleb Kentner
CC: Matt Allen, File
Date: May 29, 2013
Re: Consideration of a Resolution to hold a public hearing to add Lot 2, Stone Creek Addition to the 2013 Redevelopment District.

ISSUE: Consideration of a Resolution to hold a public hearing to add Lot 2, Stone Creek Addition to the 2013 Redevelopment District.

BACKGROUND: A resolution calling a public hearing to add Lot 2, Stone Creek Addition to the 2013 Redevelopment District. The developers are doing this to align the boundaries of the TIF with the existing CID and to make sure that Samy's work in extending Stone Creek Drive south to Spruce Street will be included under the TIF.

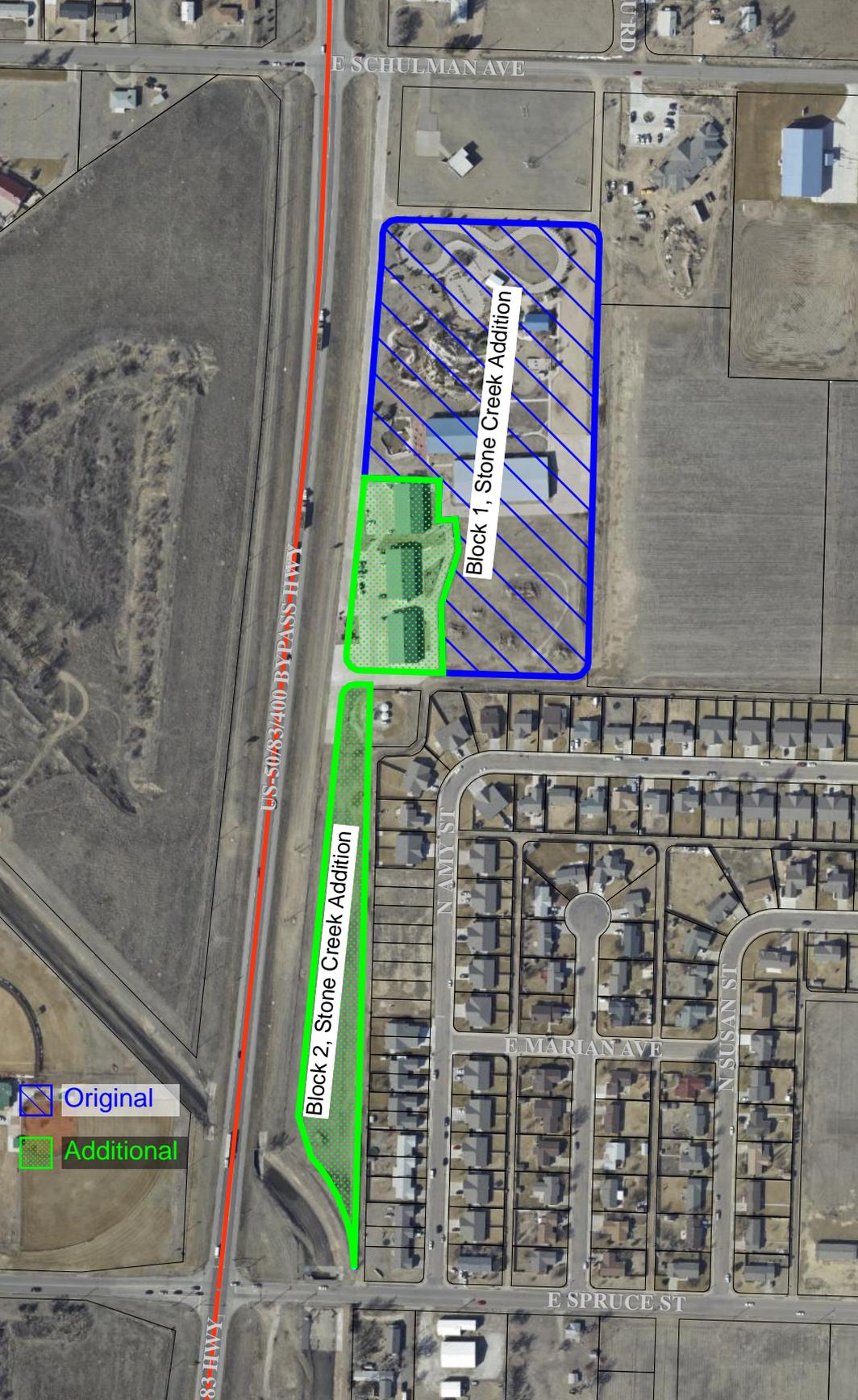
Under the TIF Act, the addition of area requires the same steps as approval of a new district – i.e. resolution calling a public hearing, followed by a public hearing 30 to 70 days later. Notice to the county, school district, and owners/occupants of the district will also be required.

This proposes that we call the public hearing on July 15, 2014. Prior to that time, a draft ordinance and a modification of the development agreement budget to include the additional costs of the Stone Creek Drive addition will be prepared and be submitted.

Alternatives:

1. Approve the Resolution establishing a public hearing for the Citizens and the Commission to consider the boundary amendment.
2. Modify the Resolution establishing a public hearing for the Citizens and the Commission to consider the boundary amendment.
3. Deny the Resolution.

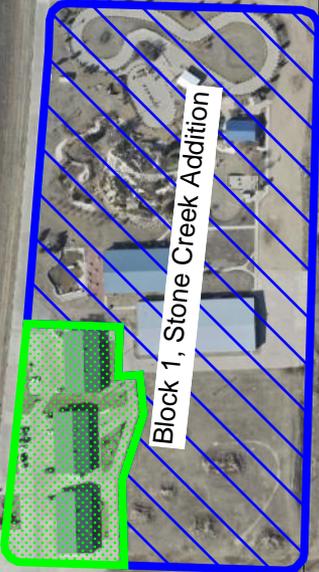
Recommendation: Staff recommends alternative 1 which approves the Resolution establishing a public hearing for the Citizens and the Commission to consider the boundary amendment.



E SCHULMAN AVE

URD

US-50/83/400 BYPASS HWY



Block 1, Stone Creek Addition



Block 2, Stone Creek Addition

N AMY ST

E MARIAN AVE

N SUSAN ST

E SPRUCE ST

83 HWY

Original

Additional

(Published in *the Garden City Telegram* on _____, 2014)

RESOLUTION NO. ____-2014

A RESOLUTION STATING THE INTENT OF THE CITY OF GARDEN CITY, KANSAS TO CONSIDER THE ADDITION OF AREA TO A REDEVELOPMENT DISTRICT AND PROVIDING FOR NOTICE OF A PUBLIC HEARING ON SUCH MATTER.

WHEREAS, K.S.A. 12-1770 *et seq.*, as amended (“Act”) authorizes the city of Garden City, Kansas (“City”) to create redevelopment districts, approve redevelopment plans for such districts and provide for the financing of eligible costs of such redevelopment from tax increments within the district allocated to the project and other revenues as allowed by the Act; and

WHEREAS, under K.S.A. 12-1771(e), the addition of area to an existing redevelopment district requires the same procedure for public notice and hearing as is required for the establishment of a redevelopment district; and

WHEREAS, on July 2, 2013, the Governing Body of the City of Garden City, Kansas (the “Governing Body”) approved Ordinance No. 2604-2013, a copy of which is attached hereto as **Exhibit A**, which created the 2013 Redevelopment District, including the approval of a redevelopment plan and provision for financing of eligible costs of such redevelopment as defined therein; and

WHEREAS, the City is considering the addition of area to the 2013 Redevelopment District; and

WHEREAS, pursuant to the Act, the City is required to set a date for a public hearing to consider the modification of the boundaries of the 2013 Redevelopment District.

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

SECTION 1. The governing body of the City hereby finds and determines that, pursuant to the Act:

(a) A public hearing shall be held as part of the regular meeting of the City Commission on July 15, 2014 at 1:00 p.m., in the City Commission meeting room at 301 N. 8th Street, to consider the addition of area to the 2013 Redevelopment District.

(b) The boundaries of the 2013 Redevelopment District currently include the following property:

Lot 1, Block 1, Stone Creek Addition, City of Garden City, Finney County, Kansas

(c) The boundaries of the 2013 Redevelopment District, including the addition of area as contemplated in this Resolution, includes the following property:

Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6, Samy Addition, City of Garden City, Finney County, Kansas, including all right of way of Stone Creek Drive

The boundaries of the 2013 Redevelopment District, as proposed to be modified as contemplated in this Resolution, are shown on the map attached to this resolution as **Exhibit B**.

(c) The redevelopment district plan for the 2013 Redevelopment District as stated in Exhibit B to Ordinance No. 2604-2013 shall otherwise remain in full force and effect.

(d) A description of the 2013 Redevelopment District, including the addition of area as contemplated in this Resolution, and the redevelopment district plan as stated in Exhibit B to Ordinance No. 2604-2013, are available for inspection at the City Clerk's office, 301 N. 8th Street, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

SECTION 2. This Resolution and **Exhibits A and B** shall be sent, by certified mail with return receipt requested, to the Board of Education of Unified School District No. 457, to the Board of County Commissioners of Finney County, to the Board of Trustees of Garden City Community College, and to each owner or occupant of land in the proposed redevelopment district, not less than 10 days after the date of this resolution. This resolution and **Exhibits A and B** shall also be published one time in the official city newspaper not less than one week nor more than two weeks before the public hearing date of July 15, 2014.

SECTION 3. Notwithstanding whether the addition of area to the 2013 Redevelopment District as contemplated in this Resolution is approved by Ordinance of the Governing Body, Ordinance No. 2604-2013 shall otherwise remain in full force and effect. Upon approval of an Ordinance by the Governing Body approving the addition of area to the 2013 Redevelopment District as contemplated in this Resolution, Ordinance No. 2604-2013 shall otherwise remain in full force and effect and shall be applicable to all property within the boundaries of the 2013 Redevelopment District, including the area proposed to be added as contemplated in this Resolution.

[Remainder of Page Intentionally Left Blank]

ADOPTED AND APPROVED by the governing body of the City of Garden City,
Kansas on June 3, 2014.

CITY OF GARDEN CITY, KANSAS

[seal]

By _____
Roy Cessna, Mayor

ATTEST:

By _____
Celyn N. Hurtado, City Clerk

EXHIBIT A

(ORDINANCE NO. 2604-2013)

EXHIBIT B

(MAP OF 2013 REDEVELOPMENT DISTRICT, AS PROPOSED TO BE MODIFIED)

PROPERTY LINE CORNER DATA

Lot	Corner	Dist	Bearing	Remarks
1	NE	100.00	N 89°59'54" W	100.00
1	SE	100.00	S 89°59'54" W	100.00
1	SW	100.00	S 00°00'06" E	100.00
1	NW	100.00	N 00°00'06" E	100.00
2	NE	100.00	N 89°59'54" W	100.00
2	SE	100.00	S 89°59'54" W	100.00
2	SW	100.00	S 00°00'06" E	100.00
2	NW	100.00	N 00°00'06" E	100.00
3	NE	100.00	N 89°59'54" W	100.00
3	SE	100.00	S 89°59'54" W	100.00
3	SW	100.00	S 00°00'06" E	100.00
3	NW	100.00	N 00°00'06" E	100.00
4	NE	100.00	N 89°59'54" W	100.00
4	SE	100.00	S 89°59'54" W	100.00
4	SW	100.00	S 00°00'06" E	100.00
4	NW	100.00	N 00°00'06" E	100.00
5	NE	100.00	N 89°59'54" W	100.00
5	SE	100.00	S 89°59'54" W	100.00
5	SW	100.00	S 00°00'06" E	100.00
5	NW	100.00	N 00°00'06" E	100.00
6	NE	100.00	N 89°59'54" W	100.00
6	SE	100.00	S 89°59'54" W	100.00
6	SW	100.00	S 00°00'06" E	100.00
6	NW	100.00	N 00°00'06" E	100.00

BOUNDARY CLOSURE
100.00 ±

NOTES
No gaps or overlaps exist.
There are no lines of possession that affect this survey.
Subject tract is located in Block 208, Plan 208 and Block 210, Page 201, Register of State Office, Finney County, Kansas.

HOLCOMB-GARDEN CITY-FINNEY COUNTY AREA PLANNING COMMISSION
STATE OF KANSAS)
FINNEY COUNTY)
This plat has been reviewed and is hereby approved this 21st day of November 2013.

Ken Roper, Chairman *Kipah Kambor, Secretary*

THE CITY OF GARDEN CITY, KANSAS
STATE OF KANSAS)
FINNEY COUNTY)
These rights-of-way and easements accepted by the Governing Body of the City of Garden City, Kansas, as shown on this plat, are hereby dedicated this 21st day of December 2013.

Don Fombauer, Mayor *Capt. R. Norton, City Clerk*

COUNTY SURVEYOR'S CERTIFICATE
This plat has been examined this 21st day of January 2014, for compliance with K.S.A. 58-2005.

Tim Sloan, County Surveyor Date: 1-30-14

SURVEYOR'S CERTIFICATE
STATE OF KANSAS)
FINNEY COUNTY)
This is to certify that the survey and monumentation of the above described land division was made under my direction and supervision and is accurately represented on this plat.

Tim Sloan, Surveyor

CERTIFICATE OF THE REGISTER OF DEEDS
State of Kansas, Finney County SS,
I, the undersigned, was called for Record
2/12/14 at 2:13 PM
I found that the above plat complies with A.
1842-1843
1844-1845
1846-1847
1848-1849
1850-1851
FINNEY COUNTY REGISTER OF DEEDS

DESCRIPTION:
Lots 1 and 2, Block 1, Stone Creek Addition, City of Garden City, Finney County, Kansas, containing 13.4 acres. Subject to easements and restrictions of record.

OWNER'S CONSENTS AND DEDICATIONS
KNOW ALL MEN BY THESE PRESENTS that we, the undersigned, being the sole proprietors and owners of the land included within the plat shown herein, are the only persons whose consents are necessary to give clear title to said land and we hereby consent to the making and recording of said plat. The public streets, public utility easements and public walking path are hereby dedicated to the public for such public uses.

IN WITNESS WHEREOF this consent is executed this 30th day of January 2014.
Stone Development, Inc.

Amrod Samoy
Amrod Samoy, Secretary/Treasurer of STONE DEVELOPMENT, INC.

STATE OF KANSAS)
FINNEY COUNTY)
This consent and dedication was acknowledged before me, the undersigned officer, by *Amrod Samoy, Secretary/Treasurer of Stone Development, Inc.* on the 30th day of January 2014.

IN WITNESS WHEREOF, I have set my hand and official seal.
Debra Evans
Debra Evans, Notary Public
My commission expires: 2/28/15

IN WITNESS WHEREOF this consent is executed this 30th day of January 2014.

OWNER'S CONSENTS AND DEDICATIONS
KNOW ALL MEN BY THESE PRESENTS that we, the undersigned, being the sole proprietors and owners of the land included within the plat shown herein, are the only persons whose consents are necessary to give clear title to said land and we hereby consent to the making and recording of said plat. The public streets, public utility easements and public walking path are hereby dedicated to the public for such public uses.

IN WITNESS WHEREOF this consent is executed this 30th day of January 2014.
Palmer/American Holdings, Inc.

Paul O'Quinn
Paul O'Quinn, President of PALMER/AMERICAN HOLDINGS, INC.

STATE OF KANSAS)
FINNEY COUNTY)
This consent and dedication was acknowledged before me, the undersigned officer, by *Paul O'Quinn, President of Palmer/American Holdings, Inc.* on the 30th day of January 2014.

IN WITNESS WHEREOF, I have set my hand and official seal.
Debra Evans
Debra Evans, Notary Public
My commission expires: 2/28/15

IN WITNESS WHEREOF this consent is executed this 30th day of January 2014.

Final Plat
SAMY ADDITION
a Replat of Lots 1 and 2, Block 1,
Stone Creek Addition,
City of Garden City, Finney County, Kansas

SMH CONSULTANTS
4018 Anderson Avenue, Suite 2 • Manhattan, Kansas 66503
785.776.0244 • Fax: 785.776.4444 • info@smithconsultants.com
Project # 1304004101 DO #11 / TDS 9

JANUARY 2014

(Published in *The Garden City Telegram* on July 10th, 2013)

ORDINANCE NO. 2604-2013

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS MAKING FINDINGS REGARDING A REDEVELOPMENT DISTRICT AND ESTABLISHING A REDEVELOPMENT DISTRICT WITHIN THE CITY.

WHEREAS, pursuant to the provisions of K.S.A. 12-1770 *et seq.*, as amended (the “Act”), the City of Garden City, Kansas (the “City”) is authorized to establish redevelopment districts within defined areas of the City which are determined by the City’s governing body to be “eligible areas” as defined in the Act; and

WHEREAS, the Act defines “eligible area” to include an area in the City designated as an enterprise zone before July 1, 1992 pursuant to K.S.A. 12-17,107 through 12-17,113, before such statutes were repealed, and where the conservation, development or redevelopment of the area is necessary to promote the general and economic welfare of the City; and

WHEREAS, the proposed redevelopment district in the City is in an area that was designated an enterprise zone pursuant to K.S.A. 12-17,107 through 12-17,113, by Resolution No. 18-90 of Finney County, Kansas, adopted on June 19, 1990, and is included in the definition of an “enterprise zone” as defined in the Act; and

WHEREAS, the governing body of the City previously adopted Resolution No. 2528-2013 which stated its intent and calls a public hearing under the provisions of the Act to receive public comment on the advisability of creating the redevelopment district as described in Resolution No. 2528-2013 and further described herein (the “2013 Redevelopment District”); and

WHEREAS, the public hearing was held on his date, after publication and delivery of notice in accordance with the provisions of the Act; and

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

Section 1. Eligible Area Findings. The governing body finds and determines that the 2013 Redevelopment District is an “eligible area” under the Act because it is an area in the City designated as an enterprise zone before July 1, 1992, pursuant to K.S.A. 12-17,107 through 12-17,113, before such statutes were repealed, and the conservation, development or redevelopment of the 2013 Redevelopment District is necessary to promote the general and economic welfare of the City.

Section 2. Description of and Creation of Redevelopment District. The legal description of the 2013 Redevelopment District is:

Lot 1, Block 1, Stone Creek Addition, City of Garden City, Finney
County, Kansas

The property described above, including adjacent rights-of-way, is hereby designated and created as the 2013 Redevelopment District, according to the Act.

A map depicting the general location of the 2013 Redevelopment District is attached as **Exhibit A** and incorporated here by this reference. The 2013 Redevelopment District does not contain any property not referenced in Resolution No. 2528-2013 providing notice of a public hearing.

Section 3. Redevelopment District Plan. The proposed redevelopment project may include separate project areas and consists of the acquisition of property, necessary infrastructure and site improvements to permit development of a hotel, restaurant and water park. The redevelopment district plan is attached to this ordinance as **Exhibit B**. A description of the 2013 Redevelopment District and the redevelopment district plan are available for inspection at the City Clerk's office, 301 N. 8th Street, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

Section 4. Consequences to Other Governmental Units. No privately owned property subject to ad valorem taxation within the 2013 Redevelopment District shall be acquired and redeveloped pursuant to the Act if the Board of County Commissioners of Finney County, Kansas (the "County") or the Board of Education of Unified School District No. 457 (the "School District") determines by resolution adopted within thirty (30) days following the adoption of this Ordinance that the 2013 Redevelopment District will have an adverse effect on the County or the School District, respectively.

Section 5. Further Action. The Mayor, City Manager, City Clerk and other officials and employees of the City, including the City Attorney and the City's Financial Advisor and Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

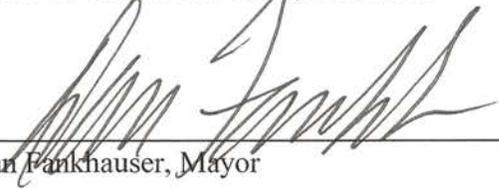
Section 6. Effective Date. This Ordinance, including Exhibit A and Exhibit B, shall become effective upon its passage by the governing body of the City and publication in the official newspaper of the City.

[Remainder of Page Intentionally Left Blank]

PASSED AND APPROVED by the governing body of the City of Garden City, Kansas
on July 2, 2013.



CITY OF GARDEN CITY, KANSAS



Dan Fankhauser, Mayor

ATTEST:



Celyn N. Hurtado, City Clerk

EXHIBIT A

(MAP OF THE REDEVELOPMENT DISTRICT)



EXHIBIT B

(REDEVELOPMENT DISTRICT PLAN)

**REDEVELOPMENT DISTRICT PLAN FOR REDEVELOPMENT
THROUGH TAX INCREMENT FINANCING
GARDEN CITY, KANSAS**

July 2, 2013

SECTION 1. PURPOSE

The City of Garden City, Kansas (the “City”) intends to create a redevelopment district within the City. Kansas statutes governing the creation of redevelopment districts and tax increment financing (K.S.A. 12-1770 *et seq.*, and particularly, K.S.A. 12-1771(a)) require preparation of a “redevelopment district plan” (referred to herein as the “district plan”) before creation of a redevelopment district. The district plan is the preliminary plan identifying the proposed redevelopment project areas and generally describing the buildings, facilities and improvements proposed to be constructed in such areas.

SECTION 2. DESCRIPTION OF TAX INCREMENT FINANCING

Projects financed through tax increment financing involve the creation of an “increment” in real estate property taxes. The increment is the amount of property taxes paid on the increase in assessed valuation of property in the redevelopment district over the property taxes paid in the redevelopment district before redevelopment occurs. When the aggregate tax rates of all tax jurisdictions are applied to the increased property valuation in the redevelopment district, tax increment is generated and paid to the City to fund and pay over time certain costs of the development project. The property taxes attributable to the assessed value of the district before redevelopment (the “base valuation”), are distributed to all taxing jurisdictions just as before development of the redevelopment district.

SECTION 3. REDEVELOPMENT DISTRICT

A map showing the boundaries of the proposed redevelopment district is attached as **Exhibit A**. The proposed redevelopment district is within the city limits of Garden City, Kansas and consists of 6.37 acres (more or less) of currently undeveloped real estate, located at Lot 1, Block 1, Stone Creek Addition, City of Garden City, Finney County, Kansas.

The proposed redevelopment district qualifies as an “eligible area” for tax increment financing because it is an area in the City designated as an enterprise zone before July 1, 1992, pursuant to K.S.A. 12-17,107 to 12-17,113 before such statutes were repealed, and the development of the area is necessary to promote the general and economic welfare of the City.

SECTION 4. REDEVELOPMENT PROJECT

The proposed district is near existing commercial and retail development in the City, including Home Depot, Menards, Wal-Mart, as well as hotels and restaurants is in an area identified by the City as desirable for additional commercial and retail development. The establishment of the proposed redevelopment district will permit the City to aid in financing of eligible costs including land acquisition, infrastructure and site development and to partner with private developers to bring additional retail and other commercial development to the City.

The proposed redevelopment project consists of the acquisition of the site and construction of infrastructure, public improvements and other site improvements to permit the full-scale commercial development anticipated to include an approximately 90-room hotel, 6,000 square feet for a restaurant, and a 22,000 square foot water park. The proposed costs eligible to be financed in this case include costs of land acquisition and the aforementioned infrastructure, public improvements, and other site improvements, as well as soft costs and costs of financing related to those items. These eligible costs may include costs incurred prior to the time the redevelopment district is created.

SECTION 5. TAX INCREMENT FINANCING

Kansas statutes governing tax increment financing allow such financing to be used for property acquisition, site preparation, utilities, drainage, street improvements, landscape amenities, public outdoor spaces, streetscape amenities and parking facilities in a redevelopment district. The City anticipates using tax increment financing pay a portion of these costs related to the proposed project. The project plan (described in Section 6) and development agreements between the City and private developers will specify details. The anticipated plan contemplates that 100% of the tax increment attributable to the redevelopment will be pledged to finance such costs for a period not exceeding 20 years as provided by law. Tax increment financing may be accomplished by issuing the City's special obligation bonds and/or the City's general obligation bonds with such bonds payable over time from the tax increment. Financing may also be structured as "pay as you go" reimbursement over time. The City plans to utilize a "pay as you go" financing structure for the proposed redevelopment project.

SECTION 6. PROJECT PLAN

The statutes governing tax increment financing and redevelopment districts require that all proposed redevelopment projects in a redevelopment district be presented to and authorized by the City Commission through its approval of detailed "project plans". Each project plan will identify specific project areas within the redevelopment district and will include detailed descriptions of the proposed improvements and methods of financing. Before approving a project plan the City must obtain a financial feasibility study as required by statute. Project plans must be reviewed by the Holcomb - Garden City - Finney County Area Planning Commission and are submitted to a public hearing after published notice and notification of affected property owners. Before going forward a project plan must be adopted by a two-thirds majority of the City Commission. No tax increment may be applied to a redevelopment project until a project plan is approved.

RESOLUTION NO. _____

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.

WHEREAS, the Governing Body of the City of Garden City has declared it unlawful for any person to maintain a motor vehicle nuisance on private property within the City of Garden City, and

WHEREAS, the residents and/or owners of the private property at the addresses listed herein have been notified pursuant to Section 38-63 of the 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 the Public Officer is hereby authorized to abate the following motor vehicle nuisance conditions:

*510 N. 4th Street- Inoperable and/or unregistered vehicle-White Nissan Maxima & Maroon Van
509 N. Taylor Avenue-Inoperable and/or unregistered vehicle- Green Ford Focus*

SECTION 2. The abatement costs incurred by the City shall be charged against the lots or parcels of ground on which the motor vehicle nuisance is located.

PASSED AND APPROVED by the Governing Body of the City of Garden City, Kansas, on this 3rd day of June, 2014.

Roy Cessna, MAYOR

ATTEST:

Celyn N. Hurtado, CITY CLERK

510 N. 4th Street



(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:

1017 N. 4th 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.

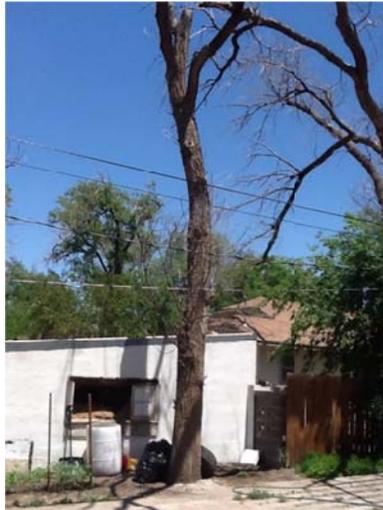
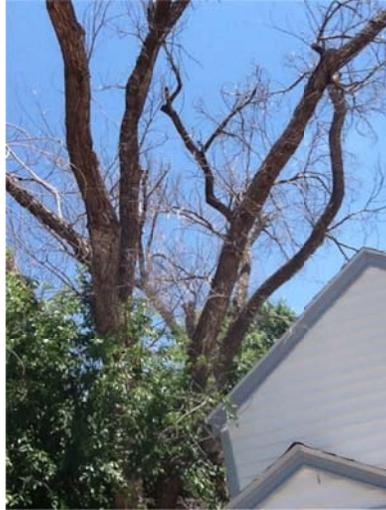
PASSED AND APPROVED by the Governing Body of the City of Garden City, Kansas, on this 3rd day of June, 2014.

Roy Cessna, MAYOR

ATTEST:

Celyn N. Hurtado, CITY CLERK

1017 N. 4th Street



Old Business

New Business

FIREWORKS WAIVER OF ORDINANCE

The Governing Body of the City of Garden City, Kansas, after due and careful consideration of factors pertaining to discharge of fireworks in the corporate limits of the City of Garden City, Kansas (City), herein waives application of Code of Ordinances Section 62-12, as follows:

Fireworks, as defined in the International Fire Code, Chapter 33, Sections 3301 and 3302 (Exhibit A), and Finney County Resolution No. 20-2012 (Exhibit B), both Exhibits attached hereto and incorporated herein, may be discharged in the corporate limits of the City, subject to the specified exceptions, from July 3, 2014, through July 5, 2014, from the hours of 10:30 a.m. to 10:30 p.m. This Waiver of Ordinance does not apply to the discharge of fireworks at the Finney County Exhibition Building parking lot during the time of the public fireworks display on July 4, 2014, public parks, public recreation areas such as soccer fields or ball fields, or the Lee Richardson Zoo; Code of Ordinances Section 62-12 shall remain in full force and effect for these areas. No fireworks may be discharged on real property without the permission of the owner or person or entity in control of the real property. The Chief of the Garden City Fire Department (GCFD) shall have the authority granted to him by the Governing Body to rescind this Waiver of Ordinance, should, in the judgment and discretion of the GCFD Chief, the weather conditions make discharge of fireworks in the City hazardous to property or persons. The GCFD Chief shall notify the public of any rescission of this Fireworks Waiver of Ordinance by public notice through dissemination of information over radio, television, or newspaper. Fireworks not listed on the attached Exhibits, or prohibited by state of Kansas or federal laws, are prohibited from being discharged in the City at any time. Any discharge of prohibited fireworks shall be considered a violation of applicable state or federal laws, or Code of Ordinances Section 62-12. This Waiver of Ordinance does not apply to the sale of fireworks in the City; therefore, the sale of fireworks shall continue to be prohibited by Code of Ordinances Section 62-12.

This Waiver of Ordinance approved and adopted by the City of Garden City, Kansas, this 3rd day of June, 2014.

CITY OF GARDEN CITY, KANSAS

ROY CESSNA, Mayor

ATTEST:

CELYN N. HURTADO, City Clerk

APPROVED AS TO FORM:

RANDALL D. GRISELL, City Counselor

CHAPTER 33

EXPLOSIVES AND FIREWORKS

SECTION 3301 GENERAL

3301.1 Scope. The provisions of this chapter shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials, fireworks and small arms ammunition.

Exceptions:

1. The Armed Forces of the United States, Coast Guard or National Guard.
2. Explosives in forms prescribed by the official United States Pharmacopoeia.
3. The possession, storage and use of small arms ammunition when packaged in accordance with DOTn packaging requirements.
4. The possession, storage, and use of not more than 1 pound (0.454 kg) of commercially manufactured sporting black powder, 20 pounds (9 kg) of smokeless powder and 10,000 small arms primers for hand loading of small arms ammunition for personal consumption.
5. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
6. Special industrial explosive devices which in the aggregate contain less than 50 pounds (23 kg) of explosive materials.
7. The possession, storage and use of blank industrial-power load cartridges when packaged in accordance with DOTn packaging regulations.
8. Transportation in accordance with DOTn 49 CFR Parts 100-178.
9. Items preempted by federal regulations.

3301.1.1 Explosive material standard. In addition to the requirements of this chapter, NFPA 495 shall govern the manufacture, transportation, storage, sale, handling and use of explosive materials.

3301.1.2 Explosive material terminals. In addition to the requirements of this chapter, the operation of explosive material terminals shall conform to the provisions of NFPA 498.

3301.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. Storage and handling of fireworks as permitted in Section 3304.
2. Manufacture, assembly and testing of fireworks as permitted in Section 3305.

3. The use of fireworks for display as permitted in Section 3308.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable local or state laws, ordinances and regulations provided such fireworks comply with CPSC 16 CFR, Parts 1500 and 1507, and DOTn 49 CFR, Parts 100-178, for consumer fireworks.

3301.1.4 Rocketry. The storage, handling and use of model and high-power rockets shall comply with the requirements of NFPA 1122, NFPA 1125, and NFPA 1127.

3301.1.5 Ammonium nitrate. The storage and handling of ammonium nitrate shall comply with the requirements of NFPA 490 and Chapter 40.

Exception: Storage of ammonium nitrate in magazines with blasting agents shall comply with the requirements of NFPA 495.

3301.2 Permit required. Permits shall be required as set forth in Section 105.6 and regulated in accordance with this section.

3301.2.1 Residential uses. No person shall keep or store, nor shall any permit be issued to keep or store, any explosives at any place of habitation, or within 100 feet (30 480 mm) thereof.

Exception: Storage of smokeless propellant, black powder, and small arms primers for personal use and not for resale in accordance with Section 3306.

3301.2.2 Sale and retail display. No person shall construct a retail display nor offer for sale explosives, explosive materials, or fireworks upon highways, sidewalks, public property, or in Group A or E occupancies.

3301.2.3 Permit restrictions. The fire code official is authorized to limit the quantity of explosives, explosive materials, or fireworks permitted at a given location. No person, possessing a permit for storage of explosives at any place, shall keep or store an amount greater than authorized in such permit. Only the kind of explosive specified in such a permit shall be kept or stored.

3301.2.4 Financial responsibility. Before a permit is issued, as required by Section 3301.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$100,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

3301.2.4.1 Blasting. Before approval to do blasting is issued, the applicant for approval shall file a bond or submit a certificate of insurance in such form, amount and coverage as determined by the legal department of the jurisdiction to be adequate in each case to indemnify the jurisdiction against any and all damages arising from permitted blasting.

3301.2.4.2 Fireworks display. The permit holder shall furnish a bond or certificate of insurance in an amount deemed adequate by the fire code official for the payment of all potential damages to a person or persons or to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors.

3301.3 Prohibited explosives. Permits shall not be issued or renewed for possession, manufacture, storage, handling, sale or use of the following materials and such materials currently in storage or use shall be disposed of in an approved manner.

1. Liquid nitroglycerin.
2. Dynamite containing more than 60-percent liquid explosive ingredient.
3. Dynamite having an unsatisfactory absorbent or one that permits leakage of a liquid explosive ingredient under any conditions liable to exist during storage.
4. Nitrocellulose in a dry and uncompressed condition in a quantity greater than 10 pounds (4.54 kg) of net weight in one package.
5. Fulminate of mercury in a dry condition and fulminate of all other metals in any condition except as a component of manufactured articles not hereinafter forbidden.
6. Explosive compositions that ignite spontaneously or undergo marked decomposition, rendering the products of their use more hazardous, when subjected for 48 consecutive hours or less to a temperature of 167°F (75°C).
7. New explosive materials until approved by DOTn, except that permits are allowed to be issued to educational, governmental or industrial laboratories for instructional or research purposes.
8. Explosive materials condemned by DOTn.
9. Explosive materials containing an ammonium salt and a chlorate.
10. Explosives not packed or marked as required by DOTn 49 CFR, Parts 100-178.

Exception: Gelatin dynamite.

3301.4 Qualifications. Persons in charge of magazines, blasting, fireworks display, or pyrotechnic special effect operations shall not be under the influence of alcohol or drugs which impair sensory or motor skills, shall be at least 21 years of age, and shall demonstrate knowledge of all safety precautions related to the storage, handling or use of explosives, explosive materials or fireworks.

3301.5 Supervision. The fire code official is authorized to require operations permitted under the provisions of Section 3301.2 to be supervised at any time by the fire code official in

order to determine compliance with all safety and fire regulations.

3301.6 Notification. Whenever a new explosive material storage or manufacturing site is established, including a temporary job site, the local law enforcement agency, fire department, and local emergency planning committee shall be notified 48 hours in advance, not including Saturdays, Sundays and holidays, of the type, quantity and location of explosive materials at the site.

3301.7 Seizure. The fire code official is authorized to remove or cause to be removed or disposed of in an approved manner, at the expense of the owner, explosives, explosive materials or fireworks offered or exposed for sale, stored, possessed or used in violation of this chapter.

3301.8 Establishment of quantity of explosives and distances. The quantity of explosives and distances shall be in accordance with Sections 3301.8.1 and 3301.8.1.1.

3301.8.1 Quantity of explosives. The quantity-distance tables in Sections 3304.5 and 3305.3 shall be used to provide appropriate distances from potential explosion sites. The classification of the explosives and the weight of the explosives are primary characteristics governing the use of these tables. The net explosive weight shall be determined in accordance with Sections 3301.8.1.1 through 3301.8.1.4.

3301.8.1.1 Mass-detonating explosives. The total net explosive weight of Division 1.1, 1.2 or 1.5 explosives shall be used. See Table 3304.5.2 (2) or Table 3305.3 as appropriate.

Exception: When the TNT equivalence of the explosive material has been determined, the equivalence is allowed to be used to establish the net explosive weight.

3301.8.1.2 Non-mass-detonating explosives (excluding Division 1.4). Non-mass-detonating explosives shall be as follows:

1. Division 1.3 propellants. The total weight of the propellants alone shall be the net explosive weight. The net weight of propellant shall be used. See Table 3304.5.2(3).
2. Combinations of bulk metal powder and pyrotechnic compositions. The sum of the net weights of metal powders and pyrotechnic compositions in the containers shall be the net explosive weight. See Table 3304.5.2(3).

3301.8.1.3 Combinations of mass-detonating and non-mass-detonating explosives (excluding Division 1.4). Combination of mass-detonating and non-mass-detonating explosives shall be as follows:

1. When Division 1.1 and 1.2 explosives are located in the same site, determine the distance for the total quantity considered first as 1.1 and then as 1.2. The required distance is the greater of the two. When the Division 1.1 requirements are controlling and the TNT equivalence of the 1.2 is known, the TNT equivalent weight of the 1.2 items shall be allowed to be added to the total explosive weight of Division 1.1 items to determine the net explosive

weight for Division 1.1 distance determination. See Table 3304.5.2(3) or Table 3305.3 as appropriate.

2. When Division 1.1 and 1.3 explosives are located in the same site, determine the distances for the total quantity considered first as 1.1 and then as 1.3. The required distance is the greater of the two. When the Division 1.1 requirements are controlling and the TNT equivalence of the 1.3 is known, the TNT equivalent weight of the 1.3 items shall be allowed to be added to the total explosive weight of Division 1.1 items to determine the net explosive weight for Division 1.1 distance determination. See Table 3304.5.2(2), 3304.5.2 (3) or 3305.3, as appropriate.
3. When Division 1.1, 1.2 and 1.3 explosives are located in the same site, determine the distances for the total quantity considered first as 1.1, next as 1.2 and finally as 1.3. The required distance is the greatest of the three. As permitted by paragraphs 1 and 2 above, TNT equivalent weights for 1.2 and 1.3 items are allowed to be used to determine the net weight of explosives for Division 1.1 distance determination. Table 3304.5.2 (2) or 3305.3 shall be used when TNT equivalency is used to establish the net explosive weight.
4. For composite pyrotechnic items Division 1.1 and Division 1.3, the sum of the net weights of the pyrotechnic composition and the explosives involved shall be used. See Tables 3304.5.2 (2) and 3304.5.2 (3).

3301.8.1.4 Moderate fire — no blast hazards. Division 1.4 explosives. The total weight of the explosive material alone is the net weight. The net weight of the explosive material shall be used. See Table 3304.5.2 (4).

SECTION 3302 DEFINITIONS

3302.1 Definitions. The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

AMMONIUM NITRATE. A chemical compound represented by the formula NH_4NO_3 .

BARRICADE. A structure that consists of a combination of walls, floor and roof, which is designed to withstand the rapid release of energy in an explosion and which is fully confined, partially vented or fully vented; or other effective method of shielding from explosive materials by a natural or artificial barrier.

Artificial barricade. An artificial mound or revetment a minimum thickness of 3 feet (914 mm).

Natural barricade. Natural features of the ground, such as hills, or timber of sufficient density that the surrounding exposures that require protection cannot be seen from the magazine or building containing explosives when the trees are bare of leaves.

BARRICADED. The effective screening of a building containing explosive materials from the magazine or other building, railway, or highway by a natural or an artificial barrier. A straight line from the top of any sidewall of the building containing explosive materials to the eave line of any magazine or other building or to a point 12 feet (3658 mm) above the center of a railway or highway shall pass through such barrier.

BLAST AREA. The area including the blast site and the immediate adjacent area within the influence of flying rock, missiles and concussion.

BLAST SITE. The area in which explosive materials are being or have been loaded and which includes all holes loaded or to be loaded for the same blast and a distance of 50 feet (15 240 mm) in all directions.

BLASTER. A person qualified in accordance with Section 3301.4 to be in charge of and responsible for the loading and firing of a blast.

BLASTING AGENT. A material or mixture consisting of fuel and oxidizer, intended for blasting provided that the finished product, as mixed for use or shipment, cannot be detonated by means of a No. 8 test detonator when unconfined. Blasting agents are labeled and placarded as Class 1.5 material by US DOT.

BULLET RESISTANT. Constructed so as to resist penetration of a bullet of 150-grain M2 ball ammunition having a nominal muzzle velocity of 2,700 feet per second (fps) (824 mps) when fired from a 30-caliber rifle at a distance of 100 feet (30 480 mm), measured perpendicular to the target.

DETONATING CORD. A flexible cord containing a center core of high explosive used to initiate other explosives.

DETONATION. An exothermic reaction characterized by the presence of a shock wave in the material which establishes and maintains the reaction. The reaction zone progresses through the material at a rate greater than the velocity of sound. The principal heating mechanism is one of shock compression. Detonations have an explosive effect.

DETONATOR. A device containing any initiating or primary explosive that is used for initiating detonation. A detonator shall not contain more than 154.32 grains (10 grams) of total explosives by weight, excluding ignition or delay charges. The term includes, but is not limited to, electric blasting caps of instantaneous and delay types, blasting caps for use with safety fuses, detonating cord delay connectors, and noninstantaneous and delay blasting caps which use detonating cord, shock tube or any other replacement for electric leg wires. All types of detonators in strengths through No. 8 cap should be rated at 1.5 pounds (0.68 kg) of explosives per 1,000 caps. For strengths higher than No. 8 cap, consult the manufacturer.

DISCHARGE SITE. The immediate area surrounding the fireworks mortars used for an outdoor fireworks display.

DISPLAY SITE. The immediate area where a fireworks display is conducted. The display area includes the discharge site, the fallout area, and the required separation distance from the mortars to spectator viewing areas. The display area does not include spectator viewing areas or vehicle parking areas.

EXPLOSIVE. A chemical compound, mixture or device, the primary or common purpose of which is to function by explosion. The term includes, but is not limited to, dynamite, black powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord, igniters and display fireworks, 1.3G (Class B, Special).

The term "explosive" includes any material determined to be within the scope of USC Title 18: Chapter 40 and also includes any material classified as an explosive other than consumer fireworks, 1.4G (Class C, Common) by the hazardous materials regulations of DOTn 49 CFR.

High explosive. Explosive material, such as dynamite, which can be caused to detonate by means of a No. 8 test blasting cap when unconfined.

Low explosive. Explosive material that will burn or deflagrate when ignited. It is characterized by a rate of reaction that is less than the speed of sound. Examples of low explosives include, but are not limited to, black powder, safety fuse, igniters, igniter cord, fuse lighters, fireworks, 1.3G (Class B special) and propellants, 1.3C.

Mass-detonating explosives. Division 1.1, 1.2 and 1.5 explosives alone or in combination, or loaded into various types of ammunition or containers, most of which can be expected to explode virtually instantaneously when a small portion is subjected to fire, severe concussion, impact, the impulse of an initiating agent, or the effect of a considerable discharge of energy from without. Materials that react in this manner represent a mass explosion hazard. Such an explosive will normally cause severe structural damage to adjacent objects. Explosive propagation could occur immediately to other items of ammunition and explosives stored sufficiently close to and not adequately protected from the initially exploding pile with a time interval short enough so that two or more quantities must be considered as one for quantity-distance purposes.

UN/DOTn Class 1 explosives. The former classification system used by DOTn included the terms "high" and "low" explosives as defined herein. The following terms further define explosives under the current system applied by DOTn for all explosive materials defined as hazard Class 1 materials. Compatibility group letters are used in concert with the Division to specify further limitations on each division noted, (i.e., the letter G identifies the material as a pyrotechnic substance or article containing a pyrotechnic substance and similar materials).

Division 1.1. Explosives that have a mass explosion hazard. A mass explosion is one which affects almost the entire load instantaneously.

Division 1.2. Explosives that have a projection hazard but not a mass explosion hazard.

Division 1.3. Explosives that have a fire hazard and either a minor blast hazard or a minor projection hazard or both, but not a mass explosion hazard.

Division 1.4. Explosives that pose a minor explosion hazard. The explosive effects are largely confined to the package and no projection of fragments of appreciable size or range is to be expected. An external fire must not

cause virtually instantaneous explosion of almost the entire contents of the package.

Division 1.5. Very insensitive explosives. This division is comprised of substances that have a mass explosion hazard but which are so insensitive that there is very little probability of initiation or of transition from burning to detonation under normal conditions of transport.

Division 1.6. Extremely insensitive articles which do not have a mass explosion hazard. This division is comprised of articles that contain only extremely insensitive detonating substances and which demonstrate a negligible probability of accidental initiation or propagation.

EXPLOSIVE MATERIAL. The term "explosive" material means explosives, blasting agents, and detonators.

FALLOUT AREA. The area over which aerial shells are fired. The shells burst over the area, and unsafe debris and malfunctioning aerial shells fall into this area. The fallout area is the location where a typical aerial shell dud falls to the ground depending on the wind and the angle of mortar placement.

FIREWORKS. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration or detonation that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein.

Fireworks, 1.4G. (Formerly known as Class C, Common Fireworks.) Small fireworks devices containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion. Such 1.4G fireworks which comply with the construction, chemical composition and labeling regulations of the DOTn for Fireworks, UN 0336, and the U.S. Consumer Product Safety Commission as set forth in CPSC 16 CFR: Parts 1500 and 1507, are not explosive materials for the purpose of this code.

Fireworks, 1.3G. (Formerly Class B, Special Fireworks.) Large fireworks devices, which are explosive materials, intended for use in fireworks displays and designed to produce audible or visible effects by combustion, deflagration or detonation. Such 1.3G fireworks include, but are not limited to, firecrackers containing more than 130 milligrams (2 grains) of explosive composition, aerial shells containing more than 40 grams of pyrotechnic composition, and other display pieces which exceed the limits for classification as 1.4G fireworks. Such 1.3G fireworks, are also described as Fireworks, UN0335 by the DOTn.

FIREWORKS DISPLAY. A presentation of fireworks for a public or private gathering.

HIGHWAY. A public street, public alley or public road.

INHABITED BUILDING. A building regularly occupied in whole or in part as a habitation for people, or any church, schoolhouse, railroad station, store or other structure where people are accustomed to assemble, except any building or structure occupied in connection with the manufacture, transportation, storage or use of explosive materials.

Published in the Garden City Telegram 6-8, 2012

RESOLUTION NO. 20-2012

A RESOLUTION PERTAINING TO THE SALE, HANDLING, USE OR STORAGE OF FIREWORKS WITHIN FINNEY COUNTY, KANSAS; ESTABLISHING REGULATIONS THEREFORE; AND REPEALING RESOLUTION FINNEY COUNTY RESOLUTION 32-2003.

WHEREAS, the Board of County Commissioners of Finney County, Kansas, has, in its judgment, determined that the sale, handling, use and storage of certain fireworks within Finney County, Kansas are a hazard to the citizens of the County; and

WHEREAS, K.S.A. 31-134 authorizes the Board of County Commissioners to regulate or prohibit the sale, handling, use or storage of fireworks within the boundaries of the County; and

WHEREAS, K.S.A. 19-101, et seq., defines the County Commissioners power of local legislation and authority for enforcement of Resolution; and

WHEREAS, Finney County Resolution 32-2003 was adopted August 28, 2003 to establish standards and permit requirements related to the sale, handling, use and storage of fireworks.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Finney County, Kansas, that effective upon publication hereof, the sale, handling, use and/or storage of fireworks as hereafter defined, shall be and are hereby regulated in the unincorporated areas of Finney County, as follows:

- a) The Kansas Fireworks Act, Kansas Statutes Annotated, Chapter Thirty One (31), Article 5 (K.S.A. 31-501 to 31-506) are incorporated herein and adopted by reference in their entirety.
- b) The Kansas Administrative Regulations (KAR) 22-6-1 through 22-6-27, promulgated pursuant to the authority granted in K.S.A. 31-506 are incorporated by reference and adopted in their entirety.
- c) All rules and regulations adopted by KAR 22-6-1 through 22-6-27 incorporating by reference nationally recognized fire prevention codes that are in effect as of the effective date hereof are hereby adopted.
- d) Any person(s), organization or other lawful entity desiring to sell authorized fireworks in Finney County, Kansas, shall, *at least two (2) weeks prior to the first date for sale of said fireworks*, obtain an application from the County Clerk and, upon proper completion, payment of fees, and verification by the County Fire Marshal that the applicant is in compliance with all laws, a permit shall be issued

EXHIBIT B

by the Clerk of Finney County, Kansas, authorizing such person(s) organization or other lawful entity to do so. The person(s), organization or other lawful entity shall pay \$100.00 for said permit. ***The fee for a permit purchased less than two (2) weeks prior to the first date of sale of said fireworks shall be \$200.00.***

- e) An organization may obtain a permit from the Clerk of Finney County, Kansas, allowing such organization to store, handle, use, but not sell fireworks which are commonly used in commercial fireworks displays within Finney County, under the following terms and conditions:
1. Permits issued hereunder shall be valid for one (1) day only, and the date shall be specifically stated on such permit.
 2. Any permit issued hereunder shall be valid only at a location specifically stated on the permit issued hereunder.
 3. Payment of a \$100.00 fee for each permit to the Clerk of Finney County, Kansas.
 4. All permits shall be obtained at least two (2) weeks prior to any display. ***Permits obtained less than two (2) weeks prior to any display shall be \$200.00.***
 5. Permits shall be issued only to those organizations wishing to provide a display of fireworks for the public, and any such display must be supervised by a competent adult experienced in the use and display of fireworks. The supervising adult must be approved by the Fire Chief prior to obtaining a permit.
 6. Any organization seeking a permit must show to the Clerk of the County proof of insurance insuring against bodily injury and property damage in the amount of \$100,000.00 by single limit policy for damages arising out of accidents during the fireworks display.
- f) Any person(s), organization or other entity found to sell fireworks prohibited by this Resolution or any person(s), organization or other entity found to have in his, her or its possession any fireworks prohibited by this Resolution shall be fined in an amount not less than \$200.00 nor more than \$500.00 per occurrence. Any person(s), organization or other entity found to have violated this Resolution shall forfeit his, her or its license and shall not be eligible to have a license reissued.

- g) It shall be unlawful for any person, organization or other entity to sell fireworks approved for sale herein on days other than June 27, 1989 through July 5, 1989 and each and every year thereafter.
- h) It shall be unlawful for any person, organization or other entity to discharge fireworks on days other than July 3, 1989 through July 5, 1989, and each and every year thereafter.
- i) This Resolution shall take effect upon its publication in the Official County Newspaper.
- j) Finney County Resolution 32-2003 is hereby repealed.

Adopted this 4 day of June, 2012.



Elsa Ulrich
Finney County Clerk

THE BOARD OF FINNEY COUNTY
COMMISSIONERS OF FINNEY COUNTY,
KANSAS

Don Doll
Don Doll

Larry Jones
Larry Jones

Roman Halbur
Roman Halbur

Cliff Mayo
Cliff Mayo

Dave Jones
Dave Jones



To: City Commission
Date: May 28, 2014
From: Michelle Stegman
RE: 2014 City of Garden City Performance Evaluation Software Recommendation

CITY COMMISSION

ROY CESSNA,
Mayor

MELVIN L. DALE

JANET A. DOLL

DAN FANKHAUSER

J. CHRISTOPHER LAW

MATTHEW C. ALLEN
City Manager

MELINDA A. HITZ, CPA
Finance Director

RANDALL D. GRISELL
City Counselor

Issue

Staff is seeking City Commission concurrence with the recommendation of implementing a performance management system that includes software that will be utilized for conducting employee performance evaluations. The selected firm(s) will assist City Staff on developing evaluations, providing training on the new software and on how to conduct a performance evaluation. In addition, they will review our pay for performance model and recommend and/or implement a new process and/or system.

Background

The City of Garden City has used the same performance management and pay for performance systems with a few adjustments for about twenty years. Currently, the Human Resources department administers about 340 six month and annual paper employee performance evaluations that are tied directly to a pay for performance scale. The HR Department has been tasked with a complete overhaul of both systems. The desired outcomes of this initiative are evaluation consistency, supervisory training, employee development, retention, motivation and succession planning.

City Staff researched revamping these systems internally but opted to send out a request for proposal that included software based application, supervisory training, a review our pay for performance model and recommend and/or implement a new system. Staff sent out fourteen RFP's to firms and received three back. Only two firms met the elements of the requested proposals. HR Director Stegman and Mayor Roy Cessna reviewed the RFP responses and interviewed the finalists.

The committee selected the Austin Peters Group, Inc. and Civic HR as the finalist for the project. Staff and committee members believe that both firms meet the RFP criteria and needs of the City of Garden City organization. The proposal timeline lists January 1, 2015 as the project start date, but Austin Peters Group, Inc. are available to start sooner if approved during the 2014 budget cycle.

Alternatives

1. Change nothing. Staff will continue to utilize the current performance evaluations.
2. Update the current performance management system and pay for performance model internally.
3. Authorize City Staff to hire the Austin Peters Group and Civic HR to overhaul the employee performance management system with the project to begin in 2014.

Recommendation

Authorize City Staff to hire the Austin Peters Group and Civic HR to overhaul the employee performance management system with the project to begin in 2014.

CITY ADMINISTRATIVE
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301 N. 8TH
P.O. Box 998
GARDEN CITY, KS
67846-0998
620.276.1160
FAX 620.276.1169
www.garden-city.org



Fiscal Note

2014 total expenses related to this project equate to \$24,710 which is included in the revised 2014 Human Resources budget which is a general fund expense. In 2015, there will be a recurring annual subscription fee of \$4,500.

CITY COMMISSION

ROY CESSNA,

Mayor

MELVIN L. DALE

JANET A. DOLL

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Evaluation and Overhaul of Employee Performance Management System
April 1, 2014



Rebecca G. Crowder, President
Elizabeth Tatarko, Vice President
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Ph (913) 851-7530
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April 1, 2014

Michelle Stegman, PHR
Human Resources Director
City of Garden City
301 N. 8th Street
Garden City, KS 67846

Dear Ms. Stegman:

Enclosed is a proposal develop a new performance management system for the City of Garden City. This proposal covers 303 employees. The Austin Peters Group and Civic HR are partnering together to bring you coordinated experience in performance management and evaluation as well as an internet based solution for conducting performance evaluations.

As you review the proposal, please know that we are very flexible and want to meet your needs.

The dates we have listed in the timeline begin January 2015, however we are available to start as early as July 1, 2014 if needed. We have an extensive background in working with city and county government, elected officials, and public sector employees in these type of projects. Our depth of experience with other counties and cities of similar size will be a plus in this proposal. This proposal is valid for 90 days. We look forward to talking with you to discuss the proposal.

Sincerely,

Rebecca Crowder, President, SPHR
P.O. Box 27196
Overland Park, Kansas 66225
Ph (785) 537-1690 or (913) 851-7530
Fax (913) 851-7529
bcrowder@austinpeters.com

I. Process of Evaluation, Recommendation, Development of New System

Performance Management System Development Process

This proposal is for the development and implementation of a city-wide performance management system, the training of department heads, supervisors, and employees, and for the implementation of a system for all positions. This will include:

- Facilitating the review and customization of Civic HR performance appraisal system to be used efficiently and cost effectively for Garden City.
- Developing a customized system that fits local government needs by working with department heads, administration, and employees to achieve desired outcomes.
- Providing training to department heads, supervisors, and employees on performance evaluation to ensure consistency and fairness in the process.
- Providing detailed follow up to ensure that policies for performance evaluation are current and up to date.

Performance Review System Assessment and Selection

APG proposes several steps in the identification and selection of a new performance management system.

Step 1: Solicit Input from Stakeholders. The consulting team will conduct a retreat with the administration and department heads to facilitate discussion of the strengths, weaknesses, and proposed changes desired in a new performance management system. The consulting team will also solicit feedback from employees through an employee survey regarding use of the current assessment tool and desired outcomes in adopting a new system. The consulting team will ask administration and department heads to work together as a steering committee. This steering committee could also include additional non-supervisory employee representatives.

Step 2: Customize the System for Garden City. Once feedback and direction has been solicited from several groups: administration, department heads, elected officials, and employees, APG and Civic HR will present a mock up system with the needed features required by Garden City for additional input. APG will facilitate consensus among stakeholders to agree upon items such as: how to set up the form, use of competencies, development of performance goals, when and how reviews will be completed, how they will be connected to merit increases, and what opportunity is available for employee input.

APG envisions the need to customize the system for each position in the city government structure. This will include the identification of competencies for each position, some competencies may be shared by all positions as well. An optional step included in the cost analysis is the development of performance goals for each position. Department heads and supervisors will be primarily responsible for developing performance goals for positions with employee input. As an option, APG could review all of the position performance goals for clarity, consistency, and to ensure they are realistic for the position. APG will facilitate the steering committee through this process. Based on these decisions, APG will develop customized performance evaluation training to reflect the system being adopted and Civic HR will customize the internet based system for Garden City.

Step 3: Develop and Implement Training. Once a final performance management system has been customized based on input from the steering committee, multiple training sessions will be held to discuss the revised tool and application of performance management.

Training will be provided to department heads and supervisors (including the City Council if desired) who will be using the new performance management system. This training will be 6 hours. Topics covered may include:

- Consistency in completing reviews
- Timeliness of completing reviews
- Clarifying employee job responsibilities, competencies, and performance goals
- Conducting face to face reviews
- Documenting performance either for reward, discipline, or termination
- Navigating the new Civic HR performance management tool

Additional ‘hands on’ training will be provided for the Human Resource Management team to ensure in depth understanding of the Civic HR performance management tool.

Training for employees will be an overview and orientation to the new performance management system. There will be a total of eight orientation/training sessions, including some evening sessions to include the police force and any other 24 hour operations. The training documents will be provided to Human Resources to be posted online for those employees who cannot attend.

Further, we will update your training materials and guidebooks that accompany the use of the performance evaluation tool so that it reflects the revised system.

Step 5: Revise Policies. APG will do a review of current policies and procedures for performance appraisal and will make recommendations and improvements to policies and procedures that reflect current best practices. These policy and procedure updates will include simple items such as ‘when’ to do evaluations to more complex items such as ‘termination’ procedures.

Step 6: Test Drive the New System. APG recommends that the new system be ‘in use’ for at least a three month review process. During this time period the system should not be linked directly to ‘pay.’ This test drive step offers department heads, supervisors, and employees an opportunity to become familiar with the new system including competencies and performance goals that have been revised. Once this ‘test

drive' period is concluded the system will go 'live' for performance review purposes. After the test drive period there may be a few changes to the system.

Performance Appraisal System - Deliverables

The Austin Peters Group will provide the City with:

- Guidance in customizing a new performance management system which is internet based.
- Assistance in transferring personnel information into the new performance management tool.
- Training for department heads, supervisors, and employees in using a new system.
- Guidelines for conducting performance appraisals.
- A training manual which can be used by Human Resources for future training of staff and new employees.
- New policies and procedures for using performance appraisal system.
- Development of timeline for implementation.
- Development of competencies for each position and development of guidelines for establishing performance goals.

II. Proposed Timeline

Target Timeframe	Task	Responsible	Deliverables
Jan 2015 Week One	Letter of agreement	Garden City	Returns signed copy to the Austin Peters Group and processes invoice for deposit.
	Meet with administration	Austin Peters Group/Garden City	The consulting team meets with administration and human resource representative or management team to begin the project.
	Key contact identified	Garden City	Key contact from Garden City will be identified.
Week One	Meet with administration and department heads for first meeting	Garden City	The consulting team meets with a Steering Committee to develop consensus on project and respond to Q & A.
	Develop employee survey	Austin Peters Group	Employee survey developed with input from Steering Committee.
	Develop department head/elected official survey	Austin Peters Group	Department head/elected official survey developed with input from Steering Committee.
Week Three	Hold retreat with Steering Committee	Austin Peters Group	Facilitate input and changes for future performance evaluation system.
Week Three	Meet with steering committee and department heads/administration	Austin Peters Group/Civic HR	Identify critical elements of appraisal tool, and develop timeline for implementation.
Week Four	Identify competencies by position	Austin Peters Group with Department Heads	Develop competencies for each position. Develop weighting system, policies and procedures.
Week Six-Ten	Develop performance goals by position	Department Heads and Supervisors	APG provides framework for development of performance goals for each position. Option: Have APG review all performance goals by position and provide suggestions for revision.
Week Twelve	Deliver training to supervisors using	Austin Peters	Train all supervisors. Two separate sessions to include all supervisors and

	revised tool	Group	department heads.
Week Twelve	Deliver training to employees using revised tool	Austin Peters Group	Provide and overview and orientation to all employees – 8 separate sessions provided over two days.
Week Fourteen	Develop updated performance appraisal policies for new system.	Austin Peters Group	Provide new policies to administration for review.
Week Fourteen-Eighteen	Load personnel information into system	Garden City	Load all personnel information into new system.
Third Quarter of 2015	Test drive of new system	Garden City	Each position will have a review period using the new system in the final quarter of 2014. Make changes to the system as needed.

III. Roles, Responsibilities, Biography

Previous Experience

The Austin Peters Group, Inc. (APG) is a corporation established in 1998. The company is incorporated in the state of Kansas. It is a privately owned, certified Women Business Enterprise (WBE). APG is co-owned by Rebecca Crowder, President, and Elizabeth Tatarko, Vice-President.

A small company based in Overland Park, Kansas, The Austin Peters Group combines the experience and energy to provide high-quality, tailored products that meet the demands of our customers. The firm prides itself in being highly responsive to its client needs.

The Austin Peters Group has completed projects for nearly **80 local governments**. We have been assisting local governments since 1998.

Experience - Project Manager and Team

The following is an overview of our project team which includes qualifications, education, professional registrations and areas and years of service in the respective field.

Rebecca Crowder, Masters in Public Administration, SPHR— President

The founder and President of The Austin Peters Group, Inc., has more than 25 years of local government management experience. Rebecca has provided management assistance to nearly 200 local government clients on a variety of management issues. She has researched and authored more than 100 studies. Rebecca has organized and led training programs for over 5,000 participants on issues such as diversity awareness, human resource management, team building, budget and finance, role of boards, goal setting and strategic planning. Past positions -- Human Resource/Administrative Services Director—Merriam, Kansas; Management Consultant—University of Tennessee Municipal Technical Advisory Service; Management Assistant—Janesville, Wisconsin; Budget Analyst—Johnson County, Kansas

Rebecca’s extensive local government experience has touched all local service areas, including: police, fire, public works, engineering, library, mental retardation services, administration, county elected officials, courts and juvenile justice, and more. She holds a Bachelor of Arts in Political Science from Kansas State University and a Master of Public Administration from the University of Missouri at Columbia. Former National Society for Human Resource Certification instructor for four years at Washburn University, teaching the compensation and classification certification (among others). Rebecca has led all projects listed in experience statement. Professional Memberships and Certifications: ICMA, SHRM, DDI Trainer, Zenger Miller Trainer.

Project Responsibility: Project Manager responsible for oversight and detailed involvement of entire project.

Elizabeth Tatarko, Masters in Urban Planning—Vice President

Elizabeth has served local and state government—as well as non-profit organizations—for more than 25 years. Prior to joining The Austin Peters Group, she was the Assistant Director of the Kansas Center for Rural Initiatives at Kansas State University. Elizabeth has provided technical assistance to more than 200 local, regional, and state organizations. She provides expertise in -- Evaluation and survey design; Community and economic development; Citizen involvement; Community participation; Conflict resolution; Focus groups; and Strategic planning. Over the past several years, Elizabeth has co-authored nearly all of the studies undertaken by The Austin Peters Group, Inc. local government and worked directly with nearly all of Austin Peters Group, Inc. 80 local government clients, and worked with more than 20 communities in citizen attitude survey research, focus group research, and individual interviews. She has also served as a program evaluator for university and state government programs. Elizabeth has served as an organizer and leader for training programs that have reached more than 5,000 persons. She received specialized training in conducting focus groups from the University of Minnesota under the guidance of Dr. Richard Krueger, the national leader in this field. She holds a Bachelor of Science in Political Science and a Master of Science in Regional and Community Planning from Kansas State University.

Elizabeth was the Project Manager for Johnson County’s Performance Evaluation program involving more than 3,000 employees. She also served as co-project manager for the Ford County Organizational Assessment. Professional Memberships and Certifications: APA, Myers Briggs Type Indicator, DDI Trainer, Center for Creative Leadership graduate, Focus Group Facilitator University of Minnesota. Training and

experience includes all major projects in partial list below.

Project Responsibility: Co-Project Manager, responsible for oversight and detailed involvement of entire project.

Marla Flentje, Masters in Public Administration—Senior Consultant

Marla has over 20 years' experience in consulting, facilitating, and teaching professional development programs for state, local, and community organizations. For several years, she has organized the annual Kansas Association of Counties compensation survey with 105 counties.

Marla has served as director for a state university-based unit that provides research, support, and technical assistance to local governments. She holds a Master's degree in Public Administration from Wichita State University. Marla was instrumental in the facilitation of Johnson County's performance evaluation program. Professional Memberships and Certifications include ICMA and Conflict Resolution and Management.

Project Responsibility: Facilitation, department interviews.

Jay Crowder, Masters in Human Development, SPHR—Senior Consultant

Jay has held leadership and professional positions in two Fortune 250 companies. His 25 years of experience are in the areas of -- Affirmative action; Fair employment practices (ADA, FMLA, Title VII); Human resource planning; Recruitment; Compensation; Performance management; 360-degree evaluation process; Employee relations; Training and development; Employee relocation; Union avoidance; Worker's compensation; and Immigration.

Jay holds a Bachelor's Degree in Human Development from the University of Kansas and a Master's Degree in Human Resource Development from Vanderbilt University. Training and experience include specific studies, as well as the former Classification and Compensation Analyst for Johnson County, Kansas (current employees total over 4,000). Professional memberships and certifications include ICMA, SHRM.

Project Responsibility: Consultant on employment law and human resource needs.

APG References

Note: normally we do not include a client where we have not complete a project, however, we have listed Finney County in this case even though we are not finished.

Mary Biere, Human Resource Manager

Johnson County
111 S. Cherry St.
Olathe, KS 66061-3451
913-715-1600
Mary.Biere@jocogov.org

Kent Cagle, City Manager

City of Leander
200 West Willis Street
Leander, TX 78641
512-528-2702
kcagle@leandertx.gov

Rita Ramirez, Assistant City Administrator

City of LaVista
8116 Park View Boulevard
La Vista, NE 68128
402-331-4343
RRamirez@cityoflavista.org

Randy Partington, County Administrator

Finney County
311 North 9th Street
Garden City, KS 67846
620-272-3506
rpartington@finneycounty.org

Partial List of Clients APG

The Austin Peters Group has completed projects for nearly **80 local governments**. We have been assisting local governments since 1998.

Below is a partial list of clients, and more specific information is available upon request, private sector clients are not listed.

City of Bonner Springs, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

City of Hesston, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

City of Iowa City, Iowa

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions, along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

City of Larned, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the

market. This project was conducted with all full-time employees.

City of La Vista, Nebraska

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

City of Newton, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

City of Spring Hill, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

Flint Hills Services

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

Butler County, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of

the market. This project was conducted with all full-time employees.

Geary County, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

Harvey County, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

Rice County, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

Riley County, Kansas

This project was conducted with all full-time employees. A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. The classification and compensation study was accomplished in coordination with the job description revision. The salary and benefit survey was conducted for an external review of the market.

Pottawatomie County, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of

the market. This project was conducted with all full-time employees.

Johnson County, Kansas

System-wide implementation of performance evaluation system for more than 4,000 employees.

City of La Vista, Nebraska

After the City adopted a pay study and had their strategic plan updated by the consulting team, the team developed low-cost solutions to their pay-for-performance system.

City of North Liberty, Iowa

After the City adopted a pay structure, the consulting team guided implementation of a pay-for performance system that has customizable performance factors.

Flint Hills Services

After the organization adopted a pay structure, the consulting team guided implementation of a pay for performance system that has customizable performance factors.

Rice County

After the County adopted a pay structure, the consulting team guided implementation of a pay-for-performance system that has customizable performance factors.

City of Bonner Springs, Kansas

After the City adopted a pay structure, the consulting team guided the implementation of a pay-for-performance system that has customizable performance factors.

Sprint—Worldwide

Three consultants have been involved in design, implementation, and training for Sprint's performance evaluation.

US Army, Navy, Marines

Two consultants have been involved in design and delivery of specific training for performance evaluation.

APG Products and Services

Management Recruitment and Development

Executive and managerial recruitment and selection

Team building

Strategic planning

Performance evaluation

Human resource management

Organizational climate surveys

Program evaluation

Facilitation

Compensation and Benefits

Compensation and benefit studies and solutions

Job evaluation

Market analysis

General Employment

Compliance with federal employment law

Employee handbooks

Job descriptions

Employment mediation

Third party investigation

Sexual harassment training

Interviewing techniques

Conducting background checks

Leadership Development

Achieve global products

Myers Briggs Type Indicator
Communication styles
Conflict resolution
Supervisory training
Employee development planning

Affirmative Action Planning

Affirmative action planning
Compensation analysis
Equal opportunity surveys
Quarterly management reports
Recruitment and placement support
Diversity and sensitivity training



CivicHR | Performance Management System Proposal

Garden City, KS • 04/04/2014

City of Garden City, KS
P.O. Box 998
Garden City, KS 67846
Michelle Stegman
HR Director
620-276-1172

Dear Michelle:

Thank you for considering CivicHR as a partner for Garden City's Performance Management system needs. Our firm is partnering with the Austin Peters Group in an effort to meet all of your needs.

You are likely aware, CivicPlus is the unique provider of the award winning Government Content Management System (GCMS®) – and is one of the most innovative, knowledgeable sources for engaging eGovernment solutions provided exclusively to over 1500 public sector clients. CivicPlus' expertise lies in our ability to deliver a comprehensive solution that considers administrative ease and collaboration as well as end-user empowerment. Our human resources solutions can seamlessly integrate with your website to offer simplicity for your team, and keep your website the funnel of all information to your citizens.

The following proposal details how the CivicHR solutions will reduce your staff's workload, respect budget constraints and, most importantly, provide your community with a powerful online resource to customize, manage, and design a performance management system tailored to your workforce.

I sincerely welcome the opportunity to elaborate further on our proposal and answer additional questions you may have about partnering with CivicHR.

Respectfully,
Tiffany

Tiffany Ledbetter

Regional Sales & Consulting Manager
317 Houston St., Suite E Manhattan, KS 66502
Direct 785-320-1597 + **Fax** 785-587-8951
Email Ledbetter@CivicPlus.com

History of CivicPlus

Since our inception, CivicPlus has been capturing the passion our customers have for their communities and their residents with high-quality, eGovernment solutions. Our CivicHR Applicant Tracking and Employee Onboarding systems are built to intuitively help you hire better! We consider it a privilege to partner with municipalities to provide a solution in finding top notch candidates for your career opportunities and quickly transition them to productive employers.

Icon Enterprises, Inc., does business as CivicPlus, CivicHR, and Networks Plus and employs more than 165 people. Incorporated in Kansas in 1998, we began providing technical-related services in 1994.

CivicPlus was born out of four rural cities' desire for a progressive way to maintain their websites without the burden of employing a continual webmaster. They sought a system that would allow routine updates and changes to be implemented by city staff, regardless of technical skill. After close consultation with these four initial cities, an innovative tool that automated the process of updating website content was developed. Our CivicHR tools also grew out of close collaboration with municipalities who are looking for better ways to attract and manage great people.

Today, under the leadership of founder Ward Morgan, CivicPlus continues to implement new technologies and services to maintain the highest standards of excellence and efficiency for our more than 1,500 clients. Our commitment to setting the standard for service to local governments drives us to continue to expand our offerings.

At CivicPlus, we have a passion for helping local governments engage with their citizens and employees. Our goal with CivicHR is to help you hire top performers and streamline your hiring and talent management processes.

About CivicHR

Mission

CivicHR specifically focused on helping local governments engage high performing employees to achieve the goals of their community. Our solutions are easy to use tools that will help our clients:

- + Increase the quality and performance of employees
- + Reduce administrative costs associated with HR processes
- + Ensure the compliance of HR practices

Overview

CivicHR is a suite of web-based tools designed to help local government HR professionals hire, onboard and manage high-performing employees. The suite includes the following product modules:

- + CivicHR | Applicant Tracking
- + CivicHR | Employee Onboarding
- + CivicHR | Performance Management
- + CivicHR | Portal (*Coming April 2014*)

CivicHR | Applicant Tracking is a web-based recruiting and hiring platform. All the tools needed to easily manage job descriptions, publish open positions, accept online applications and screen candidates to help easily hire top talent in less time!

CivicHR | Employee Onboarding is a web-based onboarding platform. All the tools needed to easily create, distribute and collect all necessary employee forms, distribute surveys, setup employee resources and manage training plans so new hires more quickly become highly productive employees!

CivicHR | Performance Management is a web-based performance evaluation platform. All the tools needed to complete employee performance evaluation, provide feedback and measure staff engagement to help local governments better serve their communities through the talented people they employ!

CivicHR | Portal is a human resources information system (HRIS) solution for web-based records for storing, protecting and utilizing employee information such as; current and prior positions, date of hire, compensation, benefits enrollment, and emergency contacts. All the tools needed to move critical and sensitive information out of file drawers and spread sheets and into one secure dynamic resource!

Each product module may be purchased as stand-alone solutions or as integrated bundles. Solutions can be integrated with other CivicPlus products. Contact your representative to learn more.

Performance Management

Move away from those subjective, "everyone hates to complete" performance reviews and go with a truly integrated talent management suite that will track employee performance from beginning to end.

CivicHR | Performance Management is a web-based performance evaluation platform. All the tools needed to complete employee performance evaluation, provide feedback and measure staff engagement to help local governments better serve their communities through the talented people they employ!

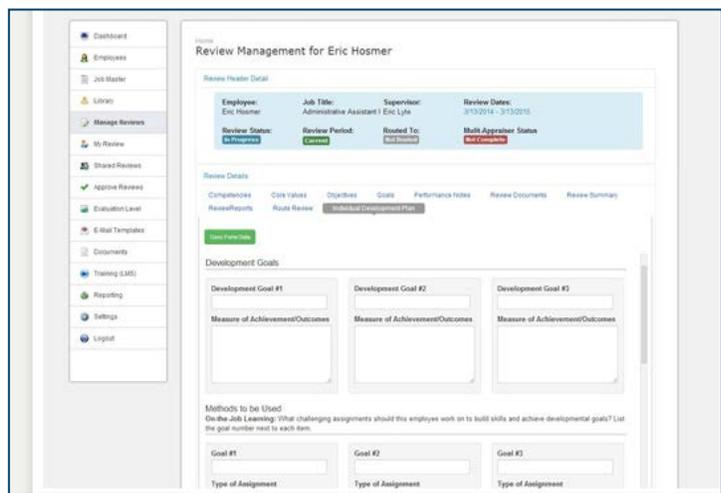
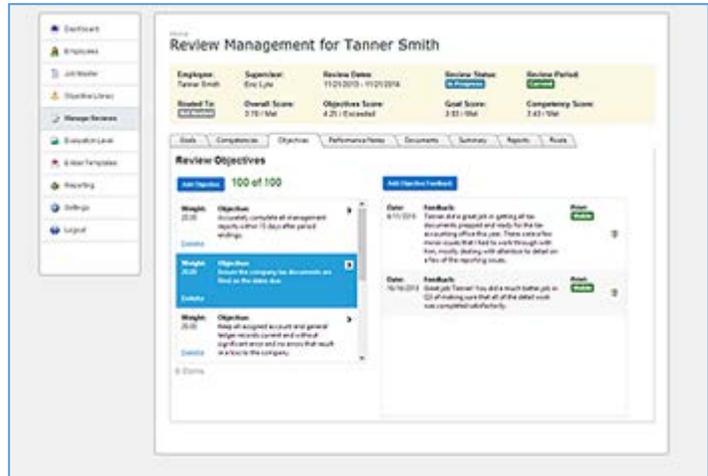
Create and track dynamic performance metrics with our easy to use MBO (Management By Objectives) performance management system. Seamless integration with our applicant tracking and employee onboarding programs make it easy for you to define job functions and track performance across the organization against those objectives. System includes easy-to-use multi-appraiser and 360 degree evaluation tools for a complete look at employee performance. Link Performance Management tools to a compensation plan with a focus on pay for performance and your talent management strategy becomes an effective tool for you to manage your employees in a more effective way.

Solution Outcomes

- + Employee Engagement – The first few days on the job set the tone for years to come. A better first impression will keep the employees you invest so much in hiring from leaving or just checking-out!
- + Decreased Time-To-Productivity – Have workspace and tools ready on day one. Quickly train and acclimate new hires to their role and responsibilities, so they are more productive sooner.

Key Features

- + Management By Objectives - Create supervisor defined job objectives and track feedback to create an easy-to-implement performance appraisal system for your municipality
- + Link Objectives to Community Goals - Link job objectives to community goals to ensure that all employees are working towards the same end result.
- + Track Core Competencies - Create and manage core competencies that all employees are responsible for achieving.
- + Intuitive Supervisor Routing - Create customizable routing workflows that are specific to each employees' line of oversight.
- + Customizable Multi-Appraiser Setup - Have multiple supervisors managing employees and need to get appraisals from everyone? No problem it is easy to setup and use.
- + Integrated Document Management - Upload and manage PM scorecards, disciplinary forms, change requests and other documentation.



CivicHR Contacts

Additional questions can be directed to the following CivicPlus staff members. We look forward to hearing from you!

Tiffany Ledbetter, CivicHR
Regional Sales & Consulting Manager
Direct 785-320-1597
Fax 785-587-8951
Email Ledbetter@CivicPlus.com

Jonathan Wiersma, CivicHR
Product Manager
Direct 785-323-1553
Fax 785-587-8951
Email Wiersma@CivicPlus.com

IV. Cost for Services

APG Pricing

Scope and Cost	Cost
Revision of a Performance Appraisal System	
1. Meet with administration and department heads for first meeting	\$1,800.00
2. Develop, conduct, compile employee survey and department head/elected survey	\$1,800.00
3. Facilitate retreat with Steering Committee and vendor selection	\$1,800.00
4. Facilitate identification of performance competencies for each position – 188 positions. Develop <u>guidelines</u> for performance goals setting to be used by Department Heads and Supervisors for each position.	\$1,710.00
6. Provide department head, supervisory, and employee training materials to accompany performance evaluation tool	\$1,800.00
7. Deliver performance appraisal training to department heads, supervisors, and employees.	\$5,000.00
8. Review and revise performance appraisal policies	\$1,800.00
9. Electronic copies will be sent to client for photocopying	No Charge
10. Travel costs: 4 trips	Billed separately
Total Project Cost for Performance Appraisal System (not to exceed)	\$15,710.00
<i>Option 1: APG review all performance goals by position and provide suggestions and feedback to Department Head (15 minutes per position)</i>	\$4,230.00

Civic HR Full Subscription Pricing

CivicPlus is committed to providing all the expertise and functionality you need in an easy to use platform at an affordable price by offering more value in the only way that matters, by solving the problems you face. Please select the services you would like to implement and request a consolidated quote from CivicPlus.

Description of Product and Services	First Year	Annual Recurring
CivicHR Performance Management Annual Subscription – A complete and fully integrated solution for employee performance evaluation and engagement.	\$9,000.00	\$4,500.00
Web-based Career Portal and Job Listing Integration	FREE <i>(Compared to \$1250)</i>	FREE <i>(Compared to \$1250)</i>
Setup and Implementation – Full provisioning of your system with support for electronic job detail import (if applicable), custom application development, user setup and system configuration.	\$1,000.00	N/A
Support – Q&A, troubleshooting and user assistance	FREE and Unlimited	FREE and Unlimited
Web-based Training – Custom dedicated training for organization employees via web-based conferencing.	FREE and Unlimited <i>(Compared to \$5000 or more!)</i>	Up to 8 hours per year included
Webinars and Online Resources – Online group training via video demo or webinar. Sessions include but are not limited to; new feature roll-out review, industry topics and user refreshers.	FREE and Unlimited	FREE and Unlimited
Discount : Waived Implementation Fee	(\$1,000.00)	N/A
Total	\$9,000.00	\$4,500.00

* Pricing tier assigned based on user and support requirements. Recurring subscription pricing is subject to normal product pricing changes not to exceed an increase of 5% per year. Pricing may be locked in for up to 3 years with a multi-year purchase. Comparisons made to publicly available competitor data.

Total Pricing

APG Costs: \$15,710

Civic HR: \$ 9,000

Total: \$24,710

MEMORANDUM



TO: Matthew C. Allen, City Manager
FROM: James R. Hawkins, Chief of Police
DATE: May 29, 2014
SUBJECT: Grant Application

The Garden City Police Department is herewith seeking authorization from the Governing Body to enter into a grant application process for the 2014 Local Solicitation Edward Byrne Memorial Justice Assistance Grant.

The application process requires the review and commentary of the grant before the citizens of the City of Garden City.

If the grant of \$12,995 is awarded, the Garden City Police Department intends to utilize funds to purchase L3 Systems in-car cameras.

Should you have any questions or concerns, please contact me at your convenience.

James R. Hawkins
Chief of Police



Garden City Recreation

310 N. 6th, Garden City, Kansas 67846 – Phone: 620-276-1200 Fax: 620-276-1203 – email: grec@garden-city.org

Memo

To: City of Garden City, Commissioner's

From: John H. Washington

Subject: Appointment of Board Member

As per policy, the Garden City Recreation Commission Board has accepted the recommendation of Valerie Hess to the Recreation Board. Mrs. Hess would “like to serve on the Recreation Commission Board to provide support to our community”. “I also would like to be a role model for my children, so that someday they would want to serve their community as well.”

The current position held by Maria Hardwick which has completed her term and wishes not to continue an additional term.

Thank You!

John H. Washington, Supt. of Recreation

GARDEN CITY IS MY TOWN TOO!

I would be willing to serve on a planning or Advisory Board/Committee.

NAME: Valerie Hess HOME PHONE: 620 275 6586

ADDRESS: 1750 North Shore WORK PHONE: 620 805 2938

E-MAIL ADDRESS: labrier2012@gmail.com

OCCUPATION (if employed): Store mgr

PLACE OF EMPLOYMENT: The Buckle

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? 8 years

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

helping community and helping with family & kids event in community for our town

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:

Superintendent - Attn: John Washington
Garden City Recreation Commission
310 N 6th St
Garden City KS 67846

Email: john.washington@gardencityks.us

Consent Agenda

MEMORANDUM

TO: GOVERNING BODY

FROM: Steve Cottrell

DATE: 23 May 2014

RE: WINDSOR HOTEL - KDOT AGREEMENT

ISSUE

KDOT has prepared for Supplemental Agreement No. 1, to agreement No. 209-12, for the Windsor Hotel Transportation Enhancement Project. The Governing Body is asked to authorize the Mayor and City Clerk to execute the agreement.

BACKGROUND

The original State/City agreement for the Windsor Hotel project was executed in October of 2012. As the contract has been awarded for construction, the supplemental agreement reflects the actual contracted project costs. Also, the agreement has new language that addresses changes in ownership or use of the building within twenty years following completion of the project.

ALTERNATIVES

- 1) Approve the supplemental agreement.
- 2) Defer action until a later date.

RECOMMENDATION

Staff recommends Governing Body approval of Supplemental Agreement No. 1 to Agreement No. 209-12.

FISCAL

The local match for this project is paid by the Finney County Preservation Alliance.



Engineering Department

Steven F. Cottrell, P.E.,
City Engineer

C.W. Harper, P.E.
Assistant City Engineer

CITY ADMINISTRATIVE
CENTER
301 N. 8TH
P.O. BOX 998
GARDEN CITY, KS
67846-0998
620.276.1130
FAX 620.276.1137
www.garden-city.org

PROJECT NO. 28 TE-0359-01
TEA-T035(901)
TRANSPORTATION ENHANCEMENT PROJECT
HISTORIC PRESERVATION OF WINDSOR HOTEL
CITY OF GARDEN CITY, KANSAS

S U P P L E M E N T A L A G R E E M E N T N o . 1

This Agreement, made and entered into effective the date signed by the Secretary or designee, is by and between **MICHAEL S. KING, Secretary of Transportation**, Kansas Department of Transportation (KDOT) (the “Secretary”) and the **City of Garden City, Kansas** (“City”), collectively, the “Parties.”

RECITALS:

- A. The Parties entered into an Agreement dated October 5, 2012 for the historic preservation of the Windsor Hotel in Garden City, Kansas (the “Original Agreement”).
- B. The Parties mutually desire to supplement the Original Agreement to reflect an increase in federal funding available for the Project; to place a maximum participation cap on such funds; and the City’s obligations concerning the useful life of the Project.

NOW, THEREFORE, the Parties agree as follows:

1. On page 2 of the Original Agreement, Article I, “THE SECRETARY AGREES,” paragraph 2, be replaced in its entirety to read as follows:

2. To reimburse the City for eighty percent (80%) of the total actual participating costs of construction (which includes the costs of all construction contingency items) and construction engineering, but not to exceed \$790,738.00 for the Project, except in instances where the Project has non-participation construction costs. In such a case the reimbursement rate for construction engineering services will be reduced commensurate with the non-participating costs. The Secretary shall not be responsible for the total actual costs of construction (which includes the costs of all construction contingency items) and construction engineering that exceed \$988,423.00 for the Project. Further, the Secretary shall not be responsible for the total actual costs of preliminary engineering, rights of way, and utility adjustments for the Project.

2. On page 5 of the Original Agreement, Article II, “THE CITY AGREES,” paragraph 22, be replaced in its entirety to read as follows:

22. To be responsible for twenty percent (20%) of the total actual costs of construction (which includes the cost of all construction contingency items) and construction engineering, up to \$988,423.00 for the Project. Further, the City agrees to be responsible for one hundred percent (100%) of the total actual costs of construction (which includes the cost of all construction contingency items) and construction engineering that exceed \$988,423.00. The City also agrees to be responsible for one hundred percent (100%) of the total actual costs for preliminary engineering, rights of way, and utility adjustments for the Project.

3. On page 8 of the Original Agreement, Article III, "THE PARTIES MUTUALLY AGREE," paragraph 1, be replaced in its entirety to read as follows:

1. The estimated cost for construction is \$924,423.00 and for construction engineering is \$64,000.00, for a total estimated cost of \$988,423.00. It is further mutually agreed these estimated cost figures are to be used for encumbrance purposes by the Secretary and adjustments will be made based on the actual Project costs.

4. On page 9 of the Original Agreement, Article III, "THE PARTIES MUTUALLY AGREE," paragraph 7, be replaced in its entirety to read as follows:

7. The Parties agree the estimated useful life of the completed Project is 20 years and that the federal funding provided under this Agreement shall be amortized over the estimated useful life of the Project in equal amounts annually. The Parties further agree that the purpose of the project is to provide retail, office, housing, and a tourist and welcome center for the use by the public unless another purpose is approved by the Secretary as set forth in Article II, Section 27. For a period of 10 years following the date of final acceptance of the Project, if the Project is not used for the purpose set forth in this Agreement, the City shall refund to the Secretary 100% of the federal funds reimbursed to the City for the Project. For the period beginning 10 years after the final acceptance of the Project until 20 years after the final acceptance of the Project, if the Project is not being used for the purpose for which the federal funds have been approved and provided under this Agreement, the City shall repay the Secretary the unamortized amount of federal funding provided under this Agreement. The amount to be repaid shall be calculated by taking the total amount of federal funding reimbursed to the City pursuant to this Agreement and any future supplements to this Agreement, including all FHWA funds paid to the Secretary for work performed on the Project; dividing the amount by the total length of the estimated useful life of the 20 years; and then multiplying the result by the number of years of estimated useful life remaining on the Project at the time the Project is no longer being used for retail, office, housing, and a tourist and welcome center.

THIS SUPPLEMENTAL AGREEMENT shall not be construed to alter, modify, or void the terms, provisions or conditions of the Original Agreement, incorporated herein by reference, except as herein specifically provided.

The signature page immediately follows this paragraph.

IN WITNESS WHEREOF, the Parties have caused this Supplemental Agreement to be signed by their duly authorized officers.

ATTEST:

THE CITY OF GARDEN CITY, KANSAS

CITY CLERK (Date)

MAYOR

(SEAL)

Kansas Department of Transportation
Michael S. King, Secretary of Transportation

By: _____
Jerome T. Younger, P.E. (Date)
Deputy Secretary and
State Transportation Engineer

AGREEMENT FOR TOWING SERVICES

THIS AGREEMENT FOR TOWING SERVICES (Agreement), made and entered into this 3rd day of June, 2014, by and between the CITY OF GARDEN CITY, KANSAS (City), and SKEETER'S BODY SHOP, INC. (Skeeter's).

WHEREAS, City Code of Ordinances Section (Code) 86-36 provides that the Garden City Police Department (GCPD) shall remove motor vehicles parked or abandoned upon private property or an off-street parking facility without the consent of an owner, lessor, or person in charge of private property or an off-street parking facility; and

WHEREAS, City and the GCPD also require the services of a motor vehicle towing company to remove motor vehicles in nuisance situations and criminal investigations; and

WHEREAS, City has a need to contract with a private towing company for purposes of complying with the requirements of Section 86-36, as well as other Code sections; and

WHEREAS, Skeeter's wishes to enter into an Agreement with City to provide towing services.

NOW, THEREFORE, in consideration of the terms, conditions and provisions contained in this Agreement, the parties agree as follows:

1. TERM. The term of this Agreement shall be for a period of two (2) years, commencing on the 1st day of April, 2014, and ending on March 31, 2016. The effective date of this Agreement shall be April 1, 2014, regardless of date of approval by the parties.

2. SCOPE OF SERVICES. Skeeter's agrees to remove motor vehicles from private property or off-street parking facilities 24 hours per day, 7 days a week, upon notice from the GCPD or the City Inspection Department (Inspection) that an owner, lessor, or person in charge of private property or an off-street parking facility has requested removal of a motor vehicle parked or abandoned without consent, a vehicle has been determined to be a nuisance by Inspection and/or the Governing Body of City, or the GCPD requests removal of a motor vehicle arising out of a criminal or other investigation by a law enforcement agency. Skeeter's shall respond in a timely manner to all requests of the GCPD and Inspection. Skeeter's is granted authority to enter upon private property, an off-street parking facility, or any other property, for the purposes of discharge of its duties under this Agreement in conformity with the authority granted to the GCPD and Inspection by the Code. All motor vehicles removed shall be transported by Skeeter's to the City's motor vehicle impound lot. Skeeter's shall discharge its duties under this Agreement with the standard of care commensurate with those standards established for the motor vehicle towing business.

3. PAYMENT. In consideration of the services provided by Skeeter's, City shall pay to Skeeter's, the amount of One Hundred Twenty-five Dollars (\$125.00) per motor vehicle towed by Skeeter's, under the terms of this Agreement. Skeeter's shall charge the City charge card for each vehicle towed, and forward a receipt to the Chief of Police, GCPD, 304 N. 9th, Garden City, Kansas 67846. Skeeter's shall maintain records of all towing services performed by Skeeter's for City and shall forward copies of towing records to City, upon request.

4. INDEMNIFICATION. Skeeter's agrees to indemnify and hold harmless City, its officials, employees and agents from all fines, suits, claims, demands and actions of any kind and any nature by reason of any and all accidents or injuries to persons or property arising out of the services provided by Skeeter's under the terms of this Agreement. Skeeter's shall at all times be regarded as an independent contractor and shall not at any time act as agent for, or employee of, City. Without limiting its liability, Skeeter's agrees to carry and keep in force sufficient personal injury liability and property damage insurance satisfactory in amount to City. Skeeter's also agrees to maintain Workers' Compensation insurance coverage on all of its employees, agents, and those specifically employed by Skeeter's to provide services to City. Skeeter's shall be solely responsible for any damage to motor vehicles or property occurring in the discharge of Skeeter's duties under this Agreement.

5. ASSIGNMENT. Skeeter's shall not assign this Agreement.

6. DEFAULT. This Agreement is made upon the express condition that if Skeeter's fails to comply with the terms of this Agreement, or if Skeeter's fails or neglects to perform or observe any of Skeeter's obligations hereunder, and such failure and neglect shall continue for ten (10) days after written notice to Skeeter's from City, City at any time thereafter, may lawfully declare the termination of this Agreement. City shall have the right to pursue all available remedies allowed by law, should Skeeter's be in default.

7. TERMINATION. This Agreement may be terminated by City, for any reason, by giving thirty (30) days written notice of termination to Skeeter's.

8. GENERAL COVENANTS.

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

(1) If to City: James Hawkins, Chief of Police
Garden City Police Department
304 N. 9th Street
Garden City, Kansas 67846

(2) If to Skeeter's: Skeeter's Body Shop, Inc.
c/o Larry R. Smith
3104 West Jones Avenue
Garden City, Kansas 67846

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

(b) This document incorporates all of the obligations, agreements and understandings of the parties hereto, and there are no oral agreements or understandings between the parties hereto concerning the subject covered by this Agreement.

(c) This Agreement may be amended, changed, or modified, only upon the written consent of all the parties.

(d) This Agreement shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, and personal representatives.

(e) This Agreement shall be construed in accordance with the laws of the state of Kansas.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed by their authorized officers thereunto duly authorized as set forth hereinbelow.

CITY OF GARDEN CITY, KANSAS

Date

By _____
ROY CESSNA, Mayor

ATTEST:

CELYN N. HURTADO, City Clerk

JAMES R. HAWKINS, Chief of Police

APPROVED AS TO FORM:

RANDALL D. GRISELL, City Counselor

SKEETER'S BODY SHOP, INC.

Date

By _____
Larry R. Smith

Other Entities Minutes



Garden City Recreation

310 N. 6th, Garden City, Kansas 67846 – Phone: 620-276-1200 Fax: 620-276-1203 – email: gcrec@garden-city.org

AGENDA

Regular Meeting

Monday – May 19, 2014 @ 5:15 p.m.

Recreation Center, 310 N. 6th Street

-
- I. **Call Meeting to Order (Welcome Valerie Hess)**
 - II. **Approval of Agenda**
 - 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.

 - a. Minutes of Regular Meeting for April 2014
 - b. Financial Reports for April 2014
 - c. Staff Reports
 - d. Participation Reports April 2014
 - IV. **Superintendents Report**
 - a. Big Pool Opening May 24, 2014 @ 1:00pm.
 - b. Indoor Waterpark
 - c. Fitness Facility
 - d. 2014 SWKR Golf Tournament (August 15, 2014 @ 9am)
 - e. May 30, 2014 – Donna Gerstner retirement party from 3:00 pm – 6:00 pm here at the Recreation Center. Cake and Snacks Provided.
 - f. June 3, 2014 Blue Chip award will be presented at the City Commission meeting at 1:00.
 - g.
 - V. **New Business**
 1. 2015 Budget Review
 2. Approval for the removal two job descriptions from the policy manual, Assistant Superintendent and Recreation Specialist for Instructional Program
 - 3.
 - VI. **Old Business**
 - a. Mr. Hill is recommending a 5th and 6th grade traveling football team under the GCRC Sports Department.
 - VII. **Executive Session – Recreation Board will go into executive session at _____ for the purpose of discussing Real Property, Personnel and/or Contractual Obligations. The Recreation Board will reconvene into open session at _____ Upon Request by the Superintendent or a Board Member.**

Garden City Recreation Commission Questions & Comments
 - VIII. **Adjournment**

Next Meeting

Regular Meeting - Budget Approved/published June 30, 2014 @ 5:15

Special Meeting - Budget Hearing/Certified July 14th @ 12:00

Regular Meeting July 28, 2014 @ 5:15

**Garden City Recreation Commission
Minutes
Monday, April 28, 2014**

- I. **Call Meeting to Order** – Welcome new Board Member Alyssa Benavidez! Term 2014-2017 Chairperson Anna Urrutia called the meeting to order at 5:15 pm. GCRC Board present was Torre Mohler and Marcus Ramos. Superintendent John Washington introduced Alyssa Benavidez to the board; she will be taking Maria Hardwick place. GCRC Staff present were Superintendent John Washington, Assistant Superintendent Donna Gerstner, Recreation Specialist Joan Scherman, Sports Director Jared Rutti and Finance Director Terri Hahn. Guest Brian Hill and Drew Thon.
- II. **Approval of Agenda**
John asking to add to the agenda under V. New Business, 4. Approval of Pool Manuel updated and 5. Approval of Maintenance Field Soil Amendments Supplies. Motion by Torre Mohler to approve the amended agenda, seconded by Marcus Ramos. Motion carried with all in favor.
- 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 March 31, 2014 – Revision of minutes from November 30, 2013.**
 - **Financial Reports for April 2014.**
 - **Staff Reports**
 - **Participation Reports**
- Finance Director Terri Hahn explained on the minutes from March 31, 2014 to change the amount on the Pyramid POS from \$9,995.00 to \$14,275.00 on the recommendation and on the motion. Also, on the Minutes from November 30, 2013, correction needs to be made to V. New Business, C. Requesting for consideration sports lighting at Clint Lightner Field, Bids were received on November 21, 2013 at 1pm – instead of saying moved to executive session it should read Bids were received from Musco Lighting, Heineken Sports Lighting, Inc. and Techline Sports Lighting for Clint Lightner Baseball Field Lighting and read aloud. Engineers estimate was \$190,000.00.
- Musco Lighting: Base Bid \$155,000.00. Demo of Existing Lights \$2,000.00 (GCRC will pay direct for demo of existing lights) Total \$157,000.00 less \$2,000 = \$155,000.
- Heineken Sports Lighting, Inc.: Base Bid \$169,800.00. Deduct Remote System (\$7,000.00) Deduct 30 yr. warranty (\$11,000.00) Total \$151,800.00
- Techline Sports Lighting Base Bid \$156,400.00. Deduct 30 yr. 10 yr. (\$8,000.00). Deduct Ecolink Remote (\$5,000.00). Deduct External Spill Glare Visor (\$5,000.00) Total \$138,400.00
- John recommended using Musco Lighting with the price of \$155,000.00
- Motion by Marcus Ramos to approve the bid from Musco Lighting for \$155,00.00 for Clint Lightner lights. Seconded by Anna Urrutia. Motion carried with all in favor.
- D. GCRC Staff is requesting for consideration Artificial Turf at Clint Lightner Field (Infield Surface). Bids were received on November 21, 2013 at 1pm. Instead of reading Moved to executive session it should read.

Bids were received from Hellas Construction and Mid-America Golf and Landscape for Clint Lightner Baseball Field artificial turf. Engineers estimate was \$309,600.00

Hellas Construction Base Bid: \$324,940.00 Alternates \$39,918.00

Mid-America Golf and Landscape Base Bid/Drainage System \$133,015.00. Synthetic Turf, Lines/Fill \$134,410.00 Sub Total \$283,995.00. Diamond R Synthetic Turf \$16,570.00.

Diamond M Synthetic Turf (\$4,078.00) Sub Total \$283,995.00 + Diamond R Synthetic Turf \$16,570.00 = \$300,565.00

John recommended going with Mid-America Golf and Landscape for \$300,565.00. Motion by Anna Urrutia to approve the Mid-America Golf and Landscape bid for artificial turf at Clint Lightner Baseball Field for \$300,565.00. Seconded by Marcus Ramos. Motion carried with all in favor.

Motion by Torre Mohler to approve the amended consent agenda, seconded by Marcus Ramos. Motion carried with all in favor.

IV. Superintendent Report

- a. **Clint Lightner Project bleacher seats, backstop wall and advertisement boards.** – John informed the Board that USD 457 donated seat backs that did not fit any of their bleachers to us to use for Clint Lightner Bleachers.
- b. **505 N 5th St Property for rent.** – This property is up for rent.
- c. **Fansler Field Renovation from Adult Softball to Youth Baseball.** - Recommendation is being made for make Fansler Field into a baseball field for the younger boys. Moving the base's to 80 ft. instead of 90 ft. at Clint. This field will be shut down to redo the field and irrigation.
- d. **909 E Fulton is up and running.** – Greater Gold Wrestling and Red Hawk Baseball are all moved in.
- e. **Painting the 5th and 6th Street Properties for 2014-15.** – Will be painting and repairing these properties.
- f. **Blue Chip Award, June 3, 2014 at the City Administration Building.** – John would like for the Board to attend the awards at the City Administration Building during the Commissioner meeting on June 3, 2014 for the Blue Chip Award.

V. New Business

1. **Jared Rutti, Sports Director is asking to change the fee rates at Clint Lightner Field.-**
Jared is asking the Board to change the fee rates at Clint Lightner Field since the remodeling. The rates for Clint were: \$85 = ½ day, \$160.00 Full Day for Group I. Group II read: 70.00 ½ day, \$130.00 full day.
The new rates will be: \$100 = ½ day, \$225.00 Full Day for Group I and Group II will be \$90 ½ day and \$180.00 full day.
Motion by Marcus Ramos to approve the fee rates at Clint Lightner Field, seconded by Torre Mohler. Motion carried with all in favor.
2. **Approval of the Resignation of David DuVall due to a resident change.** –Motion by Marcus Ramos to approve the resignation of David DuVall, seconded by Torre Mohler. Motion carried with all in favor.
3. **Approval of any new candidates for Garden City Recreation Commission Board.** – The name that John received from the City was Valerie Hess. Motion by Marcus Ramos to

submit Valerie Hess to the City Commissioners for approval, seconded by Alyssa Benavidez. Motion carried with all in favor.

4. **Approval of Pool Manuel updated.** – Monica made corrections and changes to the Pool Manuel. Job Descriptions, rules, regulations, policies and procedures are included in the manual. A Big Pool Emergency Action Plan is also included. Motion by Torre Mohler to approve the Pool Manual, seconded by Alyssa Benavidez. Motion carried with all in favor.
5. **Approval of Maintenance Field Supplies.** – Maintenance Director Brian Knight is asking for approval for field supplies. He received quotes from Tri Star Seed and Grass Pad. They are:

Tri Star Seed Prices

Infield Conditioner	640 bags	\$5,824.00
Chalk	200 bags	\$ 962.00
Mound Clay	40 bags	\$ 405.20
	Freight	\$1,450.00
	TOTAL	\$8,641.20

Grass Pad Prices

Infield Conditioner	640 bags	\$4,320.00
Chalk	200 bags	\$ 896.00
Mound Clay	40 bags	\$ 474.00
	Freight	\$2,930.00
	TOTAL	\$8,620.00

Motion by Marcus Ramos to approve the purchase of field maintenance supplies from Grass Pad for a total of \$8,620.00. The motion was seconded by Alyssa Benavidez. Motion carried with all in favor.

VI. Old Business

- a. **Mr. Rutti and Mr. Hill will present his findings for an effective youth football program.** Jared gave prices on equipment thru R.T. Sporting Goods - \$86.00 helmets, shoulder pads \$36.00 - \$45.00, practice pants \$18.00, and game pants \$23.00. Cost startup estimated at \$145.00, which would be good for 2 years. After 2 years helmets would need to be recondition and recertified. To recondition adult helmet would cost \$30.00 a helmet plus recertified cost \$190.00. Goodland, Colby, Hays, Great Bend, Norton and Pratt are some of the city playing in this league. There would be 3 games in town and 3 games out of town. Parents would also have to cover travel cost. Motion by Marcus Ramos to table the youth football program until the next meeting, seconded by Torre Mohler. Motion carried with all in favor.

VII. Executive Session – Recreation Board will go into executive session at ____pm for the purpose of discussing personnel and/or real property. The Recreation Board will reconvene into open session at ____pm.

A motion was made by Marcus Ramos to go into executive session for 3 hours for the purpose of GCRC personnel under policy 7.12 Appeals and Grievance, seconded by Torre Mohler. Motion carried with all in favor.

Went into executive session at 6:14pm.

Out of executive session at 9:02pm.

No Action Taken.

Garden City Recreation Commission Questions and Comments

VIII. Adjournment

Motion by Marcus Ramos to adjourn the meeting. The motion was seconded by Torre Mohler. The meeting adjourned at 9:06pm.

Terri Hahn
Secretary

Approved 05/19.2014

Golf Advisory Board

May 12, 2014

6:00pm-6:25pm

Members Present: Sandy Rodgers, Cole Wasinger, Ray Navarro, Scott Ackerman, Caleb Woods
Toby Whitthun, Deanna Mann

The minutes from Mar. 10, 2014 were accepted as reported.

Cole Wasinger report: Golf Professional

New Assistant:

There have been three applicants. Applications are due by May 15th.

SIG Golf and YMCA Membership:

The YMCA/ Buffalo Dunes golf package is under way. This should increase course usage, as well as income.

Monthly financial report:

Total Revenue is now in the black by \$266.50. Memberships for April brought up the income.

Symetra tournament:

Symetra people will be coming to the course in the near future to assess the course for placement of pins, etc. Cole went to an event and saw first hand how the event was run. There are 150-200 volunteers daily. The committee will be meeting soon to begin making more plans. This tournament does bring in \$25,000.00 to the Dunes, plus the monies that are brought into the community.

AJGA:

Sandy Rodgers is still looking for volunteers, but is getting closer to having all areas filled. Members present added their names to some of the areas volunteers were needed in.

Toby Whitthun report: Greens superintendent

Condition of course:

Seeding has been done, but the weather has been too cold for germination. Once the weather stays warmer, the course will begin to show improvement. The rough will be mowed one more time, then will probably be left to grow.

Next meeting: June 9th @ 7:00pm @ Zoo Education Center

Reported by Sandy Rodgers